

**HOUSE BILL NO. 210**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES BRICE, Smalley, Davies, Hudson, Austerman**

**Introduced: 4/21/99**

**Referred: Health, Education and Social Services, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to establishing a disciplinary and safety program in public**  
2 **schools; and providing for an effective date."**

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

4 **\* Section 1. FINDINGS AND INTENT.** The legislature finds that

5 (1) the children of this state constitute its most important resource, and, in  
6 order to enable those children to reach their full potential, the state must provide the quality  
7 public education that the Constitution of the State of Alaska mandates;

8 (2) school districts cannot provide Alaska's children with the education they  
9 deserve and require unless the environment of the public schools is conducive to learning;

10 (3) the appropriate school environment cannot be achieved unless an  
11 atmosphere of safety prevails;

12 (4) for learning to occur, children must be in school; disruptive students  
13 typically derive little benefit from traditional school programs and may benefit substantially  
14 by being transferred from their current classroom into an in-school suspension program, where

1 the student's particular needs may be more appropriately and individually addressed;  
 2 meaningful in-school suspension is more productive for dealing with disruptive students than  
 3 out-of-school suspensions or expulsions.

4 (b) It is the intent of the legislature that school districts should comply with all  
 5 applicable federal laws and regulations relating to special education students but do so in a  
 6 manner consistent with the goals of this Act.

7 \* **Sec. 2.** AS 14.03.120(f) is amended to read:

8 (f) By January 15 of each year, beginning in 2001, the department shall  
 9 provide to the governor and make available to the public and the legislature a report  
 10 on the performance of public schools in this state. The report must be entitled  
 11 "Alaska's Public Schools: A Report Card to the Public." The report must include

12 (1) comprehensive information on each public school compiled,  
 13 collected, and reported under (d) and (e) of this section for the prior school year;

14 (2) a summary of the information described in (1) of this subsection;  
 15 the summary must be prepared in a manner that allows school performance to be  
 16 measured against established state education standards; [AND]

17 (3) for a report due by or after January 15, 2003, the performance  
 18 designation under AS 14.03.123(b) received by each public school during the prior  
 19 school year; **and**

20 **(4) a summary of the information received on school safety and**  
 21 **discipline under AS 14.30.055(g), to include the following: the status of and an**  
 22 **evaluation of prevention, intervention, and alternative programs; an assessment**  
 23 **of disciplinary and safety needs and problems of the public schools; a report on**  
 24 **the frequency of repeat offenders; the suspension rate in each school, the**  
 25 **expulsion rate in each school, the number of students dropping out of school in**  
 26 **grades nine through 12, the number of student-on-student assaults, the number**  
 27 **of student-on-teacher assaults, the number of student-on-school employee assaults,**  
 28 **and the teacher turnover rate.**

29 \* **Sec. 3.** AS 14.30 is amended by adding new sections to article 1 to read:

30 **Sec. 14.30.055. Required disciplinary and safety program.** (a) Each  
 31 governing body shall, in conjunction with parents, teachers, administrators, students,

1 and other community or village leaders, establish a school discipline and safety  
2 program for each school in the district. The program must include at least the  
3 following components:

4 (1) procedures to allow parents or guardians to participate in planning,  
5 design, implementation, and evaluation of programs to address school discipline and  
6 provide for intervention and prevention of disruptive behavior;

7 (2) regular and periodic programs throughout the school year for  
8 training, instruction, and information on

9 (A) home activities, strategies, and materials that can be used  
10 to assist and enhance the learning of children both at home and at school;

11 (B) parenting skills that assist parents and guardians in  
12 understanding the developmental needs of children and in understanding how  
13 to provide positive discipline for and build healthy relationships with children;

14 (C) responding to student violence;

15 (3) programs to develop consistent and effective communications  
16 between the school and parents or guardians concerning the progress of children in  
17 school;

18 (4) procedures to ensure implementation and community support for  
19 provisions of this section requiring development of discipline policies, in-school  
20 suspension, conflict resolution programs, teacher notification, behavioral intervention,  
21 and reporting;

22 (5) procedures to ensure parental and guardian support for consistent  
23 enforcement of the school's discipline policy;

24 (6) procedures to ensure that parents and guardians understand the  
25 school's crisis response plan and procedures for addressing a crisis resulting from an  
26 act of violence;

27 (7) minimum standards for pupil conduct and discipline;

28 (8) an annual review and assessment of the program's progress in  
29 meeting its objectives; parents and guardians shall be notified by the school's principal  
30 of the existence of this review and assessment by regular school communication  
31 channels and shall be given a copy of the review and assessment on request.

