

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/10/99 S4/1/99

A Bill

Act 1281 of 1999
HOUSE BILL 1880

5 By: Representatives Angel, Allison, Cleveland, Gullett, Harris, Milum, Willis, R. Smith
6 By: Senator Mahony
7

For An Act To Be Entitled

10 "AN ACT TO AUTHORIZE TEACHERS TO REMOVE STUDENTS FROM
11 CLASS IN ORDER TO MAINTAIN EFFECTIVE DISCIPLINE IN THE
12 CLASSROOM; TO REQUIRE THAT CONFERENCES BE HELD IF
13 TEACHERS REMOVE STUDENTS FROM CLASS TWICE DURING A
14 NINE (9) WEEK GRADING PERIOD; AND FOR OTHER PURPOSES."

Subtitle

16 "TO AUTHORIZE TEACHERS TO REMOVE STUDENTS
17 FROM CLASS IN ORDER TO MAINTAIN
18 EFFECTIVE DISCIPLINE IN THE CLASSROOM."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Title 6, Chapter 18, Subchapter 5 of the Arkansas Code is
25 amended by adding the following new section to be numbered by the Arkansas
26 Code Revision Commission.

27 "Removal by teacher.

28 (a) Consistent with state and federal law, a teacher may remove a
29 student from class and send him or her to the principal's or principal's
30 designee's office in order to maintain effective discipline in the classroom.

31 (b) A teacher may remove from class a student:

32 (1) Who has been documented by the teacher as repeatedly
33 interfering with the teacher's ability to teach the students in the class or
34 with the ability of the student's classmates to learn; or

35 (2) Whose behavior the teacher determines is so unruly,
36 disruptive, or abusive that it seriously interferes with the teacher's ability

1 to teach the students in the class or with the ability of the student's
2 classmates to learn.

3 (c)(1) If a teacher removes a student from class in accordance with
4 subsection (b) of this section, the principal or his designee may place the
5 student into another appropriate classroom, into in-school suspension, or into
6 the district's alternative learning environment established in accordance with
7 § 6-18-508, so long as such placement is consistent with the school district's
8 written student discipline policy, or the principal or his designee may return
9 the student to the class, or take other appropriate action consistent with the
10 school district's discipline policy, state law and federal law.

11 (2) If a teacher removes a student from class twice during any
12 nine (9) week grading period, or its equivalent as determined by the
13 Department of Education, the principal or his designee may not return the
14 student to the teacher's class unless a conference is held for purposes of
15 determining the causes of the problem, and possible solutions, and with the
16 following individuals present:

17 (A) The principal or his designee;

18 (B) The teacher;

19 (C) The school counselor;

20 (D) The parents, guardians, or persons in loco parentis;

21 and

22 (E) The student, if appropriate.

23 (3) The failure of the parents, guardians, or persons in loco
24 parentis to attend the conference provided for in (c)(2) shall not prevent the
25 conference from being held nor prevent any action being taken as a result of
26 that conference."

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28 SECTION 2. All provisions of this act of a general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 3. If any provision of this act or the application thereof to
33 any person or circumstance is held invalid, such invalidity shall not affect
34 other provisions or applications of the act which can be given effect without
35 the invalid provision or application, and to this end the provisions of this
36 act are declared to be severable.

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ Angel

APPROVED: 4/9/1999