Bill as Introduced

HB 252 - AS INTRODUCED

2003 SESSION

03-0870
04/01

HOUSE BILL ***252***

AN ACT prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.

SPONSORS: Rep. Bruno, Hills 45

COMMITTEE: Education

ANALYSIS

This bill prohibits schools from issuing out-of-school suspensions and establishes a committee to study the development of a community/school services program for suspended pupils.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 252 – AS INTRODUCED

03-0870
04/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Suspension and Expulsion of Pupils; Suspensions Served in School. Amend RSA 193:13, I(a) to read as follows:

(a) The superintendent or chief administering officer, or a representative designated in writing by the superintendent, is authorized to suspend pupils from school for a period not to exceed 10 school days for gross misconduct or for neglect or refusal to conform to the reasonable rules of the school. ***Any suspension issued under this section shall be served in school in a manner to be determined by the superintendent, the school principal, and the pupil's parent or legal guardian.***

2 Committee Established. There is established a committee to study the development of a community/school services program for suspended pupils.

3 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall study the development of a community/school services program for suspended pupils.

5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2003.

7 Effective Date.

I. Sections 2-6 of this act shall take effect upon its passage.

II. Section 1 of this act shall take effect January 1, 2004.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 252 Date _____

Committee ~~HEB~~ ED

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
W.H Thomas	27 Autumn Ridge Dr	668-4996	Self		✓
Harriet Cady	Deerfield	463-9727	Dist 73	✓	

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 252

BILL TITLE: prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.

DATE: January 28, 2003

LOB ROOM: 207 **Time Public Hearing Called to Order:** 1:05 P.M.

Time Adjourned: 1:57 P.M.

(please circle if present)

Committee Members: Reps. L'Heureux, Alger, Dearborn, Flint, Carson, Coleord, Balboni, Leone, McHugh, Naro, Laurent, Tufts, M. Carter, Hagan, Ingbretson, Snyder, Claire Clarke, Jean, Rush, Scovner and J. Dunn

Bill Sponsors: Rep. Bruno, Hills 45

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Bruno – Believe students today try to get out of school, suspending them gives them what they want. They don't realize the importance of school at this point in there lives. Sometimes suspended students go to school during there suspension so they could "hang out with their friends." A student suspended in not in school and thus not learning. This bill allows a student who has suspended to use their time wisely.

Rep Scovner – How do you deal with a student who is disruptive? **Answer** – Are we discussing discipline problems, versus suspended student? That is a different problem.

Rep Bruno – Discipline problems do occur, I want to develop a program to educate these students vs. suspend.

Rep Dunn – Should state become involved, or DOE? What about funding? **Answer** – DOE creating a program that local schools could subscribe too.

Rep Jean – If becomes law, a student in detention because of destruction and violence, will allow to remain in school? **Answer** – Personally, I think that they should be thrown out of school, but the law says that we have to educate them.

Rep Carter – Re: Language of Clause: I see problem lines 3-8. **Answer** – I think parents should be involved in this process.

Rep Balboni – What is extent of suspension problem in NH? **Answer** – For instance: Goffstown tried in-school suspension, but direct example. Cited situation where student was suspended and returned saying, "Thank You " for the days off.

Rep Dunn – Would this bill affect alternative schools? **Answer** – I don't think so. Alternative schools are good. Re: cost to town. – I believe lower cost.

Rep Alger – Have you read 193-13 in total? Your bill seems to be addressed here. **Answer**- No, the bill addressed in school suspensions. **Rep Alger** – I'm not sure we can do this.

Rep Naro – If we prohibit out of school suspension, will we cut down the dropout rate? **Answer** – I hope so.

Rep Harriet Cady: Dist 73 – Supports

I work with troubled high school boys and found out the boys, I determined that I need to reach these kids. They knew I cared. Another boy threatened teachers, so she arranged auto body technology and now he is a good member to society.

I have 3 boys and 1 girl. The third boy had many medical problems. On entering H.S., he swore in class and was suspended. I responded that he was not to receive out of school suspension, but had to stay and do work by himself. He learned how to be disciplined in school. Students should not have to forego their education. Kids are looking for someone to set standards.

Eugene Douglass – Opposed

I think it is a big mistake to get rid of out of school suspension. This is micro managing. Teachers cannot handle in school suspension students because they tend to be violent.

Sarah Browning – Asst to Commissioner Donohue, DOE

I support the concept behind this bill to look at alternative programs and encourage the development of such programs. Most schools have ways to deal with disruptive students and re: Rep Alger's statement, law already exist. Don't take away one mechanism which allows schools to deal with disruptive students. There is no remedy in bill when parties don't agree with how a child is to be dealt with. We would be happy to work to committee an addressing the concerns raised in this bill.

Rep Ingbretson – Is there a problem of balance? **Answer** – We are aware of the problem with discipline and the need to keep students in schools.

Rep Balboni – Is there a funding issue here? Answer – There would be a funding issue in creating alternate program. **Question** – Does state with out money if student was suspended? **Answer** – No

Rep Leone – Can you provide us with data in this matter? Answer –I can check. Question - We need a better picture of the type of discipline.

