

SENATE BILL NO. 223

BY SENATORS CLAITOR, APPEL, CROWE, KOSTELKA, LONG, MICHOT, SMITH
AND WALSWORTH AND REPRESENTATIVES HENRY BURNS,
TIM BURNS, CHAMPAGNE, CONNICK, CORTEZ, DOVE, FOIL,
LITTLE, PERRY, PUGH, ROBIDEAUX, SIMON, SMILEY, JANE
SMITH, PATRICIA SMITH AND THIBAUT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e), and to enact R.S.
17:252(C), relative to the discipline of pupils; to provide relative to circumstances
under which pupils may be removed from the classroom; to require principals to
provide parental notification when a pupil is removed from the classroom; to allow
principals to provide feedback and guidance to teachers; to authorize school boards
to adopt policies relative to parental attendance at certain intervention sessions and
consequences for parents who fail to comply; to require that certain students be
assigned and required to complete missed school work under certain circumstances;
and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416(A)(1)(c)(i), (ii), and (vi) and (3)(e) are hereby amended and
reenacted and R.S. 17:252(C) is hereby enacted to read as follows:

§252. School master plans for supporting student behavior and discipline

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**C. The model master plan for improving behavior and discipline within
the schools and the school master plans required of city, parish, and other local
public school boards by this Section shall not prohibit a teacher from removing
a pupil from the classroom for disciplinary reasons in accordance with the
provisions of R.S. 17:416.**

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§416. Discipline of pupils; suspension; expulsion

1 A. (1)

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3 (c)(i) When a pupil's behavior prevents the orderly instruction of other pupils;
 4 or poses an immediate threat to the safety or physical well being of any pupil or
 5 teacher, ~~or~~ when a pupil exhibits disrespectful behavior toward the teacher such as
 6 using foul or abusive language or gestures directed at ~~a teacher~~ or threatening a
 7 pupil or a teacher, when a pupil violates the school's code of conduct, or when
 8 a pupil exhibits other disruptive, dangerous, or unruly behavior, including
 9 inappropriate physical contact, inappropriate verbal conduct, sexual or other
 10 harassment, throwing objects, inciting other pupils to misbehave, or destroying
 11 property, the teacher may have the pupil immediately removed from his classroom
 12 and placed in the custody of the principal or his designee. A pupil removed from the
 13 classroom pursuant to this Subparagraph shall ~~not receive credit for~~ be assigned
 14 school work missed and shall receive either partial or full credit for such work
 15 if it is completed satisfactorily and timely as determined by the principal or his
 16 designee, upon the recommendation of the pupil's teacher; however, the teacher
 17 shall not be required to interrupt class instruction time to prepare any such
 18 assignment.

19 (ii)(aa) Upon being sent to the principal's office pursuant to the provisions
 20 of this Subparagraph, the principal or his designee shall advise the pupil of the
 21 particular misconduct of which he is accused as well as the basis for such accusation,
 22 and the pupil shall be given an opportunity at that time to explain his version of the
 23 facts. The principal or his designee then shall conduct a counseling session with the
 24 pupil as may be appropriate to establish a course of action, consistent with school
 25 board policy to identify and correct the behavior for which the pupil is being
 26 disciplined.

27 (bb) The principal or his designee shall provide oral or written
 28 notification to the parent or legal guardian of any pupil removed from the
 29 classroom pursuant to the provisions of this Subparagraph. Such notification
 30 shall include a description of any disciplinary action taken.

1 (cc) The principal or his designee may provide oral or written feedback
 2 to teachers initiating the removal of pupils from the classroom. The principal
 3 or his designee may provide to such teachers guidance and support on
 4 practicing effective classroom management, including, but not limited to,
 5 positive behavior supports.

* * *

7 (vi)(aa) If disruptive behavior persists, the teacher may request that the
 8 principal transfer the pupil into another setting.

9 (bb) Each city, parish, or other local public school board may adopt a
 10 policy that requires the parent or legal guardian of a pupil removed from the
 11 classroom pursuant to this Subparagraph to attend after school or Saturday
 12 intervention sessions with the pupil. The school board may refer a parent who
 13 fails to attend such session to the court of competent jurisdiction in accordance
 14 with Chapter 2 of Title VII of the Louisiana Children's Code. Each time a
 15 parent is referred to the court of competent jurisdiction, the court may impose
 16 a fine of not less than twenty-five dollars and not more than two hundred fifty
 17 dollars, forty hours of court-approved school or community service activities,
 18 or a combination of forty hours of court-approved school or community service
 19 and attendance at a court-approved family counseling program by both a
 20 parent or legal guardian and the pupil, and may suspend any recreational
 21 license issued by the Department of Wildlife and Fisheries.

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23 (3)

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25 (e) A pupil who is suspended ~~or expelled~~ for ten days or fewer shall receive
 26 be assigned ~~no credit~~ for school work missed while he is suspended ~~or expelled~~. and
 27 shall receive either partial or full credit for such work if it is completed
 28 satisfactorily and timely as determined by the principal or his designee, upon
 29 the recommendation of the pupil's teacher. A pupil who is suspended for more
 30 than ten days, or is expelled and receives educational services at an alternative

