

State of Arkansas
82nd General Assembly
Regular Session, 1999

As Engrossed: S2/25/99

A Bill

SENATE BILL 372

By: Senator Bisbee

For An Act To Be Entitled

"AN ACT TO REQUIRE SCHOOL DISTRICTS TO COMPLETE
EXPULSION PROCESS FOR STUDENTS WITH WEAPONS ON SCHOOL
PROPERTY AND TO NOTE THE EXPULSION ON THE STUDENTS'
PERMANENT RECORD; TO REQUIRE PARENTS TO ACKNOWLEDGE
PARENTAL RESPONSIBILITY FOR ALLOWING STUDENTS TO HAVE
ACCESS TO FIREARMS OR OTHER PROHIBITED WEAPONS; TO
CREATE A REGISTRY OF STUDENTS EXPELLED FOR POSSESSING
WEAPONS ON SCHOOL PROPERTY; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO REQUIRE SCHOOL DISTRICTS TO
COMPLETE EXPULSION PROCESS FOR STUDENTS
WITH WEAPONS ON SCHOOL PROPERTY; TO
REQUIRE PARENTS TO ACKNOWLEDGE PARENTAL
RESPONSIBILITY FOR ALLOWING STUDENTS TO
HAVE ACCESS TO FIREARMS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 6-18-507 pertaining to suspension and
expulsion of students is amended to read as follows:

"6-18-507. Suspension - Expulsion.

(a) As used in this section:

(1) 'Suspension' means dismissal from school for a period of time
that does not exceed ten (10) days;

(2) 'Expulsion' means dismissal from school for a period of time
that exceeds ten (10) days;

1 (3) 'Nontraditional scheduling' means block or other alternative
2 scheduling as defined by the Department of Education;

3 (4) 'Course time' means the number of hours of instruction
4 devoted to a single subject during the school week.

5 (b) The board of directors of a school district may suspend or expel
6 any student from school for violation of the school district's written
7 discipline policies.

8 (c)(1) The board of directors may authorize a teacher or administrator
9 to suspend any student for a maximum of ten (10) school days for violation of
10 the school district's written discipline policies, subject to appeal to the
11 superintendent or his designee; however, schools that utilize nontraditional
12 scheduling may not suspend students from more course time than would result
13 from a ten-day suspension under the last traditional schedule used by the
14 school district.

15 (2) If the superintendent initiates the suspension process, the
16 decision may be appealed to the board.

17 (d)(1) A superintendent may recommend the expulsion of a student for
18 more than ten (10) days for violation of the school district's written
19 discipline policies, subject to appeal to the board of directors and to
20 requirements of the federal Individuals with Disabilities Education Act.

21 (2) All school district board meetings entertaining such appeals
22 shall be conducted in executive session if requested by the parent or guardian
23 of the student, provided that after hearing all testimony and debate, the
24 board of directors shall conclude the executive session and reconvene in
25 public session to vote on such appeal.

26 (e) The superintendent of any school district shall recommend the
27 expulsion of any student from school for a period of not less than one (1)
28 year for possession of any firearm or other weapon prohibited upon the school
29 campus by law; provided, however, that the superintendent shall have
30 discretion to modify such expulsion requirement for a student on a case-by-
31 case basis.

32 (1) All school districts shall adopt a written policy regarding
33 expulsion of a student for possessing a firearm or other prohibited weapon on
34 school property which shall require parents, guardians or other persons in
35 loco parentis of a student expelled under subsection (e) to sign a statement
36 acknowledging that the parents have read and understand current laws regarding

1 the possibility of parental responsibility for allowing a child to possess a
2 weapon on school property. The statement shall be signed by the parents,
3 guardians or other persons in loco parentis prior to readmitting a student or
4 enrolling a student in any public school immediately after the expiration of
5 an expulsion period pursuant to subsection (e).

6 (2) The school administrators and the local school board shall complete
7 the expulsion process of any student initiated because the student possessed a
8 firearm or other prohibited weapon on school property, regardless of the
9 enrollment status of the student. The principal of each school shall report,
10 within a week, to the Department of Education the name, current address and
11 social security number of any student who is expelled for possessing a firearm
12 or other prohibited weapon on school property or committing other acts of
13 violence. The expulsion shall be noted on the student's permanent school
14 record. Nothing in this subdivision shall be construed to limit a
15 superintendent's discretion to modify the expulsion requirement for student on
16 a case-by-case basis as set out in subsection (e) of this section.

17 (3) The Department of Education shall establish and maintain a registry
18 of students who are expelled for possessing a firearm or other prohibited
19 weapon on school property or committing other acts of violence. The names,
20 addresses, and social security numbers of all students listed in the registry
21 shall be available, by phone, facsimile or mail, to any school principal in
22 the state."

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.

36 /s/ Bisbee