

SHORT TITLE: Schools; requiring approval of certain committee for certain suspended students to return to school; requiring character training courses; codification; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 742

By: Martin

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 24-101, as last amended by Section 43, Chapter 247, O.S.L. 1996 (70 O.S. Supp. 1996, Section 24-101), which relates to out-of-school suspensions; requiring approval of certain committee for return of certain suspended students to school; modifying definition of violent offense; requiring development of character training course; prescribing elements of character training course; prescribing certain format for certain course materials; requiring public schools to offer certain course; allowing certain substitution; requiring certain course to be taught by certain certified teachers; providing for codification; 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 last amended by Section 43, Chapter 247, O.S.L. 1996 (70 O.S. Supp. 1996, 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, or who has been adjudicated as a delinquent for an offense that is not a violent offense, as defined in subsection ~~E~~ F of this section, may be

suspended out-of-school by the principal of such school only pursuant to the provisions of this subsection. The suspension shall not extend beyond the current school semester and the succeeding semester. A pupil suspended out-of-school pursuant to this subsection shall be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting in accordance with a plan prescribed by the school administration that provides education to and monitoring of the student, which shall be complied with by the parent or legal guardian. Unless the district board of education has adopted a policy authorizing appeal to a committee under circumstances as provided in this section and the out-of-school suspension falls within the category of suspensions to which appeal to a committee is authorized, the suspended pupil shall have the right to appeal from the decision of out-of-school suspension 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 the reasonableness of the term of the suspension, and its decision shall be final. A district board of education shall adopt policies and procedures applicable to out-of-school suspensions of ten (10) or fewer school days, the length of time to be set by the board, by which a pupil shall have the right to appeal the decision of the principal to a Suspension Appeals Committee composed of administrators or teachers or a combination of administrators and teachers. The Suspension Appeals Committee shall, upon full investigation of the matter, determine the guilt or innocence of the pupil and the reasonableness of the term of the out-of-school suspension. The policy adopted by the board may, but is not required to, provide for appeal of the Committee's decision to the board.

B. Before a pupil is suspended out-of-school, pursuant to subsection A of this section, the principal shall consider and

apply, if appropriate, alternative in-school placement options that are not to be considered suspension, such as placement in an alternative school setting, reassignment to another classroom or in-school detention.

C. A pupil who has been suspended out-of-school 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.

D. No public school of this state shall be required to provide education services in the regular school setting to any pupil who has been adjudicated as a delinquent for an offense defined in subsection ~~E~~ F of this section as a violent offense or convicted as an adult of an offense defined in subsection ~~E~~ F of this section as a violent offense or 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 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 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 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.

E. A student who has been suspended for a violent offense shall not be allowed to return to school until the student's return is approved by the Suspension Appeals Committee as defined in subsection A of this section.

F. For purposes of this section, "violent offense" shall include those offenses listed as the exceptions to the term "nonviolent offense" as specified in Section 571 of Title 57 of the Oklahoma Statutes. ~~"Violent offense" shall not include the offense of assault.~~

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-141 of Title 70, unless there is created a duplication in numbering, read as follows:

A. By October 1, 1997, the State Superintendent of Education shall appoint a committee of administrators, teachers, and counselors to develop for implementation in the public schools of this state a character training course that illustrates through the study of historical individuals the value of ethical and moral decision making. The course shall consist of a collection of biographies, case studies, and selected readings about the lives of historical figures who, relying on personal courage and strong moral character, made ethical decisions that affected the lives of many Americans. The Committee shall develop the course materials by July 1, 1998. The course materials shall be provided to schools in printed form accompanied by appropriate computer software.

B. The course shall be based on the following:

1. The biographical figures shall have lived some time from the late fifteenth century to the present;

2. The biographical figures shall reflect ethnic, racial, and gender diversity with regard to relative impact on United States history; and

3. The biographical figures shall be individuals who displayed positive moral judgment, national vision, strong ethics, and personal courage.

C. Every school district within this state shall offer as an elective in grades seven through twelve the character training course developed by the Committee; provided, however, that a school may modify or add to the course materials as deemed appropriate by the district. The course may be substituted for civics, social studies, or history.

D. The character training courses shall be taught by teachers with certification to teach history.

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.

46-1-0613

PHB