

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 51
Judiciary I/Constitution Committee Substitute Adopted 5/3/95
Third Edition Engrossed 5/4/95
House Committee Substitute Favorable 6/7/95

Short Title: Remove Dangerous Students From Sch.

(Public)

Sponsors:

Referred to:

January 26, 1995

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A ONE-YEAR SUSPENSION FOR ANY STUDENT WHO BRINGS CERTAIN WEAPONS ONTO SCHOOL PROPERTY AND TO ALLOW THE SUPERINTENDENT TO MODIFY THE SUSPENSION FOR CHILDREN WITH SPECIAL NEEDS OR BY PROVIDING AN ALTERNATIVE SCHOOL SETTING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-391 is amended by adding a new subsection to read:

"(d1) A local board of education shall suspend for 365 days any student who brings a weapon, as defined in G.S. 14-269.2(b) and (g), onto school property. The local board of education upon recommendation by the superintendent may modify this suspension requirement on a case-by-case basis which includes, but is not limited to, the procedures set out in G.S. 115C-112 and may also provide, or contract for the provision of, educational services to any student suspended pursuant to this subsection in an alternative school setting or in another setting that provides educational and other services."

Sec. 2. G.S. 115C-391(e) reads as rewritten:

1 "(e) A decision of a local board under subsection ~~(e) or (d)~~ (c), (d), or (d1) is final
2 and, except as provided in this subsection, is subject to judicial review in accordance with
3 Article 4 of Chapter 150B of the General Statutes. A person seeking judicial review shall
4 file a petition in the superior court of the county where the local board made its decision."

5 Sec. 3. This act becomes effective August 1, 1995, and applies to any student
6 who brings a weapon onto school property on or after that date.