

1 of-school, the school or district administration shall consider and
2 apply, if appropriate, alternative in-school placement options that
3 are not to be considered suspension, such as placement in an
4 alternative school setting, reassignment to another classroom, or
5 in-school detention. The policy shall address education for
6 students subject to the provisions of subsection D of this section
7 and whether participation in extracurricular activities shall be
8 permitted.

9 B. 1. Students suspended out-of-school for ten (10) or fewer
10 days shall have the right to appeal the decision of the
11 administration as provided in the policy required in subsection A of
12 this section. The policy shall specify whether appeals for short-
13 term suspensions as provided in this subsection shall be to a local
14 committee composed of district administrators or teachers or both,
15 or to the district board of education. Upon full investigation of
16 the matter, the committee or board shall determine the guilt or
17 innocence of the student and the reasonableness of the term of the
18 out-of-school suspension. If the policy requires appeals for short-
19 term suspensions to a committee, the policy adopted by the board
20 may, but is not required to, provide for appeal of the committee's
21 decision to the board.

22 2. Students suspended out-of-school for more than ten (10) days
23 and students suspended pursuant to the provisions of paragraph 2 of
24 subsection C of this section may request a review of the suspension

1 with the administration of the district. If the administration does
2 not withdraw the suspension, the student shall have the right to
3 appeal the decision of the administration to the district board of
4 education. Except as otherwise provided for in paragraph 2 of
5 subsection C of this section, no out-of-school suspension shall
6 extend beyond the current semester and the succeeding semester.
7 Upon full investigation of the matter, the board shall determine the
8 guilt or innocence of the student and the reasonableness of the term
9 of the out-of-school suspension. A board of education may conduct
10 the hearing and render the final decision or may appoint a hearing
11 officer to conduct the hearing and render the final decision. The
12 decision of the district board of education or the hearing officer,
13 if applicable, shall be final.

14 C. 1. Students who are guilty of any of the following acts may
15 be suspended out-of-school by the administration of the school or
16 district:

- 17 a. violation of a school regulation,
- 18 b. possession of an intoxicating beverage, low-point
19 beer, as defined by Section 163.2 of Title 37 of the
20 Oklahoma Statutes, or missing or stolen property if
21 the property is reasonably suspected to have been
22 taken from a student, a school employee, or the school
23 during school activities, and

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1 c. possession of a dangerous weapon or a controlled
2 dangerous substance while on or within two thousand
3 (2,000) feet of public school property, or at a school
4 event, as defined in the Uniform Controlled Dangerous
5 Substances Act. Possession of a firearm shall result
6 in out-of-school suspension as provided in paragraph 2
7 of this subsection.

8 2. Any student found in possession of a firearm while on any
9 public school property or while in any school bus or other vehicle
10 used by a public school for transportation of students or teachers
11 shall be suspended out-of-school for a period of not less than one
12 (1) year, to be determined by the district board of education
13 pursuant to the provisions of this section. The term of the
14 suspension may be modified by the district superintendent on a case-
15 by-case basis. For purposes of this paragraph the term "firearm"
16 shall mean and include all weapons as defined by 18 U.S.C., Section
17 921.

18 3. Any student in grades six through twelve found to have
19 assaulted, attempted to cause physical bodily injury, or acted in a
20 manner that could reasonably cause bodily injury to a school
21 employee or a person volunteering for a school as prohibited
22 pursuant to Section ~~6-146~~ 6-149.7 of this title shall be suspended
23 for the remainder of the current semester and the next consecutive
24 semester, to be determined by the board of education pursuant to the

1 provisions of this section. The term of the suspension may be
2 modified by the district superintendent on a case-by-case basis.

