ENGROSSED SENATE
BILL NO. 720

BY: HOOPER, ROBINSON, CAPPS, HELTON and LONG (Ed) of the SENATE

and

MADDOX (Jim) of the HOUSE

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1991, SECTION 24-101, WHICH RELATES TO SUSPENSION OF PUPILS; ALLOWING PUBLIC SCHOOLS TO REFUSE ENROLLMENT TO STUDENT SUSPENDED FROM PUBLIC OR PRIVATE SCHOOL FOR CERTAIN REASONS; ALLOWING PUBLIC SCHOOLS TO PROVIDE EDUCATIONAL SERVICES OUTSIDE REGULAR SCHOOL SETTING TO CERTAIN STUDENTS; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 24-101, is amended to read as follows:

Section 24-101. A. Any pupil who is guilty of immorality or violation of the regulations of a public school may be suspended by the principal teacher of such school, which suspension shall not extend beyond the current school semester and the succeeding semester; provided, the pupil suspended shall have the right to appeal from the decision of such principal teacher to the board of education of the district, which shall, upon a full investigation of the matter, determine the guilt or innocence of the pupil and its decision shall be final.

B. A pupil who has been suspended from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other pupils shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such pupil, until the terms of the suspension have been met or the time of suspension has expired.

C. No public school of this state shall be required to provide education services in the regular school setting to any pupil who has been removed from a public or private school in the State of Oklahoma or another state by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other pupils until the school in which such pupil is subsequently enrolled determines that the pupil no longer poses a threat to himself, other pupils, or faculty. Until the school in which such pupil subsequently enrolls or re-enrolls determines that the pupil no longer poses a threat to himself, other pupils, or faculty, the school may provide education services through an alternative school setting, home-based instruction, or other appropriate setting. Education services for such pupils on an individualized education plan (IEP) pursuant to Public Law 94-142, as amended, 20 U.S.C. Section 1400, et seq., shall be provided in accordance with the pupil's individualized education plan.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 24th day of February, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker of the House of Representatives