

Senate Bill 169

By: Senators Payne of the 54th, Dixon of the 45th, Robertson of the 29th, Anavitarte of the 31st, Hickman of the 4th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 20-2-754 of the Official Code of Georgia Annotated, relating to
2 procedures to be followed by disciplinary officer, panel, or tribunal in public schools, and
3 review, so as to provide for limits on the extension of hearing dates for student discipline
4 tribunals; to require local school systems to provide appropriate grade-level instructional
5 materials to any student subject to in-school suspension, short-term suspension, or long-term
6 suspension pending completion of the student discipline tribunal; to provide for construction;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Code Section 20-2-754 of the Official Code of Georgia Annotated, relating to procedures to
11 be followed by disciplinary officer, panel, or tribunal in public schools, and review, is
12 amended by revising subsection (b) as follows:

13 "(b) A disciplinary officer, panel, or tribunal of school officials appointed as required by
14 Code Section 20-2-753 shall, in addition to any other requirements imposed by rules and
15 regulations which may have been promulgated pursuant to Code Section 20-2-752, ensure
16 that:

S. B. 169

(1) All parties are afforded an opportunity for a hearing after reasonable notice served personally or by mail. This notice shall be given to all parties and to the parent or guardian of the student or students involved and shall include a statement of the time, place, and nature of the hearing; a short and plain statement of the matters asserted; and a statement as to the right of all parties to present evidence and to be represented by legal counsel;

(2) The hearing is held no later than ten school days after the beginning of the suspension unless the school system and parents or guardians mutually agree to ~~an extension a~~ hearing being held no later than 15 days after the beginning of the suspension; provided, however, the hearing may be held later than 15 days after the beginning of the suspension upon a written request to the school system by a parent or guardian;

(3) All parties are afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses on all issues unresolved;

(4) Any teacher who is called as a witness by the school system shall be given notice no later than three days prior to the hearing; ~~and~~

(5) A verbatim electronic or written record of the hearing shall be made and shall be available to all parties; and

(6) The school system shall provide appropriate grade-level instructional materials to any student subject to in-school suspension, short-term suspension, or long-term suspension pending completion of the hearing provided in this subsection. Nothing in this paragraph shall be construed to infringe on any right provided to students with Individualized Education Programs pursuant to the federal Individuals with Disabilities Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act of 1990."

SECTION 2.

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