

# Senate Study Bill 3

## Conference Committee Text

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

1 3 The board of directors of a school district and the  
1 4 authorities in charge of a nonpublic school shall expel from  
1 5 school for a period of not less than one year a student who is  
1 6 determined to have brought a weapon to a school under the  
1 7 jurisdiction of the board or the authorities. However, the  
1 8 superintendent or chief administering officer of a school or  
1 9 school district may modify expulsion requirements on a case-  
1 10 by-case basis. This section shall not be construed to prevent  
1 11 the board of directors of a school district or the authorities  
1 12 in charge of a nonpublic school that have expelled a student  
1 13 from the student's regular school setting from providing  
1 14 educational services to the student in an alternative setting.  
1 15 If both this section and section 282.4 apply, this section  
1 16 takes precedence over section 282.4. For purposes of this  
1 17 section, "weapon" means a firearm as defined in 18 U.S.C. }  
1 18 921. This section shall be construed in a manner consistent  
1 19 with the federal Individuals with Disabilities Education Act,  
1 20 20 U.S.C. } 1400 et seq.

1 21 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 22 immediate importance, takes effect upon enactment.

1 23 EXPLANATION

1 24 This bill conforms Iowa law to federal law regarding the  
1 25 expulsion of students who bring weapons to school. The  
1 26 federal Gun-Free Schools Act of 1994 requires states receiving  
1 27 federal funds under the Act to have in effect a law requiring  
1 28 local educational agencies to expel from school for a period  
1 29 of not less than one year a student who brings a weapon, as  
1 30 defined in federal law, to school. The bill does not prevent  
1 31 a school board or the authorities in charge of a nonpublic  
1 32 school from providing educational services to the expelled  
1 33 student in an alternative setting.

1 34 BACKGROUND STATEMENT

1 35 SUBMITTED BY THE AGENCY

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

2 11 LSB 1164DP 76

2 12 kh/jj/8