

1 State of Arkansas As Engrossed: H1/15/25 H2/3/25 H2/18/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

HOUSE BILL 1062

4

5 By: Representative R. Scott Richardson

6 By: Senator Dees

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8

For An Act To Be Entitled

9 AN ACT TO CREATE THE TEACHER AND STUDENT PROTECTION
10 ACT OF 2025; TO PROHIBIT A STUDENT WHO IS REMOVED
11 FROM A CLASSROOM DUE TO VIOLENT OR ABUSIVE BEHAVIOR
12 AGAINST A TEACHER OR ANOTHER STUDENT FROM BEING
13 PLACED IN A CLASS WITH THE TEACHER OR STUDENT AGAINST
14 WHOM THE VIOLENT OR ABUSIVE BEHAVIOR WAS DIRECTED;
15 AND FOR OTHER PURPOSES.

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Subtitle

19 TO CREATE THE TEACHER AND STUDENT
20 PROTECTION ACT OF 2025.

21

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

23

24 SECTION 1. DO NOT CODIFY. Legislative intent.

25 (a) The General Assembly finds that:

26 (1) Eighty percent (80%) of those surveyed in an American
27 Psychological Association Task Force on Violence Against Educators and School
28 Personnel survey reported being victims of threats or violent acts at least
29 one (1) time at their schools, with fifty-six percent (56%) of teachers
30 surveyed reporting being victimized by students; and

31 (2) Nearly one million three hundred thousand (1,300,000) acts
32 of student-on-teacher violence were reported in a National Education
33 Association study.

34 (b) It is the intent of the General Assembly to:

35 (1) Provide a safe environment for teachers and students to work
36 and learn in the State of Arkansas;



1 (2) Ensure that teachers and students do not suffer from
 2 repeated violent or abusive behavior from students; and

3 (3) Ensure proper measures are in place to prevent repeated acts
 4 of violence in schools.

5
 6 SECTION 2. Arkansas Code § 6-18-511 is amended to read as follows:

7 6-18-511. Removal by teacher.

8 (a) Consistent with state and federal law, a teacher may remove a
 9 student from class and send him or her to the principal's or principal's
 10 designee's office in order to maintain effective discipline in the classroom.

11 (b) A teacher may remove from class a student:

12 (1) Who has been documented by the teacher as repeatedly
 13 interfering with the teacher's ability to teach the students in the class or
 14 with the ability of the student's classmates to learn; or

15 (2) Whose behavior the teacher determines is so unruly,
 16 disruptive, violent, or abusive that it seriously interferes with the
 17 teacher's ability to teach the students in the class or with the ability of
 18 the student's classmates to learn.

19 (c) ~~If~~ Except as provided under subsection (e) of this section, if a
 20 teacher removes a student from class in accordance with subsection (b) of
 21 this section, the principal or his or her designee may:

22 (1) Place the student into another ~~appropriate classroom~~
 23 learning environment or into in-school suspension so long as the placement is
 24 consistent with the public school district's written student discipline
 25 policy;

26 (2) Return the student to the class; or

27 (3) Take other appropriate action consistent with the public
 28 school district's discipline policy, state law, and federal law.

29 ~~(d)(1)(A) If Each time a teacher removes a student from class two (2) times~~
 30 ~~during any nine week grading period or its equivalent as determined by the~~
 31 ~~Division of Elementary and Secondary Education, the principal or the~~
 32 ~~principal's designee may~~ shall not return the student to the teacher's class
 33 ~~unless~~ until a conference is held for the purpose of determining the causes
 34 of the problem and possible solutions, with the following individuals
 35 present:

36 ~~(A)(i)~~ The principal or the principal's designee

1 ~~(B)~~(ii) The teacher;

2 ~~(C)~~(iii) The school counselor;

3 ~~(D)~~(iv) The parents, guardians, or persons standing in
4 loco parentis; and

5 ~~(E)~~(v) The student, if appropriate.

6 (B) However, a teacher is not required to remove a student
7 from class each time the student is unruly or disruptive during the teacher's
8 class.

9 (2) The failure of the parents, guardians, or persons in loco
10 parentis to attend the conference ~~provided for in this subsection~~ required
11 under subdivision (d)(1) of this section shall not prevent the conference
12 from being held ~~nor~~ or prevent any action from being taken as a result of
13 that conference.

