

1 State of Arkansas As Engrossed: S3/15/21 H4/14/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

SENATE BILL 502

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5 By: Senator Irvin

6 By: Representative Vaught

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For An Act To Be Entitled

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AN ACT CONCERNING THE USE OF OUT-OF-SCHOOL

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SUSPENSIONS AND EXPULSIONS; TO AMEND THE TYPES OF

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STUDENTS FOR WHICH A PUBLIC SCHOOL DISTRICT SHALL NOT

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IMPOSE OUT-OF-SCHOOL SUSPENSIONS AND EXPULSIONS; AND

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FOR OTHER PURPOSES.

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Subtitle

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TO AMEND THE TYPES OF STUDENTS FOR WHICH

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A PUBLIC SCHOOL DISTRICT SHALL NOT IMPOSE

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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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SECTION 1. Arkansas Code §§ 6-18-507(a)(2)-(4), concerning definitions used in the statute regarding suspensions and expulsions, are amended to read as follows:

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

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

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

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

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

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

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

(ii) A student in kindergarten through grade twelve (K-12) who is in foster care.

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

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

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

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

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

/s/ Irvin