

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 502

5 By: Senator Irvin
6 By: Representative Vaught
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE USE OF OUT-OF-SCHOOL
10 SUSPENSIONS AND EXPULSIONS; TO AMEND THE TYPES OF
11 STUDENTS FOR WHICH A PUBLIC SCHOOL DISTRICT SHALL NOT
12 IMPOSE OUT-OF-SCHOOL SUSPENSIONS AND EXPULSIONS; AND
13 FOR OTHER PURPOSES.
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Subtitle

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16 TO AMEND THE TYPES OF STUDENTS FOR WHICH
17 A PUBLIC SCHOOL DISTRICT SHALL NOT IMPOSE
18 OUT-OF-SCHOOL SUSPENSIONS AND EXPULSIONS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code §§ 6-18-507(a)(2)-(4), concerning definitions
25 used in the statute regarding suspensions and expulsions, are amended to read
26 as follows:

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

29 (3) "Foster care" means the care of a child by a group home or
30 group facility on a twenty-four-hour-a-day basis away from the home of the
31 child's parent or parents;

32 ~~(3)(4)~~ "Nontraditional scheduling" means block or other
33 alternative scheduling as defined by the Division of Elementary and Secondary
34 Education; and

35 ~~(4)(5)~~ "Suspension" means dismissal from school for a period of
36 time that does not exceed ten (10) days.



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2 SECTION 2. Arkansas Code § 6-18-507(b)(2), concerning certain
3 restrictions on the use of out-of-school suspension or expulsion, is amended
4 to read as follows:

5 (2)(A) The school district shall not use out-of-school
6 suspension or expulsion for ~~a student~~ the following students:

7 (i) A student in kindergarten through grade five (K-
8 5) ~~except in cases when a student's behavior;~~ and

9 (ii) A student in kindergarten through grade twelve
10 (K-12) who:

11 (a) Is in foster care; or

12 (b) Has an individualized education program in
13 accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §
14 1400 et seq., or has been medically diagnosed by a licensed physician as a
15 child with a disability under 20 U.S.C. § 1401(3)(A).

16 ~~(A) Poses a physical risk to himself or herself or to~~
17 ~~others; or~~

18 ~~(B) Causes a serious disruption that cannot be addressed~~
19 ~~through other means.~~

20 (B) However, a school district may use out-of-school
21 suspension or expulsion for a student under subdivision (b)(2)(A) of this
22 section in cases when a student's behavior:

23 (i) Poses a physical risk to himself or herself or
24 to others; or

25 (ii) Causes a serious disruption that cannot be
26 addressed through other means.