

106TH CONGRESS
1ST SESSION

H. R. 1295

To amend the Individuals with Disabilities Education Act to provide for the expulsion from school and termination of educational services with respect to a child with a disability who carries a weapon to school or to a school function.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mr. BARR of Georgia introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Individuals with Disabilities Education Act to provide for the expulsion from school and termination of educational services with respect to a child with a disability who carries a weapon to school or to a school function.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXPULSION FROM SCHOOL AND TERMINATION**
2 **OF EDUCATIONAL SERVICES FOR A CHILD**
3 **WITH A DISABILITY WHO CARRIES A WEAPON**
4 **TO SCHOOL.**

5 (a) IN GENERAL.—Section 615(k) of the Individuals
6 with Disabilities Education Act (20 U.S.C. 1415(k)) is
7 amended—

8 (1) by redesignating paragraph (10) as para-
9 graph (11); and

10 (2) by inserting after paragraph (9) the fol-
11 lowing:

12 “(10) EXPULSION AND TERMINATION OF EDU-
13 CATIONAL SERVICES WITH RESPECT POSSESSION OF
14 WEAPONS.—

15 “(A) IN GENERAL.—Notwithstanding any
16 other provision of this Act, school personnel
17 under this section shall order the expulsion
18 from school and termination of educational
19 services with respect to a child with a disability
20 who carries a weapon to school or to a school
21 function under the jurisdiction of a State or a
22 local educational agency.

23 “(B) RULE OF CONSTRUCTION.—Except to
24 the extent inconsistent with the purpose of sub-
25 paragraph (A), a child with a disability de-
26 scribed in subparagraph (A) shall be afforded

1 the same procedural protections, if any, that
2 would be applied to a child without a disability
3 who carries a weapon to school or to a school
4 function under the jurisdiction of a State or a
5 local educational agency.”.

6 (b) CONFORMING AMENDMENT.—Section
7 612(a)(1)(A) of the Individuals with Disabilities Edu-
8 cation Act (20 U.S.C. 1412(a)(1)(A)) is amended by add-
9 ing at the end before the period the following: “(except
10 as provided in section 615(k)(10) of this Act)”.

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