

CONFERENCE CS FOR HOUSE BILL NO. 253

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered: 4/29/00

Sponsor(s): REPRESENTATIVES DYSON, Whitaker, Harris, Kohring, Ogan, Smalley, Phillips, Mulder, Rokeberg, Therriault

SENATORS Halford, Wilken, Leman, Phillips, Pete Kelly, Ward

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a school disciplinary and safety program; and providing for
2 an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * **Section 1.** AS 14.07.020(a) is amended by adding a new paragraph to read:
5 (16) require the reporting of information relating to school disciplinary
6 and safety programs under AS 14.33.120 and of incidents of disruptive or violent
7 behavior.

8 * **Sec. 2.** AS 14.33 is amended by adding new sections to read:

Article 3. Required School Disciplinary and Safety Program.

10 Sec. 14.33.110. Purpose of school disciplinary and safety program. The
11 purpose of AS 14.33.110 - 14.33.140 is to
12 (1) implement and maintain community-based standards of school
13 behavior that are developed by students, parents, teachers, school administrators, and
14 the community;

3 (3) protect and support teachers who enforce standards of student
4 behavior and safety in the classroom established under AS 14.33.120; and

5 (4) ensure that all schools and school districts receiving state funds, that
6 may not have already done so, implement and maintain an effective school disciplinary
7 and safety program.

18 (2) standards relating to when a teacher is authorized to remove a
19 student from the classroom for

20 (A) failure to follow student behavior and safety standards; or
21 (B) behavior described under AS 14.30.045(1) or (2);

22 (3) procedures for notifying teachers of dangerous students consistent
23 with AS 47.12.310(b);

24 (4) standards relating to when a teacher, teacher's assistant, or other
25 person responsible for students is authorized to use reasonable and appropriate force
26 to maintain classroom safety and discipline as described under AS 11.81.430(a)(2);

27 (5) policies necessary to comply with provisions of state and federal
28 law, including 20 U.S.C. 1400 - 1485 (Individuals with Disabilities Education Act);

29 (6) standards to address needs of students for whom mental health or
30 substance abuse may be a contributing factor to noncompliance with the school
31 disciplinary and safety program;

11 (b) A teacher, a teacher's assistant, a principal, or another person responsible
12 for students who

19 Sec. 14.33.140. Civil liability for enforcing disciplinary and safety
20 program. A teacher, a teacher's assistant, a principal, or another person responsible
21 for students is not liable for civil damage resulting from an act or omission (1) arising
22 out of enforcement of an approved school disciplinary and safety program adopted
23 under AS 14.33.120; and (2) arising out of and in the course of employment unless the
24 act or omission constitutes gross negligence or reckless or intentional misconduct.

25 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section
26 to read:

27 TRANSITION. A governing body shall adopt the initial school disciplinary and safety
28 program required by AS 14.33.120, enacted in sec. 2 of this Act, by January 1, 2001.

29 * Sec. 4. This Act takes effect July 1, 2000.