



HOUSE BILL 247: Standards of Student Conduct.

2021-2022 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 23, 2021
Introduced by:	Rep. Torbett	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H247-CSRQ-4		Committee Counsel

OVERVIEW: *House Bill 247 would make various changes to the requirements for school discipline policies including technical changes to refer to the boards of education as public school unit boards.*

The Proposed Committee Substitute (PCS) for HB 247 would do the following:

- *Require public school unit boards to also consider any existing federal guidance for the discipline of students with disabilities in adopting their discipline policies.*
- *Require each public school unit to also provide the Department of Public Instruction with a copy of its most up-to-date Code of Student Conduct each year by September 1.*
- *Makes a conforming change to use "public school unit board" in a cross-referenced statute.*

CURRENT LAW: Article 27 of Chapter 115C of the General Statutes establishes requirements that local boards of education (local boards) must follow when administering student discipline. Additionally, charter schools, regional schools, innovative schools, schools for the visually and hearing impaired, and laboratory schools must follow the requirements of Article 27.

G.S. 115C-390.2(a) requires local boards to adopt policies and procedures that school officials must follow when disciplining students. The policies must be consistent with State and federal law.

G.S. 115C-390.2(f) requires board policies to restrict long-term suspensions or expulsions to serious violations of the Code of Student Conduct that either threaten the safety of students, staff, or school visitors or threaten to substantially disrupt the educational environment. Examples of violations not deemed serious include:

- Inappropriate or disrespectful language.
- Noncompliance with a staff directive.
- Dress code violations.
- Minor physical altercations that do not involve weapons or injury.

However, the principal, in his or her discretion, may determine that aggravating circumstances justify treating a minor violation as a serious violation.

G.S. 115C-390.2(k) encourages school officials to use a full range of responses to disciplinary violations that do not involve removing the student from the classroom or school building.

BILL ANALYSIS: The PCS for House Bill 247 would do the following:

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- Replace the term "local board of education" and use the term "public school unit board" to clarify that the Article applies to all public school units (local boards of education, charter schools, regional schools, innovative schools, schools for the visually and hearing impaired, and laboratory schools).
- Require public school unit boards to consult with teachers, school-based administrators, parents, and local law enforcement agencies when adopting policies related to student conduct.
- Require public school unit boards, when adopting discipline policies, to consider existing federal guidance for the discipline of students with disabilities as well as other guidance on school discipline practices issued by the United States Department of Education.
- Require public school unit boards to send their most current discipline policies and Code of Student Conduct to the Department of Public Instruction (DPI) each year by September 1.
- Remove language in the statute that provide examples of conduct that would not be deemed to be serious violations of discipline policies and rules.
- Require school officials to inform parents or guardians at the beginning of each school year about the full range of responses to disciplinary violations.
- Authorize public school unit boards to require students and parents or guardians to sign an acknowledgement that they received a copy of any discipline policies, procedures, or rules.
- Provide that State law does not regulate a public school unit board's discretion to devise, impose, or enforce personal appearance codes.
- Make a conforming change in a cross-referenced statute to replace "local board of education" with "public school unit board".

EFFECTIVE DATE: The bill would be effective when it becomes law and applies beginning with the 2021-2022 school year. The requirement to consult with teachers, school-based administrators, parents, and local law enforcement agencies when adopting policies related to student conduct would apply to material changes to policies existing on July 1, 2021, or new policies adopted on or after July 1, 2021.