

6-18-501. Duty of teachers, classified school employees, and volunteers.

(a) Every teacher shall seek to exercise wholesome discipline in his or her school and endeavor by precept and otherwise to instill and cultivate in the pupils good morals and gentle manners.

(b) Classified school employees and volunteers shall have as a minimum the responsibility to appropriately assist and support teachers in these efforts.

HISTORY: Acts 1931, No. 169, § 171; Pope's Dig., § 11613; A.S.A. 1947, § 80-1629; Acts 1999, No. 1475, § 1.

6-18-502. Guidelines for development of school district student discipline policies.

(a) The Department of Education shall establish guidelines for the development of school district student discipline policies.

(b) Such guidelines shall include, but not be limited to, the following requirements:

(1) Parents, students, and school district personnel, including teachers, shall be involved in the development of school district student discipline policies;

(2) (A) The student discipline policies shall be reviewed annually by the school district's committee on personnel policies.

(B) The committee may recommend changes in the policies to the board of directors of the local school district; and

(3) Student discipline policies shall include, but not be limited to, the following offenses:

(A) Willfully and intentionally assaulting or threatening to assault or abuse any student or teacher, principal, superintendent, or other employee of a school system;

(B) Possession by students of any firearm or other weapon prohibited upon the school campus by law or by policies adopted by the school district board of directors;

(C) Using, offering for sale, or selling beer, alcoholic beverages, or other illicit drugs by students on school property; and

(D) Willfully or intentionally damaging, destroying, or stealing school property by students.

(c) The school discipline policies shall:

(1) Prescribe minimum and maximum penalties, including students' suspension or dismissal from school, for violations of each of the aforementioned offenses and for violations of other practices prohibited by school discipline policies;

(2) (A) Prescribe expulsion from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited upon the school campus by law.

(B) Provided, however, that the superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis;

(3) Establish procedures for notice to students and parents of charges, hearings, and other due process proceedings to be applicable in the enforcement and administration of such policies by the school administrator and by the school district board of directors;

(4) Include prevention, intervention, and conflict resolution provisions; and

(5) Set forth the role and authority of public school employees and volunteers as provided in this subchapter.

(d) Student discipline policies shall provide that parents and students will be advised of the rules and regulations by which the school is governed and will be made aware of the behavior that will call for disciplinary action and the types of corrective actions that may be imposed.

(e) Each school district shall develop a procedure for written notification to all parents and students of the district's student discipline policies and for documentation of the receipt of the policies by all parents and students.

(f) Teachers and administrators, classified school employees, and volunteers shall be provided with appropriate student discipline training.

(g) If a school employee believes that any action taken by the school district to discipline a student referred by that employee does not follow school district discipline policies, the school employee may appeal under the district's grievance procedure as provided under § 6-17-208.

(h) In developing the state guidelines for school district discipline policies, the department shall involve parents, students, teachers, and administrators.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 77, § 1; 1983 (1st Ex. Sess.), No. 104, § 1; A.S.A. 1947, § 80-1629.6; Acts 1989, No. 146, § 1; 1995, No. 567, § 1; 1995, No. 968, § 1; 1997, No. 706, § 1; 1999, No. 1475, §§ 2, 3; 2001, No. 447, § 1; 2013, No. 71, §

6-18-503. Written student discipline policies required.

(a) (1) (A) Each school district in this state shall develop written student discipline policies in compliance with the guidelines established by the Department of Education and shall file such policies with the department.

(B) Guidelines shall include minimum standards of quality, experimentation with innovative programs, and a system to judge the effectiveness of the program.

(C) The discipline policy shall include provisions for:

(i) Placement of a student with disciplinary, socially dysfunctional, or behavioral problems not associated with a handicapping condition in an alternative learning environment provided by the district; and

(ii) (a) Expulsion from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited upon the school campus by law.

(b) Provided, however, that the superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis.

(2) Behavioral problems shall include those at risk of not satisfactorily completing a high school education.

(b) (1) A school district that authorizes use of corporal punishment in its discipline policy shall include provisions for administration of the punishment, including that it be administered only for cause, be reasonable, follow warnings that the misbehavior will not be tolerated, and be administered by a teacher or a school administrator and only in the presence of a school administrator or his or her designee, who shall be a teacher or an administrator employed by the school district.