Rep Dunn – Is this a good bill? If amended? **Answer** – Yes

Rep Naro – Re Data compilation that tracks dropouts. Is this a help? **Answer** – Yes

Dean Mechner: SBA. – Opposes.

School districts have local polices to address this issue and are often times outlined. An out of school suspension Student is oftentimes violent and having time out of school allows faculty to assess the situation.
Our association can support the study looking at where students "could serve their time."

Mark Joyce – NHSAA – Opposes
I understand the issue from a number of points of view. I support the study committee but committee should include partners, ie teachers, principles. I believe this is unnecessary. Discipline is in the forefront of the agenda. There is a variety of tools to use. We need all alternatives and more. To prohibit the use of some could be detrimental. Legally, what about students who take guns to school and spec. ed IEP's that require misbehaving students be sent home if they act out. Cost- there will be additional costs.

PINK CARDS

Jack S. Barnesnur – Supports the bill. Raymond Dist 17

Pierre Bruno – Supports the bill. New Boston. Represents Hills 45.

Eugene Douglass – Opposes the bill. P.O. Box 128, Concord NH. 225-9206. Represents himself.

Harriet Cady – Supports the bill. P.O. Box 149 Dernfield. 463-9727. Represents Dist 73

Mark V. Joyce -Opposes the bill. 12 Cross St. Penacook, NH. 753-4479. Represents NHSAA

Dean Michener – Opposes the bill. 14 Fayette Concord. 228-2061 Represents NH School Board Ass.

Sarah Browning – Supports the concept. 101 Pleasant street Concord. 271-3879. Represents Dept. of Ed.

Leo Pepin – Supports the bill.

Sen. Robert Beyce – Supports the bill. Sponsor. Dist 4

Respectfully Submitted,
Sharon M. Carson
Rep. Sharon M. Carson
Committee Clerk

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 252

BILL TITLE: **prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.**

DATE: January 28, 2003

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Leone

Seconded by Rep. Scovner

Vote: 17-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Sharon M. Carson
Rep. Sharon M. Carson, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 252

BILL TITLE: **prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.**

DATE: 1-28-03

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, (ITL), Interim Study (Please circle one.)

Moved by Rep. Leone

Seconded by Rep. Scovner

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Jean-Guy J. Bergeron, Clerk

Carson

OFFICE OF THE HOUSE CLERK 2003 SESSION

EDUCATION

Bill #: HB 252 Title: re suspended pupils

PH Date: 1/28/03 Exec Session Date: 1/29/03

Motion: ITL Amendment #:

MEMBER	YEAS	NAYS
L'Heureux. Stephen R. Chairman	✓	
Alger. John R M. V Chairman	absent	
Dearborn. Bruce L	✓	
Flint. Gordon B	✓	
Carson. Sharon M	✓	
Colcord. J D	✓	
Balboni. Michael A	✓	
Leone. Richard C	✓	
McHugh. Claire B	✓	
Naro. Debra A	absent	
Laurent. John J	✓	
Tufts. J Arthur	not Present when	moved
Carter. Mark S	✓	
Hagan. Barbara J		
Ingbretson. Paul	✓	
Snyder. Clair A	✓	
Jean. Claudette R	✓	
Clarke. Claire D	✓	
Rush. Deanna P	✓	
Scovner. Nancy M	✓	
Dunn. James T	✓	
TOTAL VOTE:	17	0

Printed: 1/6/2003

Committee Report

COMMITTEE REPORT

COMMITTEE: **Education**

BILL NUMBER: **HB 252**

TITLE: prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.

DATE: January 29, 2003 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Rep. Richard C. Leone for the committee. This bill: (1) prohibited public schools from issuing out-of-school suspensions. The committee maintained this issue would best be served by superintendents of schools and local districts;(2) To establish a committee to study the development of a community/school services program for suspended students. The committee opted to refer this issue to a HB 139 subcommittee dealing with school attendance and dropouts.

Vote 17/0.

Rep. Richard C. Leone
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Education

HB 252, prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils. **INEXPEDIENT TO LEGISLATE**

Rep. Richard C. Leone for Education: Rep. Richard C. Leone for the committee. This bill (1) prohibited public schools from issuing out-of-school suspensions. The committee maintained this issue would best be served by superintendents of schools and local districts; (2) to establish a committee to study the development of a community/school services program for suspended students. The committee opted to refer this issue to a HB 139 subcommittee dealing with school attendance and dropouts. **Vote 17/0.**

COMMITTEE REPORT

COMMITTEE: **Education**

BILL NUMBER: **HB 252**

TITLE: prohibiting schools from issuing out-of-school suspensions and establishing a committee to study the development of a community/school services program for suspended pupils.

DATE: CONSENT CALENDAR YES ☑ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☑ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Vote 17/0

Rep.
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Rep Rutland C Leave for the Committee. This bill: (1) ~~which~~ prohibited ~~local~~ public schools from issuing out-of-school suspensions. The Committee maintained this issue would best be governed by ~~local~~ superintendents of schools and local districts; (2) to establish a committee to study the development of a community/school services program for suspended students. The Committee opted to ~~include this in with a HB 139 study~~ this issue to ~~to be addressed by~~ a HB 139 ~~study~~ sub committee dealing with school attendance and dropouts.

ITL 17-0.

S