

January 28, 1998

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## HOUSE BILL No. 1268

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DIGEST OF HB 1268 (Updated January 27, 1998 12:14 pm - DI 02)

**Citations Affected:** IC 20-8.1.

**Synopsis:** Recognition of expulsions. Provides that a student who is expelled from or who in order to avoid expulsion withdraws from a public school in Indiana or who is similarly separated for disciplinary reasons from a nonpublic school or a school in a state other than Indiana may not enroll in an Indiana school corporation during the period of the actual or proposed expulsion or separation or for one year following the period of the actual or proposed expulsion or separation unless: (1) the student's parent informs the school corporation of the expulsion or separation; (2) the student gets consent to enroll from the school corporation; and (3) the student agrees to terms and conditions of enrollment established by the school corporation.

**Effective:** July 1, 1998.

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**Kersey, Budak, Porter**

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January 13, 1998, read first time and referred to Committee on Education.  
January 27, 1998, amended, reported — Do Pass.

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HB 1268—LS 6286/DI 02



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January 28, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

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## HOUSE BILL No. 1268

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 20-8.1-1-14.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 1998]: **Sec. 14.5. As used in this article,**  
4 **"nonpublic school" has the meaning set forth in IC 20-10.1-1-3.**  
5 SECTION 2. IC 20-8.1-5.1-23, AS ADDED BY P.L.131-1995,  
6 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 1998]: Sec. 23. (a) **If a student is expelled from This section**  
8 **applies to the following:**  
9 (1) **A student who:**  
10 (A) **is expelled from** a school corporation under this chapter;  
11 **or if a student**  
12 (B) **withdraws from** a school corporation to avoid expulsion.  
13 (2) **A student who:**  
14 (A) **is required to separate for disciplinary reasons from a**  
15 **nonpublic school or a school in a state other than Indiana**  
16 **by the administrative authority of the school; or**  
17 (B) **withdraws from a nonpublic school or a school in a**

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1                   **state other than Indiana in order to avoid being required**  
 2                   **to separate from the school for disciplinary reasons by the**  
 3                   **administrative authority of the school.**

4                   **(b)** The student may not enroll in another school corporation during  
 5 the period of the **actual or proposed** expulsion or **separation** or **for**  
 6 **one (1) year following the actual or** proposed expulsion or  
 7 **separation** unless:

8                   (1) the ~~student~~ **student's parent** informs the school corporation  
 9 in which the student seeks to enroll of the student's **expulsion or**  
 10 **separation** or withdrawal to avoid **expulsion or separation**;

11                   (2) the school corporation consents to the student's enrollment;  
 12 and

13                   (3) the student agrees to the terms and conditions of enrollment  
 14 established by the school corporation.

15                   ~~(b)~~ **(c)** If: ~~a student fails to:~~

16                   (1) **a student's parent fails to** inform the school corporation of  
 17 the **expulsion or separation** or withdrawal to avoid **expulsion or**  
 18 **separation**; or

19                   (2) **the student fails to** follow the terms and conditions of  
 20 enrollment under subsection ~~(a)(3)~~; **(b)(3)**;

21 the school corporation may withdraw consent and prohibit the student's  
 22 enrollment during the period of the **actual or proposed** expulsion or  
 23 **separation**.

24                   ~~(c)~~ **(d)** Before a consent is withdrawn under subsection ~~(b)~~; **(c)** the  
 25 student must have an opportunity for an informal meeting before the  
 26 principal of the student's proposed school. At the informal meeting, the  
 27 student is entitled to:

28                   (1) a written or an oral statement of the reasons for the withdrawal  
 29 of the consent;

30                   (2) a summary of the evidence against the student; and

31                   (3) an opportunity to explain the student's conduct.

32                   ~~(d)~~ **(e)** This section does not apply to a student who is expelled  
 33 under section 11 of this chapter.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1268, 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:

Page 1, line 14, after "separate" insert "**for disciplinary reasons**".

Page 2, line 2, after "school" insert "**for disciplinary reasons**".

and when so amended that said bill do pass.

(Reference is to House Bill 1268 as introduced.)

ROBERTSON, Chair

Committee Vote: yeas 14, nays 0.

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