(2) As used in this section, "teachers and administrators" means those persons employed by a school district and required to have a state-issued educator license as a condition of their employment.

(c) (1) A school district shall include in its student discipline policies a provision prohibiting students from wearing, while on the grounds of a public school during the regular school day and at school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast of a female.

(2) Subdivision (c)(1) of this section shall not apply to a costume or uniform worn by a student while participating in a school-sponsored activity or event.

(3) A school district shall specify in its student discipline policies the disciplinary actions that will be taken against a student for a violation of subdivision (c)(1) of this section.

(4) Subdivision (c)(1) of this section shall not be enforced in a manner that discriminates against a student on the basis of his or her race, color, religion, sex, disability, or national origin.

(d) Any amendments or revisions to a school district's student discipline policies shall be developed and adopted in the same manner as the original policies required by § 6-18-502 and shall be consistent with the guidelines established by the department.

(e) Any amendment or revision to the student discipline policies adopted by a school district shall be submitted to the department within thirty (30) days after the adoption of such amendment or revision.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 77, § 2; 1983 (1st Ex. Sess.), No. 104, § 2; A.S.A. 1947, § 80-1629.7; Acts 1991, No. 830, § 1; 1994 (2nd Ex. Sess.), No. 51, §§ 2, 5; 1995, No. 333, § 1; 1995, No. 567, § 2; 2011, No. 835, § 2; 2013, No. 1073, § 29; 2013, No. 1138, § 47.

6-18-504. Compliance with §§ 6-18-502 and 6-18-503.

(a) The Department of Education shall monitor compliance with the requirements of §§ 6-18-502 and 6-18-503, and the State Board of Education shall adopt rules and regulations for the administration of the requirements thereof.

(b) Any school district failing to file the disciplinary policy required by § 6-18-503 with the department shall have all state aid funds withheld until such disciplinary policy is filed with the department.

(c) Nothing in § 6-18-502, § 6-18-503, or this section, or any student discipline policies promulgated under § 6-18-502, shall limit or restrict the bringing of criminal charges against any person for violating the criminal laws of this state.

HISTORY: Acts 1983 (1st Ex. Sess.), No. 77, § 3; 1983 (1st Ex. Sess.), No. 104, § 3; A.S.A. 1947, § 80-1629.8.

6-18-505. School Discipline Act.

(a) This section may be cited as the "School Discipline Act".

(b) Every teacher is authorized to hold every pupil strictly accountable for any disorderly conduct in school or on the playground of the school, or on any school bus going to or returning from school, or during intermission or recess.

(c) (1) Any teacher or school administrator in a school district that authorizes use of corporal punishment in the district's written student discipline policy may use corporal punishment, provided only that the punishment is administered in accord with the district's written student discipline policy, against any pupil in order to maintain discipline and order within the public schools.

(2) As used in subdivision (c)(1) of this section, "teachers and administrators" means those persons employed by a school district and required to have a state-issued educator license as a condition of their employment.

HISTORY: Acts 1977, No. 904, §§ 1, 2; A.S.A. 1947, §§ 80-1629.1, 80-1629.2; Acts 1994 (2nd Ex. Sess.), No. 51, §§ 1, 5; 2013, No. 1073, § 30; 2013, No. 1138, § 48.

6-18-506. School Dismissal Act.

(a) This section may be cited as the "School Dismissal Act".

(b) Every school district board of directors shall adopt and file with the Department of Education written policies concerning the violation of school standards such as disrespect for teachers and classified school employees, vandalism, and other undesirable behavioral patterns.

(c) Every school district board of directors in this state shall hold its pupils strictly accountable for any disorderly conduct in school, on the school grounds, in a school bus, or at any school function.

(d) Each school district board of directors shall adopt written rules and regulations delineating its disciplinary policies.

(e) The policy may be revised at any time by filing an updated policy with the department.

HISTORY: Acts 1979, No. 74, §§ 1-3; A.S.A. 1947, §§ 80-1629.3 -- 80-1629.5; Acts 1999, No. 1475, § 4.

