

16102966D

HOUSE BILL NO. 953

Offered January 13, 2016

Prefiled January 12, 2016

A BILL to amend and reenact § 22.1-277.08 of the Code of Virginia, relating to imitation controlled substances; maximum disciplinary action.

Patron—Keam

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 and suspension 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~~, or marijuana, as *both such terms are* defined in § 18.2-247, onto school property or to a school-sponsored activity. 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. *The maximum disciplinary action for any student whom the school board determines to have brought an imitation controlled substance, as that term is defined in § 18.2-247, onto school property or to a school-sponsored activity is a short-term suspension not to exceed five school days.*

C. 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.~~

INTRODUCED

HB953