

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB595

Chairperson: Senator Mike Groene

Committee: Education

Date of Hearing: February 07, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Discipline in the classroom is of utmost importance in order to allow students to focus and learn and teachers to effectively communicate to the entire class. The present Student Discipline Act, Neb. Rev. Stat Sec. 79-254 to 294, outlines what student actions may lead to discipline and empowers school boards to adopt additional conduct policies. The act further authorizes student short and long term suspension, student expulsion and mandatory reassignment as well as describes the student's due process rights.

There is a gap, however, as to what actions teachers and administrators may take to contain an incident by an unruly student. LB 595 fills in this gap. LB 595 allows teachers and administrators to maintain order in the classroom from unruly students by allowing them to set boundaries and use necessary force or physical restraint to subdue the student until such student no longer presents a danger to him or herself, the teacher or administrator, or other students. This bill also allows the teacher or administrator to use physical restraint to protect school property. The bill further allows teachers to remove a student who repeatedly interfered with the teacher's ability to teach, or whose behavior is so disruptive that it seriously interferes with the class' ability to learn, or who commits other disruptive acts, punishable in the Student Discipline Act. The administration can then place the student in another classroom, in-school suspension or into alternative education programs. The student cannot be returned to the original classroom without the teacher's permission.

This bill will give teachers and administrators the assurance that they have control of their classroom without fear of legal action or administrative discipline as long as their conduct was reasonable.

Principal Introducer: _____

Senator Mike Groene