6-18-507. Suspension -- Expulsion.

(a) As used in this section:

(1) "Course time" means the number of hours of instruction devoted to a single subject during the school week;

(2) "Expulsion" means dismissal from school for a period of time that exceeds ten (10) days;

(3) "Nontraditional scheduling" means block or other alternative scheduling as defined by the Department of Education; and

(4) "Suspension" means dismissal from school for a period of time that does not exceed ten (10) days.

(b) The board of directors of a school district may suspend or expel any student from school for violation of the school district's written discipline policies, except that a school district shall not use out-of-school suspension as a discipline measure for truancy.

(c) (1) (A) The board of directors may authorize a teacher or an administrator to suspend any student for a maximum of ten (10) school days for violation of the school district's written discipline policies, subject to appeal to the superintendent or his or her designee.

(B) However, schools that utilize nontraditional scheduling may not suspend students from more course time than would result from a ten-day suspension under the last traditional schedule used by the school district.

(2) If the superintendent initiates the suspension process, the decision may be appealed to the board of directors.

(d) (1) A superintendent may recommend the expulsion of a student for more than ten (10) days for violation of the school district's written discipline policies, subject to appeal to the board of directors and to requirements of the federal Individuals with Disabilities Education Act, 20 U.S.C. § 1401 et seq.

(2) (A) After hearing all testimony and debate on a suspension, expulsion, or appeal, the board of directors may consider its decision in executive session without the presence of anyone other than the board members.

(B) At the conclusion of an executive session, the board of directors shall reconvene in public session to vote on the suspension, expulsion, or appeal.

(3) A school district board of directors meeting entertaining an appeal shall be conducted in executive session if requested by the parent or guardian of the student provided that after hearing all testimony and debate, the board of directors shall conclude the executive session and reconvene in public session to vote on such appeal.

(e) (1) (A) The superintendent of any school district shall recommend the expulsion of any student from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited upon the school campus by law.

(B) Provided, however, that the superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis.

(2) (A) All school districts shall adopt a written policy regarding expulsion of a student for possessing a firearm or other prohibited weapon on school property that shall require parents, guardians, or other persons in loco parentis of a student expelled under this subsection to sign a statement acknowledging that the parents have read and understand current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.

(B) The statement shall be signed by the parents, guardians, or other persons in loco parentis prior to readmitting a student or enrolling a student in any public school immediately after the expiration of an expulsion period pursuant to this subsection.

(3) (A) The school administrators and the local school district board of directors shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

(B) The principal of each school shall report within a week to the department the name, current address, and social security number of any student who is expelled for possessing a firearm or other prohibited weapon on school property or for committing other acts of violence.

(C) The expulsion shall be noted on the student's permanent school record.

(D) Nothing in this subdivision (e)(3) shall be construed to limit a superintendent's discretion to modify the expulsion requirement for a student on a case-by-case basis as set out in this subsection.

(4) (A) The department shall establish and maintain a registry of students who are expelled for possessing a firearm or other prohibited weapon on school property or for committing other acts of violence.

(B) The names, addresses, and social security numbers of all students listed in the registry shall be available by phone, facsimile, or mail to any school principal in the state.

(f) (1) Upon suspension of a student, the school shall immediately contact the student's parent or legal guardian to notify the parent or legal guardian of the suspension.

(2) Each parent or legal guardian shall provide the school:

(A) (i) A primary call number.

(ii) If the call number changes, the parent or legal guardian shall notify the school of the new primary call number;

(B) An email address if the parent or guardian does not have a telephone; or

(C) A current mailing address if the parent or guardian does not have a telephone or email address.

(3) The contact required in subsection (f) of this section is sufficient if made by:

(A) Direct contact with the parent or legal guardian at the primary call number or in person;

(B) Leaving a voice mail at the primary call number;

(C) Sending a text message to the primary call number;

(D) Email if the school is unable to make contact through the primary call number; or

(E) Regular first-class mail if the school is unable to make contact through the primary call number or email.

(4) The school shall keep a notification log of contacts attempted and made to the parent or legal guardian.

(g) A public school shall indicate on a student's attendance record if a student's absence is the result of an out-of-school suspension.

