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## DIGEST

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Trahan

HB No. 684

**Abstract:** Provides relative to the discipline, suspension, and expulsion of certain pupils.

Present law provides generally for the discipline, suspension, and expulsion of pupils. Provides that a pupil who is removed from class for disruptive or threatening behavior, suspended, or expelled shall not receive credit for missed school work. Proposed law provides that credit may be received if the student satisfactorily completes assigned make-up work.

Present law requires the principal to suspend a student found carrying or possessing a firearm or another dangerous instrumentality other than a knife or who possesses, distributes, sells, gives, or loans any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law. Further requires the principal to immediately recommend the student's expulsion. Proposed law retains present law but makes the principal's suspension of such a student permissive rather than mandatory.

Present law provides that a student found carrying or possessing a knife with a blade less than two inches long may be suspended by the principal; however, in appropriate cases, such student, at a minimum, shall be placed in in-school suspension. Proposed law retains present law but makes such a student's placement in in-school suspension permissive rather than mandatory.

Present law requires the principal to immediately suspend a student found carrying or possessing a knife with a blade of two inches or more and to immediately recommend the student's expulsion, except that, in the case of a student less than 11-years-old in pre-kindergarten through grade five, the principal may, but shall not be required to, recommend the student's expulsion. Proposed law retains present law but makes the principal's suspension of such a student permissive instead of mandatory. Also makes optional rather than mandatory a provision for recommending expulsion of the student.

Present law provides that any pupil, after being suspended three times during the same school year, shall, upon committing the fourth offense, be expelled from all the public schools of the city, parish, or other local public school system wherein he resided until the beginning of the next regular school year, and the pupil's reinstatement shall be subject to the review and approval of the local school board. Proposed law removes present law.

Present law provides that any student who has been expelled from any school within or outside the state shall provide to any public school or school system in the state to which he is seeking admission information on any such expulsions. Provides that the transfer of a student's records by

one school system to another shall include information on student's expulsions. Proposed law retains and additionally applies present law to such a student's suspensions.

Present law provides that in addition to any other limitations established by present law on the admission of previously expelled pupils to public schools in the state, no pupil who has been expelled from any public or nonpublic school within or outside the state for certain actions related to weapons or drugs shall be admitted to any public elementary or secondary school in the state or readmitted to any such school on a probationary basis prior to the completion of the minimum period of expulsion until he produces written documentation that he has enrolled and participated in a rehabilitation or counseling program.

Proposed law removes the provision making such pupils' (re)admission to school conditional upon participation in such a program and instead requires each such pupil to participate in such a program.

Present law provides that upon a principal's recommendation for expulsion, a hearing shall be conducted. Upon a finding that the student is guilty of conduct meriting expulsion, requires the superintendent to determine whether he shall be expelled or if other action shall be taken. Provides that the principal or teacher may be represented by any person appointed by the superintendent, that the teacher shall be permitted to attend and present information at the hearing, and that the student shall remain suspended until the hearing occurs. Provides that at such hearing, the student may be represented by any person of his choice. Proposed law retains present law but makes the student's representation by any person of his choice mandatory rather than permissive.

Present law provides that any student aged 16 or older who is found guilty of certain drug-related actions shall be expelled from school for at least four complete school semesters; provides that any student under age 16 and in grades 6-12 found guilty of such actions shall be expelled from school for at least two complete school semesters. Proposed law retains present law and additionally allows the superintendent to modify the lengths of such minimum expulsion requirements on a case-by-case basis provided such modification is in writing.

Present law provides that any student expelled pursuant to present law who seeks readmission on a probationary basis prior to the end of the specified period of expulsion must also comply with certain present law provisions. Proposed law removes present law.

(Amends R.S. 17:416(A)(1)(c)(i) and (3)(e), (B)(1)(b)(i) and (ii)(bb) and (cc) and (2) and (C)(1) and (2)(a)(ii), (b)(ii), and (d); Repeals R.S. 17:415(B)(3))