

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1010*

Short Title: School Expulsion Modified.

(Public)

Sponsors: Representatives Hensley; Alexander, Bowman, D. Brown, Church, Cole, Decker, Edwards, Griffin, Hall, Hill, Jack Hunt, R. Hunter, Jeffus, Joye, McCrary, Mercer, Michaux, B. Miller, Oldham, Redwine, and Sutton.

Referred to: Education.

April 19, 1993

A BILL TO BE ENTITLED

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

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
10 a felony and felony, (ii) who has been adjudicated delinquent for committing an offense
11 that would be a felony if committed by an adult, or (iii) whose continued presence in
12 school constitutes a clear threat to the safety and health of other students or employees.
13 Notwithstanding the provisions of G.S. 115C-112, a local board of education has no
14 duty to continue to provide a child with special needs, expelled pursuant to this
15 subsection, with any special education or related services during the period of
16 expulsion."

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