



# ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

House: ED DP 8-2-0-0 | 3rd Read 41-19-0-0  
Senate: ED DP 4-3-0-0 | 3rd Read 18-12-0-0

## **HB 2460: suspension; requirements; K-4 students**

**Sponsor: Representative Pingerelli, LD 28**

**Transmitted to the Governor**

### **Overview**

Provides that the statutory criteria required for the suspension or expulsion of a pupil in kindergarten or the 1st-4th grades do not apply if the suspension does not exceed two days and the aggregate suspensions for the pupil do not exceed 10 days within a school year.

### **History**

A pupil may be expelled for: 1) continued defiance of authority or disruptive behavior; 2) violent behavior that includes a dangerous instrument or deadly weapon; 3) possession of a gun; 4) excessive absenteeism if prescribed criteria are met; or 5) other actions a school district deems appropriate for expulsion. A school district or charter school must expel a pupil for at least one year for bringing a firearm to school or for threatening an educational institution ([A.R.S. § 15-841](#)).

Unless expulsion is required due to a pupil possessing a firearm, a school district or charter school may suspend or expel a pupil in kindergarten or the 1st-4th grades only if all the following apply:

- 1) the pupil is at least seven years old;
- 2) the pupil engaged in conduct on school grounds that:
  - a) involves the possession of an unauthorized dangerous weapon;
  - b) involves a dangerous or a narcotic drug or violates drug free school zones;
  - c) immediately endangers the health or safety of others; or
  - d) the pupil's behavior qualifies as aggravating circumstances and other prescribed criteria are met;
- 3) failing to remove the pupil would create a safety threat that cannot otherwise be reasonably addressed or qualifies as aggravating circumstances;
- 4) the school district or charter school considers and employs, while maintaining the health and safety of others and in consultation with the pupil's parent to the extent possible, alternative behavioral and disciplinary interventions; and
- 5) readmission procedures are provided upon parental appeal for:
  - a) pupils who have served at least 5 school days of a suspension that exceeds 10 school days; and
  - b) pupils who are expelled from or subject to alternative reassignment at the school, at least 20 days after the effective date of the expulsion or alternative assignment ([A.R.S. § 15-843](#)).

### **Provisions**

1. Exempts a school district or charter school from having to meet the prescribed criteria for the suspension of a pupil in kindergarten or the 1st-4th grades if the:
  - a) suspension does not exceed two days; and
  - b) aggregate suspensions for the pupil do not exceed 10 days within a school year. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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