
ENGROSSED HOUSE BILL No. 1268

DIGEST OF HB 1268 (Updated February 18, 1998 3:13 pm - DI 71)

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 enroll in an Indiana school corporation during the period of the actual or proposed expulsion or separation if: (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.

Kersey, Budak, Porter, Kruse

(SENATE SPONSORS — SERVER, BLADE)

January 13, 1998, read first time and referred to Committee on Education.
January 27, 1998, amended, reported — Do Pass.
February 2, 1998, read second time, ordered engrossed. Engrossed.
February 3, 1998, read second time, passed. Yeas 96, nays 3.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Education.
February 19, 1998, amended, reported favorably — Do Pass.

HEA 1268—Concur+



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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.

HOUSE ENROLLED ACT No. 1268

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-8.1-1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 14.5. As used in this article, "nonpublic school" has the meaning set forth in IC 20-10.1-1-3.**

SECTION 2. IC 20-8.1-5.1-23, AS ADDED BY P.L.131-1995, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 23. (a) ~~If a student is expelled from~~ **This section applies to the following:**

(1) A student who:

(A) is expelled from a school corporation under this chapter; or if a student

(B) withdraws from a school corporation to avoid expulsion.

(2) A student who:

(A) is required to separate for disciplinary reasons from a nonpublic school or a school in a state other than Indiana by the administrative authority of the school; or

(B) withdraws from a nonpublic school or a school in a state other than Indiana in order to avoid being required to separate from the school for disciplinary reasons by the administrative authority of the school.

HEA 1268—Concur+



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(b) The student may ~~not~~ enroll in another school corporation during the period of the **actual or proposed** expulsion or separation ~~or proposed expulsion unless: if:~~

- (1) the ~~student~~ **student's parent** informs the school corporation in which the student seeks to enroll of the student's **expulsion or separation** or withdrawal to avoid **expulsion or separation**;
- (2) the school corporation consents to the student's enrollment; and
- (3) the student agrees to the terms and conditions of enrollment established by the school corporation.

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

- (1) **a student's parent fails to** inform the school corporation of the **expulsion or separation** or withdrawal to avoid **expulsion or separation**; or
- (2) **the student fails to** follow the terms and conditions of enrollment under subsection ~~(a)(3);~~ **(b)(3);**

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

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

- (1) a written or an oral statement of the reasons for the withdrawal of the consent;
- (2) a summary of the evidence against the student; and
- (3) an opportunity to explain the student's conduct.

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

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