

2013 SESSION

INTRODUCED

13103528D

HOUSE BILL NO. 1867

Offered January 9, 2013

Prefiled January 8, 2013

A BILL to amend and reenact § 22.1-277.08 of the Code of Virginia, relating to expulsion of students for certain drug offenses.

Patron—Robinson

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-277.08 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-277.08. Expulsion of students for certain drug offenses.

A. School boards ~~shall expel~~ may consider for expulsion from school attendance any student whom such school board has determined, in accordance with the procedures set forth in this article, to have brought a controlled substance, imitation controlled substance, marijuana as defined in § 18.2-247, or synthetic cannabinoids as defined in § 18.2-248.1:1 onto school property or to a school-sponsored activity. A school board may, however, administrator may refer such cases to the school board or determine, upon consideration of the special circumstances listed in subsection C of § 22.1-277.06 and based on the facts of the particular case, that special circumstances exist and no disciplinary action or another disciplinary action is appropriate. Nothing in this section shall be construed to prohibit a school board from requiring, by regulation, a school administrator to refer such a case to the school board. In addition, a school board may, by regulation, authorize the division superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in this article.

B. Each school board shall revise its standards of student conduct to incorporate the requirements of this section no later than three months after the date on which this act becomes effective.

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