

SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 358
by Senator Mizell

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the rest of the line and insert the following:

3 "R.S. 17:416(C)(2)(a),(b),(c), and (d)(1), relative to mandatory"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "expulsion;" delete the rest of the line and insert the following:

6 "to provide with respect to grounds for expulsions for students in grades six through
7 twelve; to prohibit tobacco, alcohol, vaping products, certain knives, and illegal
8 narcotics on school property, buses, and school-sponsored events; to provide for
9 conditions for which a student may"

10 AMENDMENT NO. 3

11 On page 1, line 4, after "expelled;" insert "to provide for the duties of public school
12 superintendents;"

13 AMENDMENT NO. 4

14 On page 1, line 6, after "Section 1." delete the rest of the line and insert the following:

15 "R.S. 17:416(C)(2)(a),(b),(c), and (d)(1) are hereby amended and reenacted"

16 AMENDMENT NO. 5

17 On page 1, delete lines 11 through 17, and insert the following:

18 "~~(2)(a)(i)~~ Notwithstanding the provisions of Subsection B of this Section, any
19 student ~~sixteen years of age or older~~ **in grades six through twelve who is** found
20 guilty of being in possession of a firearm, **a knife with a blade equal to or in excess**
21 **of two and one-half inches in length, or any illegal narcotic, drug or other**
22 **controlled substance** on school property, on a school bus, or ~~in actual possession~~
23 at a school-sponsored event, pursuant to a hearing as provided for by Paragraph (1)
24 of this Subsection, shall be expelled from school for a minimum period of four
25 complete school semesters and shall be referred to the district attorney for
26 appropriate action. However, the superintendent may modify the length of such
27 minimum expulsion requirement on a case-by-case basis, provided such modification
28 is in writing.

29 ~~(ii) Notwithstanding the provisions of Subsection B of this Section, any~~
30 ~~student sixteen years of age or older found guilty of possession of, or knowledge of~~
31 ~~and intentional distribution of, or possession with intent to distribute any illegal~~
32 ~~narcotic, drug, or other controlled substance on school property, on a school bus, or~~
33 ~~at a school-sponsored event pursuant to a hearing as provided for by Paragraph (1)~~
34 ~~of this Subsection shall be expelled from school for a minimum period of four~~
35 ~~complete school semesters.~~

36 ~~(b)(i) Any student who is under sixteen years of age and in grades six through~~
37 ~~twelve and who is found guilty of being in possession of a firearm on school~~
38 ~~property, on a school bus, or in actual possession at a school-sponsored event,~~
39 ~~pursuant to a hearing as provided for by Paragraph (1) of this Subsection, shall be~~
40 ~~expelled from school for a minimum period of four complete school semesters, and~~
41 ~~shall be referred to the district attorney for appropriate action. However, the~~

1 superintendent of a city, parish, or other local public school system may modify the
2 length of such minimum expulsion requirement on a case-by-case basis, provided
3 such modification is in writing. **Notwithstanding the provisions of Subsection B**
4 **of this Section, any student in grades six through twelve found guilty of being**
5 **in possession of tobacco, alcohol, or vaping product on school property, on a**
6 **school bus, or at a school-sponsored event, may be recommended for expulsion.**

7 (ii) Any student who is under sixteen years of age and in grades six through
8 twelve and who is found guilty of possession of, or knowledge of and intentional
9 distribution of, or possession with intent to distribute any illegal narcotic, drug, or
10 other controlled substance on school property, on a school bus, or at a school-
11 sponsored event pursuant to a hearing as provided for by Paragraph (1) of this
12 Subsection shall be expelled from school for a minimum period of two complete
13 school semesters.

14 (c)(i) Any case involving a student in kindergarten through grade five found
15 guilty of being in possession of a firearm on school property, on a school bus, or in
16 actual possession at a school-sponsored event, pursuant to a hearing as provided for
17 by Paragraph (1) of this Subsection, shall be expelled from school for a minimum
18 period of two complete school semesters and shall be referred to the district attorney
19 for appropriate action. However, the superintendent may modify the length of such
20 minimum expulsion requirement on a case-by-case basis, provided such modification
21 is in writing. **Notwithstanding any public school state or local policies, a public**
22 **school student in grades six through twelve who is suspended a third time within**
23 **the same school year for any offense, excluding those related to dress codes or**
24 **tardiness, shall be recommended for expulsion.**

25 (ii) Any case involving a student in kindergarten through grade five found
26 guilty of possession of, or knowledge of and intentional distribution of, or possession
27 with intent to distribute any illegal narcotic, drug, or other controlled substance on
28 school property, on a school bus, or at a school-sponsored event pursuant to a
29 hearing as provided for by Paragraph (1) of this Subsection shall be referred to the
30 city, parish, or other local public school board where the student attends school
31 through a recommendation for action from the superintendent.

32 (d)(i) Any student expelled from school may be readmitted on a probationary
33 basis to school at any time during the specified period of expulsion on such terms
34 and conditions as may be stipulated by the city, parish, or other local public school
35 board **superintendent** and agreed to in writing by the student and by the student's
36 parent or other person responsible for the student's school attendance. However, any
37 such written agreement shall include a provision that upon the school principal or
38 superintendent of schools making a determination that the student has violated any
39 term or condition agreed to, the student shall be immediately removed from the
40 school premises without the benefit of any hearing or other procedure applicable to
41 student out-of-school suspensions and expulsions and returned to the school system's
42 alternative school setting. As soon thereafter as possible, the principal or his
43 designee shall provide verbal notice to the superintendent of schools of any such
44 determination and also shall attempt to provide such verbal notice to the student's
45 parent or other person responsible for the student's school attendance. The principal
46 or his designee also shall provide written notice of the determination and the reasons
47 therefor to the superintendent and to the student's parent or other responsible person.

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49 AMENDMENT NO. 6

50 On page 2, delete lines 1 through 24