



# SENATE BILL 295: Standards of Student Conduct.

2019-2020 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	August 5, 2019
<b>Introduced by:</b>	Sen. Tillman	<b>Prepared by:</b>	Brian Gwyn
<b>Analysis of:</b>	Second Edition		Staff Attorney

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**OVERVIEW:** *The 2nd Edition of SB 295 would make various changes to the requirements for school discipline policies.*

**CURRENT LAW:** Article 27 of Chapter 115C of the General Statutes establishes requirements that local boards of education (LBEs) must follow when administering student discipline. G.S. 115C-390.2(a) requires LBEs 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.
- Dress code violations.
- Minor physical altercations that do not involve weapons or injury.

The principal 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 bill would do the following:

- Require LBEs to consult with teachers, school-based administrators, parents, and local law enforcement agencies when adopting policies related to student conduct.
- Require LBEs to review current federal guidance prior to adopting discipline policies.
- Require LBEs to send their most current discipline policies to the Department of Public Instruction each year by September 1.
- Remove the statutory examples deemed to not be serious violations of the LBE's Code of Student Conduct.
- Authorize LBEs to require students and parents or guardians to sign an acknowledgement that they received a copy of any discipline policies, procedures, or rules.
- Encourage school officials to inform parents or guardians before responding to disciplinary violations.
- Clarify that State law does not regulate an LBE's discretion to devise, impose, or enforce personal appearance codes.

**EFFECTIVE DATE:** The bill would be effective when it becomes law and would apply beginning with the 2020-2021 school year.

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*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*