

House Bill 740

By: Representatives Nix of the 69th, Howard of the 124th, Dempsey of the 13th, Chandler of the 105th, Trammell of the 132nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code
2 of Georgia Annotated, relating to improved student learning environment and discipline in
3 elementary and secondary education, so as to require local school systems to conduct certain
4 screenings, assessments, and reviews prior to expelling or assigning a student in kindergarten
5 through third grade to out-of-school suspension for five or more consecutive or cumulative
6 days during a school year; to provide exceptions; to provide for a definition; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
11 Annotated, relating to improved student learning environment and discipline in elementary
12 and secondary education, is amended by adding a new Code section to read as follows:

13 "20-2-742.

14 (a) As used in this Code section, the term 'weapon' shall include dangerous weapons,
15 firearms, and hazardous objects as defined in Code Section 20-2-751.

16 (b) No student in kindergarten through third grade shall be expelled or suspended from
17 school for five or more consecutive or cumulative days during a school year without first
18 receiving a vision screening, hearing screening, and a speech-language assessment unless
19 such student possessed a weapon, drugs, or other dangerous instrument or such student's
20 behavior endangers the physical safety of other students or school personnel. If such
21 student received a vision screening, hearing screening, and a speech-language assessment
22 in the previous six months, or if such student's parent or guardian does not provide
23 permission for such screening or assessment, the local school system shall not be required
24 to provide such specific screening or assessment.

25 (c) In addition to the requirements in subsection (b) of this Code section, prior to assigning
26 any student in kindergarten through third grade to out-of-school suspension for five or

27 more consecutive or cumulative days during a school year, if such student has an
28 Individualized Education Program (IEP) pursuant to the federal Individuals with
29 Disabilities Education Act or a plan under Section 504 of the federal Rehabilitation Act of
30 1973, the local school system shall also convene an IEP or Section 504 meeting to review
31 appropriate supports being provided as part of such Individualized Education Program or
32 Section 504 plan."

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.