

HOUSE BILL NO. 302

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE TARR

Introduced: 2/5/16

Referred: Education, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to school discipline."**

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

3 *** Section 1.** AS 14.30.045 is amended by adding a new subsection to read:

4 (b) A school administrator may not suspend or expel a school age child from a
5 public school that the child is otherwise entitled to attend for wilful disobedience or
6 defiance unless the child's behavior creates a substantial risk of danger to the child or
7 another person. Nothing in this section prevents a school administrator from
8 suspending or expelling a child under AS 14.03.160 for possessing weapons or from
9 suspending or expelling a child for engaging in a physical fight or for possessing drugs
10 or alcohol on school grounds. In this subsection, "wilful disobedience or defiance"
11 includes talking back to a school employee, cursing, eye rolling, arriving late to class,
12 and other similar behavior.

13 *** Sec. 2.** AS 14.33.120(a) is amended to read:

14 (a) Each governing body shall adopt a written school disciplinary and safety
15 program. The program required under this subsection must be made available to

1 students, parents, legal guardians, and the public and include written

2 (1) standards for student behavior and safety that reflect community
3 standards and that include, at a minimum, basic requirements for respect and honesty;
4 standards required under this paragraph must be developed and periodically reviewed
5 with the collaboration of members of each school, parents, legal guardians, teachers,
6 and other persons responsible for the students at a school; a governing body may
7 require that standards developed under this paragraph be consistent for all schools in
8 an attendance area or the district;

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

11 (A) failure to follow student behavior and safety standards;

12 [OR]

13 (B) behavior described under AS 14.30.045(2); or

14 (C) wilful disobedience or defiance of reasonable school
15 authority; in this subparagraph, "wilful disobedience or defiance" has the
16 meaning given in AS 14.30.045(b) [AS 14.30.045(1) OR (2)];

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

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

22 (5) policies necessary to comply with provisions of state and federal
23 law, including 20 U.S.C. 1400 - 1482 (Individuals with Disabilities Education Act);

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

27 (7) policies for implementing a student conflict resolution strategy,
28 including the nonviolent resolution or mediation of conflicts and procedures for
29 reporting and resolving conflicts;

30 (8) procedures for periodic review and revision of the school
31 disciplinary and safety program;

1 (9) policies and procedures consistent with standards for use of
2 restraint and seclusion of students as described in AS 14.33.125.

3 * **Sec. 3.** AS 14.30.045(1) is repealed.