1 (b) A classroom teacher may place a student in an in-school suspension  
2 program for one day for disrupting the learning environment in a classroom. A teacher  
3 may use this strategy five times in a school year with an individual student. If the  
4 same student is removed from class more than three times in a single semester, the  
5 school shall create a discipline team composed of the affected teachers, the student's  
6 parent or guardian, the student, a school district counselor or school district  
7 psychologist, and the school principal or the principal's designee. The discipline team  
8 shall design a behavioral intervention plan to reduce disruptive behavior by the student.  
9 The school principal and the student's teachers have joint responsibility for monitoring  
10 the full implementation of a behavioral intervention plan. If a student continues to  
11 display disruptive behavior, the school's discipline team shall modify the behavioral  
12 intervention plan. A behavioral intervention plan may not preclude a student from  
13 being removed from class if disruptive behavior warrants removal.

14 (c) Each school that has 200 or more students shall have a fully staffed in-  
15 school suspension program. The program must educate and train students who have  
16 been removed from class for disruptive behavior. For a school with less than 200  
17 students, the governing body shall provide a district-wide in-school suspension  
18 program to educate students removed from class for disruptive behavior. A governing  
19 body shall provide adequate staff and space and an appropriate curriculum to provide  
20 educational services to students removed from class. A classroom for students who  
21 are suspended must have at least one certified teacher for each 15 students.

22 (d) Each school shall have a conflict resolution program. A governing body  
23 shall provide training in behavioral intervention strategies and methods for conflict  
24 resolution. Beginning July 1, 2000, a governing body shall provide each student  
25 enrolled in kindergarten through eighth grade a curriculum in conflict resolution. The  
26 curriculum must be appropriate for students at each grade level. Each school shall  
27 have organized, ongoing programs designed to implement that school's conflict  
28 resolution program.

29 (e) Each school principal shall give written notification to every teacher and  
30 school administrator who the principal knows has contact with a student who has been  
31 found guilty of, or adjudicated delinquent based on, an offense involving a deadly

1        weapon, assault upon persons, or another crime that is a felony. Notification must take  
 2        place before the student is enrolled or reenrolled in school. A governing body shall  
 3        require a parent or guardian to indicate on school enrollment forms if the enrolling  
 4        student has been expelled or suspended, or is currently subject to a proceeding for  
 5        behavior involving weapons, alcohol, drugs, or assault. In this subsection, "deadly  
 6        weapon" has the meaning given in AS 11.81.900.

7                (f) The department shall, upon request, provide resources to help teachers and  
 8        school employees with behavioral intervention strategies and shall provide school  
 9        districts with a professionally developed continuum of alternative educational programs  
 10       and services that emphasize prevention, early intervention, and long-term reduction of  
 11       disruptive and violent behavior in students.

12               (g) The governing body shall provide an annual report to the department on  
 13       school discipline and safety as a part of the report required under AS 14.03.120(a); the  
 14       report must include

15                        (1) a summary of all incidents of suspension from school or placement  
 16       in the in-school suspension program;

17                        (2) a record of students leaving school without completing requirements  
 18       for high school graduation, including each student who had been reported in attendance  
 19       by the school district for the previous attendance reporting period but who is no longer  
 20       reported as attending school;

21                        (3) information on the reasons students give for leaving school,  
 22       including peer conflict, conflict with school staff, economic hardship, incarceration, a  
 23       guns or weapons incident, a drug or alcohol incident, age, gender, school site, or racial  
 24       or ethnic issues; and

25                        (4) information described under AS 14.03.120(f)(4).

26                (h) In this section, "district" has the meaning given in AS 14.17.990.

27                **Sec. 14.30.058. Discipline and safety grant program.** The discipline and  
 28       safety grant program is established in the department. A district may receive a grant  
 29       of up to \$200 for each student enrolled in the district for the purpose of establishing  
 30       and maintaining the district's discipline and safety program.

31        \* **Sec. 4.** This Act takes effect July 1, 1999.