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The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

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## DIGEST

Guillory (SB 652)

Proposed law provides for the "Classroom Protection Act" as follows:

- (1) Provides that notwithstanding any provision of present law, a classroom teacher who is in reasonable apprehension that he or a student in his classroom is in danger of receiving a battery or other form of imminent physical harm from a student may contact law enforcement and have the student removed immediately from the classroom and placed in the custody of the appropriate law enforcement agency.
- (2) Provides that the student's parents or other legal guardian shall be given oral notification within one hour after the student's removal from the classroom.
- (3) Provides that upon the first removal from the classroom pursuant to the provisions of proposed law:
  - (a) The student and his parents or other legal guardian shall be referred to the appropriate local or state agency for evaluation and counseling, including such services as may be provided through informal family services as provided pursuant to Chapter 5 of Title VII of the Louisiana Children's Code.
  - (b) Within three school days after the student has been removed from the classroom pursuant to this Section, a court hearing shall be held in a venue determined pursuant to Article 729.1 of the Louisiana Children's Code to determine whether the student shall continue to be excluded from a classroom setting and the appropriate educational setting for the student. The court shall give notice of the date and time of the hearing to the student, the student's parents or other legal guardian, and the classroom teacher who initiated the student's removal from the classroom.
  - (c) The court may also order the student and his parents or other legal guardian to participate in services available through the state's Coordinated System of Care.
  - (d) The student shall not be readmitted to the classroom for which he was removed without the permission of the teacher initiating the disciplinary action.
  - (e) The student shall be assigned school work missed while he is absent from the classroom and shall receive credit for school work if it is completed satisfactorily and timely as determined by the student's teacher.

- (4) Provides that upon the second removal from the classroom pursuant to the provisions of proposed law:
- (a) The student shall not be readmitted to the school from which he was removed and shall be placed in an alternative educational program.
  - (b) The student and his parents or other legal guardian shall be referred to the court of competent jurisdiction for families in need of services as provided in Chapter 2 of Title VII of the Louisiana Children's Code.
- (5) Provides that a student or someone who is not a student who retaliates against a teacher who invokes his rights under the provisions of proposed law shall be subject to the appropriate criminal penalty provided in present law, including the penalties provided for assault and for battery of a school teacher.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:416.22)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Changes time for parental notification from "as soon as practicable" to "within one hour".
2. Adds requirement that within three school days after the student has been removed from the classroom that a court hearing be held in order to determine whether the student shall continue to be excluded from a classroom setting and the appropriate educational setting for the student. Further requires that the court give notice of the date and time of the hearing to the student, the student's parents or other legal guardian, and the classroom teacher who initiated the student's removal from the classroom.
3. Provides that the court may also order the student and his parents or other legal guardian to participate in services available through the state's Coordinated System of Care.
4. Upon a second offense, the student shall not be readmitted to the school rather than the class.
5. Technical.