

Senate Bill 106

By: Senators Davenport of the 44th, Jones II of the 22nd, Dugan of the 30th, Sims of the 12th, Butler of the 55th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-742 of the Official Code of Georgia Annotated, relating to
2 multi-tiered system of supports prior to suspension or expulsion for certain students, so as
3 to include wraparound services in the multi-tiered system of supports to be provided prior
4 to expelling or assigning a student in preschool through third grade to out-of-school
5 suspension for more than five consecutive or cumulative days during a school year; to
6 provide a definition of wraparound services; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 20-2-742 of the Official Code of Georgia Annotated, relating to multi-tiered
11 system of supports prior to suspension or expulsion for certain students, is amended by
12 revising subsections (a) and (b) as follows:

13 "(a) As used in this Code section, the term:

14 (1) 'Multi-tiered system of supports' or 'MTSS' means a systemic,
15 continuous-improvement framework in which data based problem solving and decision

16 making is practiced across all levels of the educational system for supporting students at
17 multiple levels of intervention.

18 (2) 'Public preschool through third grade' means a public preschool, a ~~Pre-K~~
19 pre-kindergarten program in a public school administered pursuant to Code Section
20 20-1A-4, and kindergarten through third grade in a public school.

21 (3) 'Response to intervention' or 'RTI' means a framework of identifying and addressing
22 the academic and behavioral needs of students through a tiered system.

23 (4) 'Weapon' ~~shall include~~ means and includes dangerous weapons, firearms, and
24 hazardous objects as defined in Code Section 20-2-751.

25 (5) 'Wraparound services' means services provided to students and, in some instances,
26 their families, which provide academic, social, or behavioral support for the student and
27 which:

28 (A) Provide for early, continuous, intensive, and comprehensive child development
29 and family support services intended to enhance the physical, social, emotional, and
30 intellectual development of participating children;

31 (B) Ensure that the level of services provided to families responds to their needs and
32 circumstances;

33 (C) Promote positive parent-child interactions;

34 (D) Provide services to parents to support their role as parents, including parenting
35 skills training and training in basic child development, and services to help the families
36 move toward self-sufficiency, including educational and employment services, as
37 appropriate;

38 (E) Coordinate services provided by programs in the state, including, but not limited
39 to, home based services, and programs in the community, including, but not limited to,
40 programs for infants and toddlers with disabilities and programs for homeless infants
41 and toddlers to ensure a comprehensive array of services, including, but not limited to,
42 health and mental health services and family support services;

43 (F) Ensure children with documented behavioral problems, including problems
44 involving behavior related to prior or existing trauma, receive appropriate screening and
45 referral;

46 (G) Ensure formal linkages with Head Start programs, Georgia's Pre-K Program, or
47 other providers of early childhood education and development programs to provide for
48 continuity of services for children and families;

49 (H) Develop and implement a systematic procedure for transitioning children and
50 parents from Head Start programs, Georgia's Pre-K Program, or other providers of early
51 childhood education and development programs;

52 (I) Establish channels of communication between staff of Head Start programs,
53 Georgia's Pre-K Program, or other providers of early childhood education and
54 development programs to facilitate the coordination of program services; and

55 (J) Ensure formal linkages with providers of early intervention services for infants and
56 toddlers with disabilities under the federal Individuals with Disabilities Education Act,
57 20 U.S.C., 1400 et seq., with the state interagency coordinating council as established
58 in Part C of the federal Individuals with Disabilities Education Act, 20 U.S.C. 1431, et
59 seq., and with the agency responsible for administering Section 106 of the federal Child
60 Abuse Prevention and Treatment Act, 42 U.S.C. 5106a.

61 (b) No student in public preschool through third grade shall be expelled or suspended from
62 school for more than five consecutive or cumulative days during a school year without first
63 receiving a multi-tiered system of supports, such as response to intervention and
64 wraparound services, unless such student possessed a weapon, illegal drugs, or other
65 dangerous instrument or such student's behavior endangers the physical safety of other
66 students or school personnel. If such student is receiving or has received a multi-tiered
67 system of supports, the school shall be deemed to have met the requirements of this Code
68 section. The school or program shall comply with all federal laws and requirements

69 regarding obtaining parental consent during any advanced tier within the system of
70 supports prior to certain screenings or evaluations.”

71

SECTION 2.

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