

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 278

4
5 By: Senators Altes, G. Jeffress, J. Jeffress
6 By: Representatives Walters, Glidewell, Maxwell, Saunders

For An Act To Be Entitled

10 AN ACT TO ALLOW THE LOCAL SCHOOL BOARD OF
11 DIRECTORS TO PROTECT THE PRIVACY RIGHTS OF A
12 STUDENT DURING AN EXPULSION HEARING; AND FOR
13 OTHER PURPOSES.

Subtitle

16 AN ACT TO ALLOW THE LOCAL SCHOOL BOARD
17 OF DIRECTORS TO PROTECT THE PRIVACY
18 RIGHTS OF A STUDENT DURING AN EXPULSION
19 HEARING.

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

24 SECTION 1. Arkansas Code § 6-18-507 is amended to read as follows:
25 6-18-507. Suspension - Expulsion.

26 (a) As used in this section:

27 (1) "Course time" means the number of hours of instruction
28 devoted to a single subject during the school week;

29 (2) "Expulsion" means dismissal from school for a period of time
30 that exceeds ten (10) days;

31 (3) "Nontraditional scheduling" means block or other alternative
32 scheduling as defined by the Department of Education; and

33 (4) "Suspension" means dismissal from school for a period of
34 time that does not exceed ten (10) days.

35 (b) The board of directors of a school district may suspend or expel
36 any student from school for violation of the school district's written



1 discipline policies.

2 (c)(1) The board of directors may authorize a teacher or administrator
3 to suspend any student for a maximum of ten (10) school days for violation of
4 the school district's written discipline policies, subject to appeal to the
5 superintendent or his designee; however, schools that utilize nontraditional
6 scheduling may not suspend students from more course time than would result
7 from a ten-day suspension under the last traditional schedule used by the
8 school district.

9 (2) If the superintendent initiates the suspension process, the
10 decision may be appealed to the board.

11 (d)(1) A superintendent may recommend the expulsion of a student for
12 more than ten (10) days for violation of the school district's written
13 discipline policies, subject to appeal to the board of directors and to
14 requirements of the federal Individuals with Disabilities Education Act.

15 (2) All school district board meetings entertaining an appeal
16 shall be conducted in executive session if requested by a school board member
17 or the parent or guardian of the student provided that after hearing all
18 testimony and debate, the board of directors shall conclude the executive
19 session and reconvene in public session to vote on such appeal.

20 (e)(1) The superintendent of any school district shall recommend the
21 expulsion of any student from school for a period of not less than one (1)
22 year for possession of any firearm or other weapon prohibited upon the school
23 campus by law; provided, however, that the superintendent shall have
24 discretion to modify such expulsion requirement for a student on a case-by-
25 case basis.

26 (2) All school districts shall adopt a written policy regarding
27 expulsion of a student for possessing a firearm or other prohibited weapon on
28 school property which shall require parents, guardians, or other persons in
29 loco parentis of a student expelled under this subsection (e) to sign a
30 statement acknowledging that the parents have read and understand current
31 laws regarding the possibility of parental responsibility for allowing a
32 child to possess a weapon on school property. The statement shall be signed
33 by the parents, guardians, or other persons in loco parentis prior to
34 readmitting a student or enrolling a student in any public school immediately
35 after the expiration of an expulsion period pursuant to this subsection (e).

36 (3)(A) The school administrators and the local school board

1 shall complete the expulsion process of any student that was initiated
2 because the student possessed a firearm or other prohibited weapon on school
3 property regardless of the enrollment status of the student.

4 (B) The principal of each school shall report within a
5 week to the department the name, current address, and social security number
6 of any student who is expelled for possessing a firearm or other prohibited
7 weapon on school property or for committing other acts of violence.

8 (C) The expulsion shall be noted on the student's
9 permanent school record.

10 (D) Nothing in this subdivision (e)(3) shall be construed
11 to limit a superintendent's discretion to modify the expulsion requirement
12 for a student on a case-by-case basis as set out in this subsection (e).

13 (4)(A) The department shall establish and maintain a registry of
14 students who are expelled for possessing a firearm or other prohibited weapon
15 on school property or for committing other acts of violence.

16 (B) The names, addresses, and social security numbers of
17 all students listed in the registry shall be available by phone, facsimile,
18 or mail to any school principal in the state.

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