HISTORY: Acts 1931, No. 169, § 170; Pope's Dig., § 11612; Acts 1979, No. 441, § 1; A.S.A. 1947, § 80-1516; Acts 1995, No. 567, § 3; 1997, No. 742, § 1; 1999, No. 1150, § 1; 2007, No. 159, § 1; 2009, No. 1445, § 1; 2013, No. 1329, §§ 2, 3.

6-18-508, 6-18-509. [Repealed.]

6-18-510. Enrollment during expulsion -- School policy.

The board of directors of any school district may adopt a policy that, after a hearing before the board of directors, any person who has been expelled as a student from any other school district may not enroll as a student until the time of the person's expulsion has expired.

HISTORY: Acts 1995, No. 472, § 1.

6-18-511. Removal by teacher.

(a) Consistent with state and federal law, a teacher may remove a student from class and send him or her to the principal's or principal's designee's office in order to maintain effective discipline in the classroom.

(b) A teacher may remove from class a student:

(1) Who has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the students in the class or with the ability of the student'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 teach the students in the class or with the ability of the student's classmates to learn.

(c) If a teacher removes a student from class in accordance with subsection (b) of this section, the principal or his or her designee may:

(1) Place the student into another appropriate classroom, into in-school suspension, or into the district's alternative learning environment established in accordance with § 6-18-508 [repealed], so long as such placement is consistent with the school district's written student discipline policy;

(2) Return the student to the class; or

(3) Take other appropriate action consistent with the school district's discipline policy, state law, and federal law.

(d) (1) If a teacher removes a student from class two (2) times during any nine-week grading period or its equivalent as determined by the Department of Education, the principal or the principal's designee may not return the student to the teacher's class unless a conference is held for the purpose of determining the causes of the problem and possible solutions, with the following individuals present:

(A) The principal or the principal's designee;

(B) The teacher;

(C) The school counselor;

(D) The parents, guardians, or persons in loco parentis; and

(E) The student, if appropriate.

(2) The failure of the parents, guardians, or persons in loco parentis to attend the conference provided for in this subsection (d) shall not prevent the conference from being held nor prevent any action from being taken as a result of that conference.

HISTORY: Acts 1999, No. 1281, § 1.

6-18-512. Seizure of hand-held laser pointers.

Each school district shall adopt a policy providing for the seizure by school personnel of hand-held laser pointers in the possession of students.

HISTORY: Acts 1999, No. 1408, § 2.

6-18-513. Parental notification.

(a) A school or school district shall comply with subsection (b) of this section if the school or school district with respect to a student under the age of eighteen (18):

(1) Makes a report to any law enforcement agency concerning student misconduct;

(2) Grants law enforcement personnel other than a school resource officer acting in the normal course and scope of his or her assigned duties access to a student; or

(3) Knows that a student has been taken into custody by law enforcement personnel during the school day or while under school supervision.

(b) (1) The principal or, in the principal's absence, the principal's designee shall make a reasonable, good faith effort to notify the student's parent, legal guardian, or other person having lawful control of the student by court order or person acting in loco parentis listed on student enrollment forms of the occurrence of any of the events in subsection (a) of this section.

(2) The principal or the principal's designee shall notify the student's parent, legal guardian, or other person having lawful control of the student under an order of court or person acting in loco parentis that the student has been reported to, interviewed by, or taken into custody by law enforcement personnel.

(3) If the principal or the principal's designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call either the principal or the principal's designee and leave both a day and an after-hours telephone number.

(c) Notification required by subsection (b) of this section is not required if school personnel make a report or file a complaint based on suspected child maltreatment as required under § 12-18-401 et seq. or if a law enforcement officer, investigator of the Crimes Against Children Division of the Department of Arkansas State Police, or Department of Human Services investigator or personnel member interviews a student during the course of an investigation of suspected child maltreatment.

(d) (1) The principal or the principal's designee shall not provide notification under subsection (b) of this section if a request is made to interview a student during the course of an investigation of suspected child maltreatment and a parent, guardian, custodian, or person standing in loco parentis is named as an alleged offender.