14 (3) If a student with a disability identified under the
15 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it
16 existed on January 1, 2025, or Section 504 of the Rehabilitation Act of 1973,
17 Pub. L. No. 93-112, as it existed on January 1, 2025, is removed under this
18 subsection (d), then the conference required under subdivision (d)(1) of this
19 section shall serve as a manifestation determination review as required under
20 subsection (f) of this section.

21 (e) Except as provided in subsection (f) of this section, a student
22 who is removed from a class under subsection (b) of this section due to
23 violent or abusive behavior against a teacher or another student shall:

24 (1)(A) Be placed in an appropriate interim learning environment
25 for the duration of the review and conference as required by subsection (d)
26 of this section.

27 (B) While the student is in an appropriate interim
28 learning environment as required by subdivision (e)(1)(A) of this section,
29 the student shall be subject to the relevant written student discipline
30 policies prescribed by his or her public school district; and

31 (2) Not be placed in a class with the teacher or student against
32 whom the violent or abusive behavior was directed if it is determined that
33 the student may leave the appropriate interim learning environment and return
34 to the placement from which he or she was removed.

35 (f)(1)(A) If the violent or abusive behavior for which a student is
36 removed from class under this section is determined to be a manifestation of

1 the student's disability following a manifestation determination review of
2 the student's violent or abusive behavior under subdivision (f)(2) of this
3 section, then the student shall be temporarily placed in an appropriate
4 interim learning environment within the public school district for no more
5 than ten (10) days while the members of the manifestation determination
6 review team determine the appropriate course of action under this subsection
7 (f).

8 (B) While the student is in an appropriate interim
9 learning environment as required by subdivision (f)(1)(A) of this section,
10 the student shall be subject to the relevant written student discipline
11 policies prescribed by his or her public school district.

12 (2) If the public school district, teacher against whom the
13 violent or abusive behavior was directed, parents, legal guardians, or
14 persons standing in loco parentis to the student, and relevant members of the
15 student's individualized education program under § 6-41-217 determine that
16 the student requires a change of placement, then the public school district,
17 teacher against whom the violent or abusive behavior was directed, parents,
18 legal guardians, or persons standing in loco parentis to the student, and
19 relevant members of the student's individualized education program shall
20 conduct a manifestation determination review, which shall include all
21 relevant information in the student's file, including the student's
22 individualized education program under § 6-41-217, teacher observations, and
23 other relevant information provided by the parent or legal guardian of the
24 student.

25 (g) If a student is removed from a classroom under this
26 section due to violent or abusive behavior three (3) or more times during one
27 (1) school year, the student shall be:

28 (1) Placed in an appropriate interim learning environment for
29 the remainder of the school year; or

30 (2) Disciplined according to the requirements of the written
31 student discipline policy of the public school district in which the student
32 is enrolled.

33 (h) As used in this section:

34 (1) "Appropriate interim learning environment" means an
35 appropriate learning environment that is used for a period of time not to
36 exceed ten (10) days;

1 (2) "Appropriate learning environment" means a setting within a
2 public school or public school district that provides a similar structure to
3 the following without limitation:

4 (A) A classroom;

5 (B) In-school suspension; or

6 (C) An alternative learning environment; and

7 (3) "Violent or abusive behavior" means without limitation:

8 (A) Using threatening language;

9 (B) Throwing an item that risks or causes:

10 (i) Harm to another individual;

11 (ii) Injury to another individual; or

12 (iii) Damage to property;

13 (C) Physically abusing a teacher or another student; or

14 (D) Any other similar action that presents a physical
15 danger or a threat of physical danger to a teacher or another student.

16
17 SECTION 3. Arkansas Code § 6-48-104(a)(1)(C), concerning funding for
18 students educated in an alternative learning environment program for fewer
19 than twenty (20) days, is amended to read as follows:

20 (C) If a student is educated in the alternative learning
21 environment for fewer than twenty (20) days, the division may provide funding
22 to a school district based on the actual number of days the student is
23 educated in the alternative learning environment if the student:

24 (i) Leaves the school district to transfer to
25 another alternative learning environment; ~~or~~

26 (ii) Is placed in a residential treatment program;

27 or

28 (iii) Is placed in the alternative learning
29 environment program under § 6-18-511(e).

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34 /s/R. Scott Richardson