



February 9, 2005

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## HOUSE BILL No. 1446

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DIGEST OF HB 1446 (Updated February 2, 2005 9:53 am - DI 109)

**Citations Affected:** IC 20-5.

**Synopsis:** IHSAA case review panel. Makes certain changes to the Indiana High School Athletic Association (IHSAA) case review panel.

**Effective:** July 1, 2005.

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**Grubb, Buell**

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January 18, 2005, read first time and referred to Committee on Education.  
February 8, 2005, reported — Do Pass.

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HB 1446—LS 7861/DI 109+



February 9, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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## HOUSE BILL No. 1446

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-5-63-7 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) The association  
3 must establish a case review panel that meets the following  
4 requirements:  
5 (1) The panel has nine (9) members.  
6 (2) The state superintendent or the state superintendent's designee  
7 is a member of the panel and is the chairperson of the panel.  
8 (3) The state superintendent shall appoint as members of the  
9 panel persons having the following qualifications:  
10 (A) Four (4) parents of high school students.  
11 (B) Two (2) high school principals.  
12 (C) Two (2) high school athletic directors.  
13 (4) A member of the panel serves for a four (4) year term, subject  
14 to the following:  
15 (A) An appointee who ceases to meet the member's  
16 qualification under subdivision (3) ceases to be a member of  
17 the panel.

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1 (B) The state superintendent shall appoint fifty percent (50%)  
 2 of the initial appointees under each clause in subdivision (3)  
 3 for terms of two (2) years, so that terms of the panel are  
 4 staggered.

5 (5) The panel must meet monthly, unless there are no cases before  
 6 the panel. The panel may meet more frequently at the call of the  
 7 chairperson. However, the chairperson must call a meeting within  
 8 ~~five (5)~~ **ten (10)** business days after the panel receives a case in  
 9 which time is a factor in relation to the scheduling of an athletic  
 10 competition.

11 (6) A quorum of the panel is five (5) members. The affirmative  
 12 vote of ~~five (5) members of the panel~~ **a majority of the quorum**  
 13 is required for the panel to take action.

14 (b) A student's parent who disagrees with a decision of the  
 15 association concerning the application or interpretation of a rule of the  
 16 association to the student shall have the right to do one (1) of the  
 17 following:

18 (1) Accept the decision.  
 19 (2) Take legal action without first referring the case to the panel.  
 20 (3) Refer the case to the panel.

21 (c) Upon receipt of a case, the panel must do the following:

22 (1) Collect testimony and information on the case, including  
 23 testimony and information from both the association and the  
 24 parent.  
 25 (2) Place the case on the panel's agenda and consider the case at  
 26 a meeting of the panel.  
 27 (3) Make one (1) of the following decisions:  
 28 (A) Uphold the association's decision on the case.  
 29 (B) Modify the association's decision on the case.  
 30 (C) Nullify the association's decision on the case.

31 (d) The association must implement the decision of the panel on  
 32 each case. However, a decision of the panel:  
 33 (1) applies only to the case before the panel; and  
 34 (2) does not affect any rule of the association or decision under  
 35 any rule concerning any student other than the student whose  
 36 parent referred the case to the panel.

37 (e) The association shall pay all costs attributable to the operation  
 38 of the panel, including travel and per diem for panel members.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1446, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 12, nays 0.

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