

2022 Regular Session

HOUSE BILL NO. 920

BY REPRESENTATIVE HUGHES

STUDENT/DISCIPLINE: Provides relative to student discipline

1 AN ACT

2 To amend and reenact R.S. 17:416(A)(1)(c)(iii)(mm) and (3)(e) and to enact R.S.
3 17:416(A)(1)(c)(iii)(nn), (2)(g), and (3)(g), relative to student discipline; to provide
4 relative to the use of and procedures for out-of-school suspension; to provide for
5 definitions; to authorize community service as a disciplinary measure; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:416(A)(1)(c)(iii)(mm) and (3)(e) are hereby amended and
9 reenacted and 17:416(A)(1)(c)(iii)(nn), (2)(g), and (3)(g) are hereby enacted to read as
10 follows:

11 §416. Discipline of students; suspension; expulsion

12 A.(1)

13 * * *

14 (c)

15 * * *

16 (iii) A student in kindergarten through grade five removed from a class
17 pursuant to this Subparagraph shall not be permitted to return to the class for at least
18 thirty minutes unless agreed to by the teacher initiating the disciplinary action. A
19 student in grades six through twelve removed from a class pursuant to this
20 Subparagraph shall not be permitted to return to the class during the same class

1 period unless agreed to by the teacher initiating the disciplinary action. Additionally,
2 the student shall not be readmitted to the class until the principal has implemented
3 at least one of the following disciplinary measures:

4 * * *

5 (mm) Required community service. Each public school governing authority
6 shall create and maintain a list of community service opportunities which shall be
7 provided to principals at schools under its jurisdiction. The list shall outline
8 eligibility requirements for participants, operational hours, and contact information
9 for the organizations associated with the community service opportunities. Each
10 public school governing authority shall adopt rules as necessary for the
11 implementation of this Subitem.

12 (nn) Any other disciplinary measure authorized by the principal with the
13 concurrence of the teacher or the school building level committee pursuant to law
14 and board policy.

15 * * *

16 (2) As used in this Section:

17 * * *

18 (g) "Willful disobedience" means a student's deliberate choice to disobey a
19 school employee, including after receiving a verbal or written reminder and being
20 given an opportunity to correct his behavior.

21 (3)

22 * * *

23 (e)(i) A student who is suspended for ten days or fewer shall ~~be assigned~~
24 ~~school work missed while he is suspended and shall receive the same credit~~
25 ~~originally available for such work if it is completed satisfactorily and timely as~~
26 ~~determined by the principal or his designee, upon the recommendation of the~~
27 ~~student's teacher.~~ have access to a written education plan. The principal initiating the
28 suspension or his designee, with input from the student's teachers, shall provide an
29 education plan that meets the student's individual educational needs and allows the

1 student to make up any class and homework assignments and examinations without
2 penalty. The plan shall establish a procedure for education, address academic credit
3 for work satisfactorily completed, and ensure, with the cooperation of the student,
4 that the student's out-of-school suspension will not hinder his academic progress.

5 (ii) A student who is suspended for more than ten days, or is expelled and
6 receives educational services at an alternative school site, shall be assigned work by
7 a certified teacher and shall receive credit for school work if it is completed
8 satisfactorily and timely as determined by the teacher. Such work shall be aligned
9 with the curriculum used at the school from which the student was suspended or
10 expelled.

11 (iii) In each case of out-of-school suspension, a student shall be provided the
12 following:

13 (aa) The opportunity to take textbooks home for the duration of the out-of-
14 school suspension.

15 (bb) The right to receive all missed assignments and, to the extent
16 practicable, the physical and digital materials distributed to students in connection
17 with the assignments.

18 (cc) The opportunity to take any quarterly, semester, or grading period
19 examinations missed during the out-of-school suspension period without penalty.

20 * * *

21 (g) No student in grade three or below shall receive an out-of-school
22 suspension as a disciplinary measure, except for the following reasons:

23 (i) The principal or his designee determines that there is an imminent threat
24 of serious harm to other students of staff that cannot be reduced or eliminated
25 through intervention and support.

26 (ii) The student's conduct causes a serious disruption to the learning
27 environment that cannot be addressed through intervention and support.

1 (iii) The student is found carrying a firearm, knife, or other implement which
 2 can be used as a weapon and may inflict harm or injury.

3 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 920 Original 2022 Regular Session Hughes

Abstract: Provides relative to student discipline.

Proposed law revises present law relative to student discipline including the following:

- (1) Prohibits out-of-school suspension for students in grades three and below except for certain circumstances.
- (2) Requires students who receive out-of-school suspensions have the opportunity to take home textbooks and take certain exams missed during the suspension.
- (3) Defines "willful disobedience".
- (4) Authorizes community service as a disciplinary measure.
- (5) Requires preparation of an education plan for students who are suspended for 10 days or less.

Proposed law is applicable to all public schools, including charter schools.

(Amends R.S. 17:416(A)(1)(c)(iii)(mm) and (3)(e); Adds R.S. 17:416(A)(1)(c)(iii)(nn), (2)(g), and (3)(g))