

By: Senator(s) Tollison, Dawkins

To: Education

SENATE BILL NO. 2559

1 AN ACT TO AMEND SECTION 37-11-18.1, MSC72, TO ADD CERTAIN
2 ACTIONS BY STUDENTS TO THE DEFINITION OF THE TERM "DISRUPTIVE
3 BEHAVIOR" SUBJECTING THE STUDENT TO AUTOMATIC DISCIPLINARY ACTION
4 BY SCHOOL OFFICIALS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 37-11-18.1, Mississippi Code of 1972, is
7 amended as follows:

8 37-11-18.1. (1) For the purposes of this section:

9 (a) The term "disruptive behavior" means conduct of a
10 student that is so unruly, disruptive or abusive that it seriously
11 interferes with a school teacher's or school administrator's
12 ability to communicate with the students in a classroom, with a
13 student's ability to learn, or with the operation of a school or
14 school-related activity, and which is not covered by other laws
15 related to violence or possession of weapons or controlled
16 substances on school property, school vehicles or at
17 school-related activities. Such behaviors include, but are not
18 limited to: foul, profane, obscene, threatening, defiant or
19 abusive language or action toward teachers or other school
20 employees; defiance, ridicule or verbal attack of a teacher; * * *
21 willful, deliberate and overt acts of disobedience of the
22 directions of a teacher; indecent exposure; and sexual acts; and

23 (b) The term "habitually disruptive" refers to such
24 actions of a student which cause disruption in a classroom, on
25 school property or vehicles or at a school-related activity on
26 more than two (2) occasions during a school year, and to
27 disruptive behavior that was initiated, willful and overt on the
28 part of the student and which required the attention of school



29 personnel to deal with the disruption. However, no student shall
30 be considered to be habitually disruptive before the development
31 of a behavior modification plan for the student in accordance with
32 the code of student conduct and discipline plans of the school
33 district.

34 (2) Any student who is thirteen (13) years of age or older
35 for whom a behavior modification plan is developed by the school
36 principal, reporting teacher and student's parent and which
37 student does not comply with the plan shall be deemed habitually
38 disruptive and subject to automatic expulsion on the occurrence of
39 the third act of disruptive behavior during a school year. After
40 the second act of disruptive behavior during a school year by a
41 student who is younger than thirteen (13) years of age, a
42 psychological evaluation shall be performed upon the child.

43 (3) This section shall be repealed on July 1, 2003.

44 **SECTION 2.** This act shall take effect and be in force from
45 and after July 1, 2002.

