

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 223 By Senator Claitor**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

STUDENTS. Provides relative to the removal of students from the classroom for certain inappropriate behavior and for parental notification and involvement. (8/15/09)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Relative to proposed law requirement that a pupil removed from the classroom be assigned school work missed, adds that a teacher must not be required to interrupt class instruction time to prepare any such assignment.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law requires the State Board of Elementary and Secondary Education (BESE) in collaboration with specified others to develop a model master plan for improving behavior and discipline within schools and specifies certain components that may be included in such plan. Requires each local public school board to develop a master plan for each school under the board's jurisdiction for improving behavior and discipline based on the model master plan. Proposed law retains present law and adds that the model master plan and the school master plans shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons as provided in present law (relative to student discipline, suspensions, and expulsions).

Present law authorizes a teacher to have a pupil immediately removed from his classroom and placed in the custody of the principal when a pupil's behavior prevents the orderly instruction of other pupils, poses an immediate threat to the safety or physical well-being of any pupil or teacher, or exhibits disrespectful behavior toward the teacher. Provides that a pupil who is removed from the classroom shall not receive credit for school work missed.

Proposed law retains present law relative to removing a pupil from the classroom and adds as reasons for such removal, when a pupil violates the school's code of conduct or when a pupil exhibits other disruptive, dangerous, or unruly behavior, including specified behaviors. Proposed law removes provision prohibiting a pupil from receiving credit for school work missed and instead requires that the pupil be assigned the work missed and receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal, upon the recommendation of the teacher. Specifies that the teacher shall not be required to interrupt class instruction time to prepare any such assignment.

Present law requires the principal to advise the pupil of the misconduct of which he is accused and the basis for such accusation and provides that the pupil be given an opportunity to explain his version of the facts. Further requires the principal to conduct a counseling session with the pupil to identify and correct the behavior for which the pupil is being disciplined. Proposed law retains present law and additionally requires the principal to provide oral or written notification to the parent or legal guardian of the pupil including a description of any disciplinary action taken. Authorizes the principal to provide oral or written feedback to teachers initiating the removal of pupils from the classroom and to provide guidance and support to teachers regarding practicing effective classroom management, including but not limited to positive behavior supports.

Present law authorizes a teacher to request that the principal transfer the pupil into another setting if disruptive behavior persists. Proposed law retains present law and authorizes each 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. Further authorizes the school board to refer a parent who fails to attend such sessions to a court of competent jurisdiction in accordance with present law (La. Children's Code provisions relative to families in need of services). Authorizes the court, upon each referral of the parent, to 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 to suspend any 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 instead requires that a pupil who is suspended for 10 days or less be assigned school work missed while he is suspended and receive either partial or full credit for such work if it is completed satisfactorily and timely as determined by the principal, upon the recommendation of the pupil's teacher. 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 the 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); Adds R.S. 17:252(C))

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