

By: Representative Banks

To: Education

HOUSE BILL NO. 672

1 AN ACT TO REQUIRE LOCAL SCHOOL DISTRICTS TO DEVELOP A POLICY  
 2 TO ADDRESS THE PROPER PROCEDURE FOR THE ADMINISTRATION OF  
 3 DISCIPLINARY ACTION TO STUDENTS WHO MEET THE DEFINITION OF AN  
 4 EXCEPTIONAL CHILD; TO PROVIDE THAT SUCH POLICY SHALL NOT CONFLICT  
 5 WITH THE PROVISION ESTABLISHED UNDER THE INDIVIDUALS WITH  
 6 DISABILITIES EDUCATION ACT (IDEA); TO PRESCRIBE THE MINIMUM  
 7 REQUIREMENTS FOR THE DISCIPLINE POLICY ADOPTED BY SCHOOL  
 8 DISTRICTS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) Each local school district shall develop a  
 11 policy to address the proper procedure for the administration of  
 12 disciplinary action to students who meet the definition of an  
 13 exceptional child, as defined under Section 37-23-3, provided that  
 14 the policy conforms with the normal standards for the discipline  
 15 of traditional learners. However, the school district in adopting  
 16 its discipline policy for exceptional children shall not implement  
 17 any provision that conflicts with any rule or regulation  
 18 established under the Individuals with Disabilities Education Act  
 19 (IDEA).

20 (2) The policy, at a minimum, shall address:



21 (a) Student removal from customary educational  
22 placement, and minimum time for placement;

23 (b) Any situation which requires the emergency removal  
24 of a student from customary educational placement in excess of the  
25 minimum time prescribed by board policy, for such flagrant conduct  
26 as:

27 (i) Possessing a weapon at school, on school  
28 property or at a school-related event;

29 (ii) Possessing illegal drugs at school, on school  
30 property or at a school-related event;

31 (iii) Inflicting serious bodily injury upon  
32 another at school, on school property or at a school-related  
33 event;

34 (c) Discipline other than a change in placement;

35 (d) Disciplinary actions included in the student's IEP;  
36 and

37 (e) Availability for administrative due process.

38 **SECTION 2.** Section 1 of this act shall be codified in  
39 Chapter 23, Title 37, Mississippi Code of 1972.

40 **SECTION 3.** This act shall take effect and be in force from  
41 and after July 1, 2018.

