

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

AS PASSED SENATE

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 eighth 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

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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~~ 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~~ third eighth 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) Provide referrals to relevant social services provided by programs in this state,
32 including, such as, early intervention, home based services, community programs,
33 health and mental health services, nutrition services, and family support services;

34 (C) Provide students who have documented behavioral problems, including, but not
35 limited to, issues involving behavior related to prior or existing trauma, with
36 appropriate screening and referral services;

37 (D) Provide parents with a resource list of services, including, but not limited to, state,
38 local, and community programs that support parents and provide training and support
39 for parenting skills, positive parent-child interactions, child development, and access
40 to health care;

41 (E) Provide information and referrals to students and families about state and
42 nationally accredited high quality early childhood education programs, such as

43 Early/Head Start programs, Georgia's Pre-K Program, or other providers of early
44 childhood education and development programs through third grade; and
45 (F) Educate families about, and refer students to, state and nationally accredited high
46 quality education programs for children in grades four through eight.
47 (b) Local school systems or schools may make a multi-tiered system of supports, such as
48 response to intervention and wraparound services, available to students and families, or
49 shall provide appropriate referrals for such supports and services, at the discretion of school
50 system or school officials; provided, however, that no ~~No~~ student in public preschool
51 through ~~third~~ eighth grade shall be expelled or suspended from school for more than five
52 consecutive or cumulative days during a school year without first receiving a multi-tiered
53 system of supports, such as response to intervention and wraparound services, unless such
54 student possessed a weapon, illegal drugs, or other dangerous instrument or such student's
55 behavior endangers the physical safety of other students or school personnel. If such
56 student is receiving or has received a multi-tiered system of supports, the school shall be
57 deemed to have met the requirements of this Code section. The school or program shall
58 comply with all federal laws and requirements regarding obtaining parental consent during
59 any advanced tier within the system of supports prior to certain screenings or evaluations."

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SECTION 2.

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