3 D. 1. At its discretion a school district may provide an
4 education plan for students suspended out-of-school for five (5) or
5 fewer days pursuant to the provisions of this subsection. The
6 following provisions shall apply to students who are suspended out-
7 of-school for more than five (5) days and who are guilty of acts
8 listed in subparagraphs a and b of paragraph 1 of subsection C of
9 this section. Upon the out-of-school suspension, the parent or
10 guardian of a student suspended out-of-school pursuant to the
11 provisions of this subsection shall be responsible for the provision
12 of a supervised, structured environment in which the parent or
13 guardian shall place the student and bear responsibility for
14 monitoring the student's educational progress until the student is
15 readmitted into school. The school administration shall provide the
16 student with an education plan designed for the eventual
17 reintegration of the student into school which provides only for the
18 core units in which the student is enrolled. A copy of the
19 education plan shall also be provided to the student's parent or
20 guardian. For the purposes of this section, the core units shall
21 consist of the minimum English, mathematics, science, social studies
22 and art units required by the State Board of Education for grade
23 completion in grades kindergarten through eight and for high school
24 graduation in grades nine through twelve. The plan shall set out

1 the procedure for education and shall address academic credit for
2 work satisfactorily completed.

3 2. A school district shall not be required to provide in person
4 education services to students suspended out-of-school pursuant to
5 paragraph 3 of subsection C of this section until the parent or
6 guardian of the student obtains an independent evaluation
7 determining the student is not a threat to others.

8 E. A student who has been suspended out-of-school from a public
9 or private school in the State of Oklahoma or another state for a
10 violent act or an act showing deliberate or reckless disregard for
11 the health or safety of faculty or other students shall not be
12 entitled to enroll in a public school of this state, and no public
13 school shall be required to enroll the student, until the terms of
14 the suspension have been met or the time of suspension has expired.

15 F. No public school of this state shall be required to provide
16 education services in the regular school setting to any student who
17 has been adjudicated as a delinquent for an offense defined in
18 Section 571 of Title 57 of the Oklahoma Statutes as an exception to
19 a nonviolent offense or convicted as an adult of an offense defined
20 in Section 571 of Title 57 of the Oklahoma Statutes as an exception
21 to a nonviolent offense, who has been removed from a public or
22 private school in the State of Oklahoma or another state by
23 administrative or judicial process for a violent act or an act
24 showing deliberate or reckless disregard for the health or safety of

1 faculty or other students, or who has been suspended as provided for
2 in paragraph 3 of subsection C of this section until the school in
3 which the student is subsequently enrolled determines that the
4 student no longer poses a threat to self, other students or school
5 district faculty or employees. Until the school in which such
6 student subsequently enrolls or re-enrolls determines that the
7 student no longer poses a threat to self, other students or school
8 district faculty or employees, the school may provide education
9 services through an alternative school setting, home-based
10 instruction, or other appropriate setting. If the school provides
11 education services to such student at a district school facility,
12 the school shall notify any student or school district faculty or
13 employee victims of such student, when known, and shall ensure that
14 the student will not be allowed in the general vicinity of or
15 contact with a victim of the student, provided such victim notifies
16 the school of the victim's desire to refrain from contact with the
17 offending student.

18 G. Students suspended out-of-school who are on an
19 individualized education plan pursuant to the Individuals with
20 Disabilities Education Act, P.L. No. 101-476, or who are subject to
21 the provisions of subsection F of this section and who are on an
22 individualized education plan shall be provided the education and
23 related services in accordance with the student's individualized
24 education plan.

1 H. A student who has been suspended for a violent offense which
2 is directed towards a classroom teacher shall not be allowed to
3 return to that teacher's classroom without the approval of that
4 teacher.

5 I. At its discretion, a school district may require a student
6 guilty of acts listed in subparagraph a or b of paragraph 1 of
7 subsection C of this section to complete intervention and prevention
8 programs as provided by designated Youth Service Agencies, if
9 available.

10 J. No school board, administrator or teacher may be held
11 civilly liable for any action taken in good faith which is
12 authorized by this section.

13 SECTION 2. This act shall become effective July 1, 2014.

14 SECTION 3. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
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17 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03/25/2014
18 - DO PASS, As Amended.

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