

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)
CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1119

By: Williams (Penny) and Long
(Lewis) of the Senate

and

McCorkell, Ross and Toure
of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to relating to schools; amending 70 O.S. 1991, Section 24-101, as amended by Section 1, Chapter 150, O.S.L. 1992 (70 O.S Supp. 1993, Section 24-101), which relates to suspension of students; modifying procedures for suspension of students; authorizing district board of education to adopt policies and procedures for certain appeals of certain suspensions; creating certain committee to hear certain appeals; stating duties of committee; requiring board of education to hear certain appeals of certain suspensions; stating duties of board; providing for finality of decision; updating certain statutory reference; replacing certain reference with gender neutral reference; requiring provision of certain services; providing an effective date; 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, as amended by Section 1, Chapter 150, O.S.L. 1992 (70 O.S. Supp. 1993, 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 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 to the board of education of the district, which.~~ The board of education of a district may adopt policies and procedures to provide a pupil who has been suspended for a period of time of ten (10) school days or less to be determined by the board, the right to appeal the decision of the

principal to a committee composed of administrators and/or teachers. The committee shall, upon a full investigation of the matter, determine the guilt or innocence of the pupil and ~~its~~ the reasonableness of the term of suspension. The decision of the Committee shall be final. A pupil suspended for longer than the period of time established by the board of education pursuant to this subsection for committee review shall have the right to appeal the decision of the principal to the board of education of the district. The board of education shall, upon a full investigation of the matter, determine the guilt or innocence of the pupil and the reasonableness of the term of suspension. The decision of the board 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~~ self, 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~~ self, other pupils, or faculty, the school may provide education services through an alternative school setting, home-based instruction, or other appropriate setting. Education and related 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. the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-

476, shall be provided the education and related services in accordance with the pupil's individualized education plan.

SECTION 2. This act shall become effective July 1, 1994.

SECTION 3. 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.

44-2-2548

SB