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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Nancy Vicknair.

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## DIGEST

Present law authorizes a teacher to have a pupil immediately removed from his classroom and placed in the custody of the principal or his designee when a pupil's behavior prevents the orderly instruction of other pupils, or poses an immediate threat to the safety or physical well being of any pupil or teacher, or when a pupil exhibits disrespectful behavior toward the teacher such as using foul or abusive language directed at a teacher or threatening a teacher, and requires that a pupil who is removed from the classroom not receive credit for school work missed.

Proposed law provides that when a pupil's behavior prevents the orderly instruction of other pupils or poses an immediate threat to the safety or physical well being of any pupil or teacher, when a pupil exhibits disrespectful behavior toward the teacher such as using foul or abusive language or gestures directed at or threatening a pupil or a teacher, when a pupil violates the school's code of conduct, or when a pupil exhibits other disruptive, dangerous, or unruly behavior, including inappropriate physical contact, inappropriate verbal conduct, sexual or other harassment, throwing objects, inciting other pupils to misbehave, or destroying property, the teacher may have the pupil immediately removed from his classroom and placed in the custody of the principal or his designee.

Proposed law requires, when a pupil is removed from the classroom, that he be assigned the school work missed and receive credit for such work if it is completed satisfactorily and timely as determined by the principal or his designee.

Present law provides that upon being sent to the principal's office, the principal or his designee is required to advise the pupil of the particular misconduct of which he is accused as well as the basis for such accusation, and requires that the pupil be given an opportunity at that time to explain his version of the facts.

Present law further requires the principal or his designee to conduct a counseling session with the pupil as may be appropriate to establish a course of action, consistent with school board policy to identify and correct the behavior for which the pupil is being disciplined.

Proposed law retains present law and additionally requires the principal or his designee to provide oral or written notification to the parent or legal guardian of any pupil removed from the classroom, and requires such notification to include a description of any disciplinary action taken.

Proposed law further requires the principal or his designee to provide oral or written feedback to the teacher initiating the removal of the pupil from the classroom, and requires teacher guidance and support to such teacher on practicing effective classroom management, including, but not limited to, positive behavior supports.

Present law provides that a teacher may request that the principal transfer the pupil into another setting if disruptive behavior persists.

Proposed law authorizes each city, parish, or other local public school board to adopt a policy that requires the parent or legal guardian of a pupil removed from the classroom to attend after school or Saturday intervention sessions with the pupil.

Proposed law authorizes the school board to refer a parent who fails to attend such session to a court exercising juvenile jurisdiction in accordance with present law (La. Children's Code provisions relative to families in need of services). Proposed law provides that each time a parent is referred to the court, the court may impose a fine of not less than \$25 and not more than \$250, 40 hours of school or court-approved community service activities, or a combination of 40 hours of school or court-approved community service and attendance at a court-approved family counseling program by both a parent or legal guardian and the pupil, and may suspend any state-issued recreational license of the parent or legal guardian issued by the Dept. of Wildlife and Fisheries.

Present law provides that a pupil who is suspended or expelled shall receive no credit for school work missed while he is suspended or expelled.

Proposed law requires that a pupil who is suspended for 10 days or fewer be assigned school work missed while he is suspended and receive credit for such work if it is completed satisfactorily and timely as determined by the principal or his designee.

Proposed law further requires that a pupil who is suspended for more than 10 days, or is expelled and receives educational services at an alternative school site, be assigned work by a certified teacher and receive credit for school work if it is completed satisfactorily and timely as determined by such teacher. Requires such work to be aligned with the curriculum used at the school from which the pupil was suspended or expelled.

Effective August 15, 2009.

(Amends R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e))