

during the prohibited hours only for attendance at a previously scheduled appointment, and if the student is a minor then only if accompanied by his parent or guardian.

(4) Any person who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100 for each violation.

(e) (1) In this subsection, "firearm" means a firearm as defined in 18 U.S.C. § 921.

(2) Except as provided in paragraph (3) of this subsection, if the County Superintendent or the Superintendent's designated representative finds that a student has brought a firearm onto school property, the student shall be expelled for a minimum of 1 year.

(3) The County Superintendent may specify, on a case by case basis, a shorter period of expulsion or an alternative educational setting, if alternative educational settings have been approved by the County Board, for a student who has brought a firearm onto school property.

(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF THE PROCEEDINGS CONDUCTED UNDER THIS SUBSECTION INVOLVE AN IDENTIFIED STUDENT WITH DISABILITIES WHO IS DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, THE STUDENT MAY BE PLACED IN AN INTERIM ALTERNATIVE EDUCATIONAL SETTING IN ACCORDANCE WITH STATE LAW PROCEDURES, FOR NOT MORE THAN THE MAXIMUM NUMBER OF DAYS SPECIFIED IN THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 U.S.C. 1415(E) OR THE IMPROVING AMERICA'S SCHOOLS ACT.

(II) THE INTERIM ALTERNATIVE EDUCATIONAL SETTING SHALL BE DECIDED BY THE ADMISSION, REVIEW, AND DISMISSAL COMMITTEE.

(III) IF A PARENT OR GUARDIAN OF AN IDENTIFIED STUDENT WITH DISABILITIES REQUESTS A DUE PROCESS HEARING, THE STUDENT SHALL REMAIN IN THE ALTERNATIVE EDUCATIONAL SETTING DESCRIBED ABOVE DURING THE PENDENCY OF ANY PROCEEDINGS CONDUCTED UNDER THIS SUBSECTION, UNLESS THE PARENTS AND THE LOCAL SCHOOL SYSTEM AGREE OTHERWISE.

(IV) THIS SUBSECTION DOES NOT SUPERSEDE THE PROVISIONS OF § 14601 OF THE FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT IF THE CONDUCT OF THE IDENTIFIED STUDENT WITH DISABILITIES IS UNRELATED TO THE STUDENT'S DISABILITY, EXCEPT THAT, IN THOSE CIRCUMSTANCES, THE PROCEDURES UNDER STATE AND FEDERAL LAW SHALL BE FOLLOWED.

[(4)](5) The State Board shall adopt regulations to implement this subsection.

(f) (1) [A handicapped] FOR ANY OTHER NONFIREARM DISCIPLINARY ACTION A student WITH A DISABILITY may not be removed from the student's current educational placement for more than 10 school days each school year unless: