

FILED JAN 12 1995

SENATE FILE 33
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3)

Passed Senate, Date ^{P.134} 1-18-95 Passed House, Date _____
Vote: Ayes 49 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the expulsion of a student for bringing a
2 weapon to school.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 280.21B EXPULSION -- WEAPONS IN
2 SCHOOL.

3 The board of directors of a school district and the
4 authorities in charge of a nonpublic school shall expel from
5 school for a period of not less than one year a student who is
6 determined to have brought a weapon to a school under the
7 jurisdiction of the board or the authorities. However, the
8 superintendent or chief administering officer of a school or
9 school district may modify expulsion requirements on a case-
10 by-case basis. This section shall not be construed to prevent
11 the board of directors of a school district or the authorities
12 in charge of a nonpublic school that have expelled a student
13 from the student's regular school setting from providing
14 educational services to the student in an alternative setting.
15 If both this section and section 282.4 apply, this section
16 takes precedence over section 282.4. For purposes of this
17 section, "weapon" means a firearm as defined in 18 U.S.C. §
18 921. This section shall be construed in a manner consistent
19 with the federal Individuals with Disabilities Education Act,
20 20 U.S.C. § 1400 et seq.

21 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
22 immediate importance, takes effect upon enactment.

23 EXPLANATION

24 This bill conforms Iowa law to federal law regarding the
25 expulsion of students who bring weapons to school. The
26 federal Gun-Free Schools Act of 1994 requires states receiving
27 federal funds under the Act to have in effect a law requiring
28 local educational agencies to expel from school for a period
29 of not less than one year a student who brings a weapon, as
30 defined in federal law, to school. The bill does not prevent
31 a school board or the authorities in charge of a nonpublic
32 school from providing educational services to the expelled
33 student in an alternative setting.

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SSB-3
Education
Succeeded By
CE/HE 33

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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32 school from providing educational services to the expelled
33 student in an alternative setting.

34 BACKGROUND STATEMENT

35 SUBMITTED BY THE AGENCY

1 The federal Improving America's Schools Act of 1994 which
2 reauthorizes the federal Elementary and Secondary Education
3 Act for the next five years requires that states, as a
4 condition of receiving federal funds under this Act, must have
5 in effect a state law requiring local education agencies to
6 expel for at least one year a student who brings a weapon to
7 school. Some exceptions are allowed on a local basis. This
8 bill would fulfill this requirement. The state of Iowa
9 receives \$52,895,610 under current provisions of the federal
10 Elementary and Secondary Education Act.

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