

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 2152

By: Hager

AS INTRODUCED

An Act relating to schools; allowing teachers to remove from class certain pupils; requiring teacher to remove from class certain pupils; prohibiting pupil to be placed back in such teacher's class without certain consent; providing exception; providing for codification; providing an effective date; and declaring an 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.

46-1-5407

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