

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2171

4
5 By: Representative Angel
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For An Act To Be Entitled

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

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16 "TO AUTHORIZE TEACHERS TO REMOVE
17 STUDENTS FROM CLASS IN ORDER TO MAINTAIN
18 EFFECTIVE DISCIPLINE IN THE CLASSROOM."
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Title 6, Chapter 18, Subchapter 5 of the Arkansas Code
23 Annotated is amended by adding the following new section:

24 "6-18-511. Removal by teacher.

25 (a) A teacher may remove a student from class and send him or her to
26 the principal's office in order to maintain effective discipline in the
27 classroom. The principal shall respond by employing counseling and penalties
28 consistent with the school district's written student discipline policy
29 adopted in accordance with § 6-18-503.

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

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

1 of the student's classmates to learn.

2 (c)(1) If a teacher removes a student from class in accordance with
 3 subsection (b) of this section, the principal may place the student into
 4 another appropriate classroom, into in-school suspension, or into the
 5 district's alternative learning environment established in accordance with
 6 § 6-18-508, so long as such placement is consistent with the school district's
 7 written student discipline policy, or the principal may recommend to the
 8 superintendent that the student be expelled for more than ten (10) days,
 9 subject to appeal to the board of directors and the requirements of the
 10 federal Individuals with Disabilities Education Act, so long as such expulsion
 11 is consistent with the districts written student discipline policy.

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

- 17 (A) The principal;
- 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."

23
 24 SECTION 2. All provisions of this act of a general and permanent nature
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 26 Revision Commission shall incorporate the same in the Code.

27
 28 SECTION 3. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

33
 34 SECTION 4. All laws and parts of laws in conflict with this act are
 35 hereby repealed.