

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1062

5 By: Representative R. Scott Richardson  
6 By: Senator Dees  
7

## 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

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19 TO CREATE THE TEACHER AND STUDENT  
20 PROTECTION ACT OF 2025.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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 behavior from students; and

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

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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 or into  
23 in-school suspension so long as the placement is consistent with the public  
24 school district's written student discipline policy;

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

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

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

34                         (A) The principal or the principal's designee;

35                         (B) The teacher;

36                         (C) The school counselor;

1 (D) The parents, guardians, or persons in loco parentis;  
2 and

3 (E) The student, if appropriate.

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

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

12 (1)(A) Be placed in an alternative learning environment as  
13 defined in § 6-48-101 for the duration of the review and conference as  
14 required by subsection (d) of this section.

15 (B) While the student is in an alternative learning  
16 environment as required by subdivision (e)(1)(A) of this section, the student  
17 shall be subject to the relevant written student discipline policies  
18 prescribed by his or her public school district; and

19 (2) Not be placed in a class with the teacher or student against  
20 whom the violent or abusive behavior was directed if it is determined that  
21 the student may leave the alternative learning environment and return to the  
22 placement from which he or she was removed.

23 (f)(1)(A) If the violent or abusive behavior for which a student is  
24 removed from class under this section is determined to be a manifestation of  
25 the student's disability following a manifestation determination review of  
26 the student's violent or abusive behavior under subdivision (f)(2) of this  
27 section, then the student shall be placed in an appropriate interim  
28 alternative educational program within the public school district.

29 (B) While the student is in an appropriate interim  
30 alternative educational program as required by subdivision (f)(1)(A) of this  
31 section, the student shall be subject to the relevant written student  
32 discipline policies prescribed by his or her public school district.

33 (2) If the public school district, parents, legal guardians, or  
34 persons standing in loco parentis to the student, and relevant members of the  
35 student's individualized education program under § 6-41-217 determine that  
36 the student requires a change of placement, then the public school district,

1 parents, legal guardians, or persons standing in loco parentis to the  
 2 student, and relevant members of the student's individualized education  
 3 program shall conduct a manifestation determination review, which shall  
 4 include all relevant information in the student's file, including the  
 5 student's individualized education program under § 6-41-217, teacher  
 6 observations, and other relevant information provided by the parent or legal  
 7 guardian of the student to determine if the violent or abusive behavior was:

8 (A)(i) Caused by, or had a direct and substantial  
 9 relationship to, the student's disability.

10 (ii) If it is determined that the student's violent  
 11 or abusive behavior is a manifestation of the student's disability under this  
 12 subdivision (f)(2), the student's individualized education program team  
 13 shall:

14 (a) Both:

15 (1) Conduct a functional behavioral  
 16 assessment; and

17 (2) Implement a behavioral intervention  
 18 plan or modify an existing behavioral intervention plan; and

19 (b)(1) Return the student to the placement  
 20 from which he or she was initially removed, unless it is agreed that a change  
 21 of placement should be part of the modification of the student's behavioral  
 22 intervention plan.

23 (2) However, the student shall not:

24 (A) Be placed in a class with the  
 25 teacher against whom the violent or abusive behavior was directed without the  
 26 consent of the teacher; or

27 (B) Return to the placement from  
 28 which he or she was initially removed without implementing the changes  
 29 recommended under subdivision (f)(2)(A)(ii)(a) of this section for at least  
 30 ten (10) days.

31 (3) If the violent or abusive behavior  
 32 was directed towards another student, then the student shall not be placed in  
 33 a class with the student against whom the violent or abusive behavior was  
 34 directed for the remainder of the school year; or

35 (B) The direct result of the public school district's  
 36 failure to implement the student's individualized education program.

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

4                   (1) Placed in an alternative learning environment for the  
5 remainder of the school year; or

6                   (2) Expelled, as appropriate.

7           (h) As used in this section, "violent or abusive behavior" includes  
8 without limitation:

9                   (1) Using threatening or abusive language;

10                  (2) Throwing an item;

11                  (3) Physically abusing a teacher or another student; or

12                  (4) Any other similar action that presents a physical danger or  
13 a threat of physical danger to a teacher or another student.

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