

SENATE BILL 883

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to student discipline.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 40, is amended by adding the following language as a new section:

49-6-4020.

(a) Each local board of education shall adopt a complete policy regarding a teacher's ability to remove a student from the classroom who has exhibited behavior that repeatedly or substantially interferes with the teacher's ability to communicate effectively with students, including behavior that disturbs the learning environment or the ability of other students to learn. The policy shall include language regarding the reporting of the student's removal to the principal or the principal's designee and a detailed, grade appropriate, classroom management plan with thresholds that must be met prior to the determination that the most appropriate plan of action for the teacher to engage in is to escort the offending student out of the classroom and to the principal's office.

(b) Teachers shall have the authority, consistent with local board policies, to manage the teacher's classroom, discipline students and refer a student to the principal or the principal's designee after attempting to resolve the issue on their own according to the steps contained in the classroom management plan to maintain discipline in the classroom. The principal or the principal's designee shall respond when a teacher refers a student by employing appropriate discipline management techniques that are consistent with local board policy and the student code of conduct adopted under §§ 49-6-4012 and 49-6-4013.

(c) The policy shall require a teacher to file a brief report with the principal detailing the behavior of the removed student within ninety-six (96) hours after the student was removed. The report shall be kept in a student discipline file and shall not become a part of the student's permanent record unless the behavior accelerates to the level of zero tolerance or other egregious behavior that is substantial enough for the student to be suspended or expelled from the school. The principal or the principal's designee shall notify the teacher of the actions taken to address the behavior of the removed student. The policy shall prohibit a principal from returning a student to the classroom where such student was removed on the day of the removal without the teacher's consent.

(d) Following three (3) documented removals, the principal may not return a student to the classroom where such student was removed without the teacher's consent. If the principal or the principal's designee recommends returning a student to the classroom following the three (3) removals and the teacher does not consent, the offending student shall be suspended for a period of three (3) days under the authority to suspend granted within § 49-6-3401. The director of schools or the director's designee shall review the record during this time and determine future appropriate action. This action can include the returning of the student to the teacher's classroom as an option from which the director of schools or the director's designee may choose along with in-school suspension, suspension, expulsion, student transfer, and all other appropriate actions as detailed in school policies.

(e) Each principal shall fully support the authority of every teacher in the principal's school to remove a student from the classroom under this section. Each school principal shall implement the policies and procedures of the local board of education relating to the authority of every teacher to remove a student from the classroom and shall disseminate such policies and procedures to the students, faculty, staff, and parents or guardian of students. Readmission following the suspension period

shall not be granted unless the parent or guardian of the offending student meets with the principal or their designee.

(f) This section shall only apply to students in grades five through twelve (5-12).

(g) The policy shall comply with state and federal laws regarding the placements of students.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.