

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1198, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 16, after "by" insert "**ethnicity, gender, and**".
- 2 Page 2, line 1, delete "Physical aggression" and insert "**Alcohol**".
- 3 Page 2, line 2, delete "Verbal aggression or profanity" and insert
- 4 "**Drugs**".
- 5 Page 2, line 3, delete "Disruptive behavior" and insert "**Deadly**
- 6 **weapons (other than firearms)**".
- 7 Page 2, line 4, delete "Defiance" and insert "**Handguns**".
- 8 Page 2, line 5, delete "Attendance" and insert "**Rifles or shotguns**".
- 9 Page 2, line 6, delete "Destruction of property" and insert "**Other**
- 10 **firearms**".
- 11 Page 2, line 7, delete "Alcohol, drugs, and tobacco" and insert
- 12 "**Tobacco**".
- 13 Page 2, line 8, delete "Weapons" and insert "**Attendance**".
- 14 Page 2, line 9, delete "Other" and insert "**Destruction of property**".
- 15 Page 2, between lines 9 and 10, begin a new line block indented and

1 insert:

- 2 **"(10) Legal settlement (under IC 20-8.1-5.1-11).**
 3 **(11) Fighting (incident does not rise to the level of battery).**
 4 **(12) Battery (IC 35-42-2-1).**
 5 **(13) Intimidation (IC 35-45-2-1).**
 6 **(14) Verbal aggression or profanity.**
 7 **(15) Defiance.**
 8 **(16) Other".**

9 Page 2, between lines 11 and 12, begin a new paragraph and insert:
 10 "SECTION 2. IC 20-8.1-5.1-7 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) The governing
 12 body of a school corporation must do the following:

- 13 (1) Establish written discipline rules, which may include:
 14 (A) appropriate dress codes; **and**
 15 **(B) if applicable, an agreement for court assisted resolution**
 16 **of school suspension and expulsion cases;**
 17 for the school corporation.
 18 (2) Give general publicity to the discipline rules within a school
 19 where the discipline rules apply by actions such as:
 20 (A) making a copy of the discipline rules available to students
 21 and students' parents; or
 22 (B) delivering a copy of the discipline rules to students or the
 23 parents of students.

24 This publicity requirement may not be construed technically and
 25 is satisfied in any case when the school corporation makes a good
 26 faith effort to disseminate to students or parents generally the text
 27 or substance of a discipline rule.

28 (b) The superintendent of a school corporation and the principals of
 29 each school in a school corporation may adopt regulations establishing
 30 lines of responsibility and related guidelines in compliance with the
 31 discipline policies of the governing body.

32 (c) The governing body of a school corporation may delegate rule
 33 making, disciplinary, and other authority as reasonably necessary to
 34 carry out the school purposes of the school corporation.

35 (d) Subsection (a) does not apply to rules or directions concerning
 36 the following:

- 37 (1) Movement of students.
 38 (2) Movement or parking of vehicles.

1 (3) Day-to-day instructions concerning the operation of a
2 classroom or teaching station.

3 (4) Time for commencement of school.

4 (5) Other standards or regulations relating to the manner in which
5 an educational function must be administered.

6 However, this subsection does not prohibit the governing body from
7 regulating the areas listed in this subsection."

8 Page 2, line 21, delete "order" and insert "**provide for**".

9 Page 2, line 29, delete "Order" and insert "**Require**".

10 Page 3, between lines 22 and 23, begin a new paragraph and insert:

11 "**Sec. 7. A student's appearance in court under this chapter shall**
12 **not be used against the child or the child's parents or guardians in**
13 **any subsequent court proceeding, including but not limited to any**
14 **delinquency or child in need of services matter under IC 31.**

15 **Sec. 8. All records of the student's court appearance shall be**
16 **expunged upon the student's completion of the out-of-school**
17 **suspension or expulsion program.**

18 **Sec. 9. A parent or guardian has the right to be present during**
19 **the student's court appearance, and, if the student or the student's**
20 **parent or guardian has legal counsel, the student and the student's**
21 **parent or guardian are entitled to have counsel present in court."**

22 Page 3, line 23, delete "7" and insert "**10**".

23 Renumber all SECTIONS consecutively.

(Reference is to HB 1198 as introduced.)

and when so amended that said bill do pass.

Representative Behning