

14105227D

**HOUSE BILL NO. 751****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Education and Health  
on February 27, 2014)

(Patron Prior to Substitute—Delegate Rust)

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

**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 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, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, a~~ *A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. 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. *Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.*

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.