(2) The investigator shall provide the school with documentation that notification to the parent, guardian, custodian, or person standing in loco parentis is prohibited.

(e) Subsection (d) of this section shall only apply to interview requests made by:

(1) A law enforcement officer;

(2) An investigator of the Crimes Against Children Division of the Department of Arkansas State Police; or

(3) An investigator or employee of the Department of Human Services.

HISTORY: Acts 2001, No. 1217, § 1; 2005, No. 1415, § 1; 2009, No. 758, § 6; 2011, No. 613, § 1; 2011, No. 981, § 8.

6-18-514. Antibullying policies.

(a) The General Assembly finds that every public school student in this state has the right to receive his or her public education in a public school educational environment that is reasonably free from substantial intimidation, harassment, or harm or threat of harm by another student.

(b) As used in this section:

(1) "Attribute" means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

(2) "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

(A) Physical harm to a public school employee or student or damage to the public school employee's or student's property;

(B) Substantial interference with a student's education or with a public school employee's role in education;

(C) A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or

(D) Substantial disruption of the orderly operation of the school or educational environment;

(3) "Electronic act" means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer, or pager;

(4) "Harassment" means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment; and

(5) "Substantial disruption" means without limitation that any one (1) or more of the following occur as a result of the bullying:

(A) Necessary cessation of instruction or educational activities;

(B) Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;

(C) Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or

(D) Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

(c) Bullying of a public school student or a public school employee is prohibited.

(d) A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

(e) **(1)** The board of directors of every school district shall adopt policies to prevent bullying.

(2) The policies shall:

(A) **(i)** Clearly define conduct that constitutes bullying.

(ii) The definition shall include without limitation the definition contained in subsection (b) of this section;

(B) Prohibit bullying:

(i) While in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events; or

(ii) **(a)** By an electronic act that results in the substantial disruption of the orderly operation of the school or educational environment.

(b) This section shall apply to an electronic act whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose;

(C) State the consequences for engaging in the prohibited conduct, which may vary depending on the age or grade of the student involved;

(D) Require that a school employee who has witnessed or has reliable information that a pupil has been a victim of bullying as defined by the district shall report the incident to the principal;

(E) Require that the person or persons who file a complaint will not be subject to retaliation or reprisal in any form;

(F) Require that notice of what constitutes bullying, that bullying is prohibited, and that the consequences of engaging in bullying be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the district; and

(G) Require that copies of the notice of what constitutes bullying, that bullying is prohibited, and that the consequences of engaging in bullying be provided to parents, students, school volunteers, and employees. Each policy shall require that a full copy of the policy be made available upon request.

(f) A school district shall provide training on compliance with the antibullying policies to all public school district employees responsible for reporting or investigating bullying under this section.

(g) A school employee who has reported violations under the school district's policy shall be immune from any tort liability that may arise from the failure to remedy the reported incident.

(h) The board of directors of a school district may provide opportunities for school employees to participate in programs or other activities designed to develop the knowledge and skills to prevent and respond to acts covered by this policy.

(i) The school district shall provide the Department of Education with the website address at which a copy of the policies adopted in compliance with this section may be found.

(j) This section is not intended to:

(1) Restrict a public school district from adopting and implementing policies against bullying or school violence or policies to promote civility and student dignity that are more inclusive than the antibullying policies required under this section; or

(2) Unconstitutionally restrict protected rights of freedom of speech, freedom of religious exercise, or freedom of assembly.

HISTORY: Acts 2003, No. 681, § 1; 2005, No. 1437, § 1; 2007, No. 115, § 1; 2011, No. 907, § 1; 2013, No. 1073, § 31.

6-18-515. Use of personal electronic devices.

(a) As used in this section, "personal electronic device" means without limitation a:

- (1) Cellular telephone;
- (2) Paging device;
- (3) Beeper;
- (4) Mobile telephone that offers advanced computing and Internet accessibility;
- (5) Digital media player;
- (6) Portable game console;
- (7) Tablet, notebook, or laptop computer;
- (8) Digital camera; and
- (9) Digital video or audio recorder.

(b) A school district may establish a written student discipline policy and exemptions concerning the possession and use by a student of a personal electronic device:

- (1) On school property;
- (2) At an after-school activity; or
- (3) At a school-related function.

