

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative T. Smith**

A Bill

ACT 968 OF 1995
HOUSE BILL 1711

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE § 6-18-502 TO PROVIDE THAT A
9 LOCAL SCHOOL DISTRICT'S COMMITTEE ON PERSONNEL POLICIES
10 SHALL REVIEW THE DISTRICT'S STUDENT DISCIPLINE POLICIES
11 ANNUALLY; TO PROVIDE AN APPEAL PROCESS FOR SCHOOL
12 EMPLOYEES WHO DO NOT BELIEVE THAT A DISTRICT'S STUDENT
13 DISCIPLINE POLICIES HAVE BEEN FOLLOWED; AND FOR OTHER
14 PURPOSES."

Subtitle

17 "TO AMEND A.C.A. § 6-18-502 RELATIVE TO
18 SCHOOL DISTRICT STUDENT DISCIPLINE
19 POLICIES."

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23 SECTION 1. Arkansas Code Annotated § 6-18-502 is hereby amended to read
24 as follows:

25 "6-18-502. Guidelines for development of school district student
26 discipline policies.

27 (a) The Department of Education shall establish guidelines for the
28 development of school district student discipline policies.

29 (b) Such guidelines shall include, but not be limited to, the following
30 requirements:

31 (1) Parents, students, and school district personnel, including
32 teachers, shall be involved in the development of school district student
33 discipline policies;

34 (2) The student discipline policies shall be reviewed by the
35 school district's committee on personnel policies annually. *The committee may*
36 *recommend changes in the policies to the board of directors of the local*

1 school district.

2 (3) Student discipline policies shall include, but not be limited
3 to, the following offenses:

4 (A) Willfully and intentionally assaulting or threatening
5 to assault or abuse any teacher, principal, superintendent, or other employee
6 of a school system;

7 (B) Possession by students of any firearm or other weapon
8 prohibited upon the school campus by policies adopted by the school board;

9 (C) Using, offering for sale, or selling beer, alcoholic
10 beverages, or other illicit drugs by students on school property;

11 (D) Possession by a student of any paging device, beeper,
12 or similar electronic communication device on the school campus; however, the
13 policy may provide an exemption for possession of such a device by a student
14 who is required to use such a device for health or other compelling reasons;
15 and

16 (E) Willfully or intentionally damaging, destroying, or
17 stealing of school property by students.

18 (c) The school discipline policies shall:

19 (1) Prescribe minimum and maximum penalties, including students'
20 suspension or dismissal from school, for violations of each of the
21 aforementioned offenses and for violations of other practices prohibited by
22 school discipline policies; and

23 (2) Establish procedures for notice to students and parents of
24 charges, hearings, and other due process proceedings to be applicable in the
25 enforcement and administration of such policies by the school administrator
26 and by the school board; and

27 (3) Include prevention, intervention, and conflict resolution
28 provisions.

29 (d) Student discipline policies shall provide that parents and students
30 will be advised of the rules and regulations by which the school is governed
31 and will be made aware of the behavior that will call for disciplinary action
32 and the types of corrective actions that may be imposed.

33 (e) Each school district shall develop a procedure for written
34 notification to all parents and students of the district's student discipline
35 policies and documentation of the receipt of the policies by all parents and

1 students.

2 (f) Teachers and administrators shall be provided with training as
3 needed in classroom management and in other skills relevant to student
4 discipline.

5 (g) If a *school employee* believes that any action taken by the school
6 district to discipline a student *referred by that employee* does not follow
7 school district discipline policies, the *school employee* may appeal under the
8 district's grievance procedure *as provided under § 6-17-208*.

9 (h) In developing the state guidelines for school district discipline
10 policies, the Department of Education shall involve parents, students,
11 teachers, and administrators."

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13 SECTION 2. All provisions of this act of a general and permanent nature
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 3. If any provision of this act or the application thereof to
18 any person or circumstance is held invalid, such invalidity shall not affect
19 other provisions or applications of the act which can be given effect without
20 the invalid provision or application, and to this end the provisions of this
21 act are declared to be severable.

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23 SECTION 4. All laws and parts of laws in conflict with this act are
24 hereby repealed.

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/s/Rep. T. Smith

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APPROVED: 4-6-95

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As Engrossed: 2/24/95 3/15/95

HB 1711

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