

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

1

HOUSE BILL 489

Short Title: School Expulsion Modified.

(Public)

Sponsors: Representatives Arnold; Berry, Bowman, Brawley, Creech, Culp, Daughtry, Decker, Dockham, Gardner, Grady, Hayes, McLawhorn, Mitchell, Nichols, G. Thompson, Weatherly, and C. Wilson.

Referred to: Education.

March 24, 1993

A BILL TO BE ENTITLED

1
2 AN ACT TO MAKE IT EASIER FOR LOCAL BOARDS OF EDUCATION TO
3 EXPEL STUDENTS WHOSE CONTINUED PRESENCE IN SCHOOL
4 CONSTITUTES A CLEAR THREAT TO THE SAFETY AND HEALTH OF
5 OTHER STUDENTS OR EMPLOYEES.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 115C-391(d) reads as rewritten:

8 "(d) A local board of education may, upon recommendation of the principal and
9 superintendent, expel any student ~~14 years of age or older (i)~~ who has been convicted of a
10 felony ~~and~~ or has been adjudicated delinquent for an offense that would be a felony if
11 committed by an adult or (ii) whose continued presence in school constitutes a clear
12 threat to the safety and health of other students or employees. In the event a student is
13 found in possession of any firearm or weapon on any school property in violation of the
14 laws of the State or the rules of a local board of education, the student's continued
15 presence is presumed to constitute a clear threat to the safety and health of other
16 students or employees. Notwithstanding the provisions of G.S. 115C-112, a local board
17 of education has no duty to continue to provide a child with special needs, expelled
18 pursuant to this subsection, with any special education or related services during the
19 period of expulsion."

20 Sec. 2. This act becomes effective December 1, 1993, and applies to acts
21 committed after that date.