(c) The policy may, without limitation:

- (1) Allow or restrict the possession and use of a personal electronic device;
- (2) Allow the use of a personal electronic device in school for instructional purposes at the discretion of a teacher or administrator;
- (3) Limit the times or locations in which a personal electronic device may be used to make telephone calls, send text messages or emails, or engage in other forms of communication;
- (4) Allow or prohibit the use of any photographic, audio, or video recording capabilities of a personal electronic device while in school;
- (5) Exempt the possession or use of a personal electronic device by a student who is required to use such a device for health or another compelling reason;
- (6) Exempt the possession or use of a personal electronic device after normal school hours for extracurricular activities; and
- (7) Include other relevant provisions deemed appropriate and necessary by the school district.

HISTORY: Acts 2013, No. 71, § 2.

6-18-516. Effective school discipline.

(a) As used in this section:

(1) "Disciplinary rate" means a three-year average for each discipline measure of the number of students in a school district or the number of students in a subgroup in the school district who have at least one (1) discipline measure divided by the corresponding total enrollment in the school district or the total enrollment in the subgroup;

(2) "Discipline measure" means:

- (A) In-school suspension;
- (B) Out-of-school suspension;
- (C) Expulsion;
- (D) Corporal punishment; and
- (E) Referrals to law enforcement authorities;

(3) "Rate of disciplinary disparity" means the disciplinary rate for a subgroup subtracted from the disciplinary rate for another comparison subgroup; and

(4) "Subgroup" means the enrollment of students in one (1) of the following demographic groups:

- (A)** White students;
- (B)** Nonwhite students;
- (C)** Low-income students, including without limitation students who are economically disadvantaged for standardized testing purposes;
- (D)** Students with disabilities, defined as "a child with a disability" under § 6-41-203; and
- (E)** Students whose achievement is at the basic or below basic level, or the equivalent, for the school year on the state-required:
 - (i)** Literacy benchmark assessments;
 - (ii)** Mathematics benchmark assessments; or
 - (iii)** End-of-course assessments.

(b) By July 1 of each year beginning in 2014, the Department of Education shall prepare and provide a report to the State Board of Education and to all school districts that includes the following information:

- (1)** The total number of students enrolled in the school district and in each subgroup;
- (2)** The percentage that each subgroup represents of the school district's total enrollment;
- (3)** The number of students who appear in more than one (1) subgroup;
- (4)** The disciplinary rate for each discipline measure for the total student enrollment in a school district;
- (5)** The disciplinary rate for each discipline measure for each subgroup; and
- (6)** The rate of disciplinary disparity for each discipline measure for each subgroup compared with the subgroup with the lowest disciplinary rate.

(c) The report also:

(1) May include additional information that the department determines will provide a better understanding of the disciplinary rate or rate of disciplinary disparity of a particular school or school district;

(2) Shall include the achievement status for a school district identified in the report; and

(3) Shall identify discipline-related strategies, alternatives, and resources available to school districts.

(d) The department shall track the progress that school districts in the state have made in reducing the disciplinary rate and rate of disciplinary disparity and:

(1) Identify school districts that make progress reducing the disciplinary rate and rate of disciplinary disparity and assess the successful strategies used by those school districts;

(2) Assess the gains, if any, in student academic achievement that correspond to the reduction of disciplinary rates and rates of disciplinary disparity; and

(3) Report annually to the state board the information under subdivisions (d)(1) and (2) of this section, including:

(A) The progress made for the year;

(B) Successful strategies that may be used by other school districts; and

(C) The corresponding gains, if any, in student academic achievement.

(e) **(1)** The department shall survey districts to determine which school districts are currently implementing evidence-based strategies, including without limitation:

(A) Positive behavior interventions and support systems; and

(B) Restorative justice.

(2) The department shall:

(A) Develop information concerning the resources needed by school districts to reduce discipline and the restraint of students with disabilities using the strategies in subdivision (e)(1) of this section; and

(B) Provide the information for inclusion in the educational adequacy study required under § 10-3-2102(a)(1)-(4).

HISTORY: Acts 2013, No. 1329, § 4.

