

ENGROSSED HOUSE
BILL NO. 2152

By: Hager, Cox, Boyd
(Laura), Wells, Tyler,
Roach and Hutchison of
the House

and

Williams of the Senate

(schools - teachers to remove from class certain pupils -
codification - effective date - emergency)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 24-100.1 of Title 70, unless
there is created a duplication in numbering, reads as follows:

A. It is the belief of the Legislature that public schools
should be places where pupils and teachers can engage in learning
activities free from worry about their personal safety, and that
schools have a responsibility to foster an environment that
encourages learning. Therefore, the Legislature finds it necessary
to give teachers greater decision-making authority with regard to
removing certain pupils from their classroom.

B. A teacher may remove from class a pupil:

1. Who has been documented by the teacher to repeatedly
interfere with the teacher's ability to communicate effectively with
the pupils in the class or with the ability of the pupil's
classmates to learn; or

2. Whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the pupils in the class or with the ability of the pupil's classmates to learn.

C. If a teacher removes a pupil from class under subsection B of this section, the principal may place the pupil into: another appropriate classroom, in-school detention, or an alternative school setting.

D. A teacher shall remove from class a pupil who is guilty of immorality or a violation of the regulations of a public school. The principal may suspend the pupil pursuant to Section 24-101 of this title.

E. A pupil removed from class pursuant to subsection B or D of this section may not be returned to the teacher's class without the teacher's consent, unless a school-based placement review committee or district board of education determines that such placement is the most appropriate or only alternative available.

F. The terms of the removal of a pupil pursuant to subsection B or D of this section may prohibit the pupil from attending or participating in a school-sponsored or school-related activity.

SECTION 2. This act shall become effective July 1, 1997.

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.

Passed the House of Representatives the 26th day of February, 1997.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1997.

President of the Senate