

HOUSE BILL NO. 352

INTRODUCED BY D. BARRETT

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING MORE GUIDANCE FOR SCHOOL BOARD OF TRUSTEE POLICIES THAT ADDRESS IMPROPER STUDENT BEHAVIOR, INCLUDING THREATS AGAINST THE LIFE OF ANOTHER STUDENT; AND AMENDING SECTION 20-5-201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-5-201, MCA, is amended to read:

**"20-5-201. Duties and sanctions.** (1) A pupil ~~shall~~:

- (a) shall comply with the policies of the trustees and the rules of the school that the pupil attends;
- (b) shall pursue the required course of instruction;
- (c) shall submit to the authority of the teachers, principal, and district superintendent of the district; and
- (d) ~~be is~~ is subject to the control and authority of the teachers, principal, and district superintendent while the pupil is in school or on school premises, on the way to and from school, or during intermission or recess.

(2) (a) A pupil who continually and willfully disobeys the provisions of this section; or shows open defiance of the authority vested in school personnel by this section, ~~defaces or damages any school building, school grounds, furniture, equipment, book belonging to the district, or harms or threatens to harm another person or the person's property~~ is liable for punishment, suspension, or expulsion under the provisions of this title. ~~When a pupil defaces or damages school property the pupil's parent or guardian is liable for the cost of repair or replacement upon the complaint of the teacher, principal, superintendent, or any trustee and the proof of any damage.~~

(b) When a pupil defaces or damages another person's property or school property, including any school building, school grounds, furniture, equipment, or book belonging to the district, the pupil's parent or guardian is liable for the cost of repair or replacement upon the complaint of a teacher, principal, district superintendent, or trustee and upon proof of any damage.

(c) School district policies must distinguish between improper student behavior of varying severity and its corresponding consequences. Threats upon the life of another student, whether conveyed through a gesture or a written, verbal, or physical act, must, at a minimum, result in:

