



Reprinted  
February 15, 2000

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# ENGROSSED HOUSE BILL No. 1018

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DIGEST OF HB 1018 (Updated February 14, 2000 2:47 PM - DI 71)

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

**Synopsis:** Interscholastic athletic associations. Provides that a school corporation may participate in interscholastic athletic events sponsored by an association only if the association establishes a case review panel composed of parents, high school principals, and athletic directors appointed by the state superintendent of public instruction to review cases referred to the panel by parents that concern the application or interpretation of a rule of the association to the parents' children and to make decisions that apply only to the individual cases brought to the panel.

**Effective:** July 1, 2000.

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**Grubb, Mannweiler, Porter, Linder,  
Ruppel, Adams T, Atterholt,  
Becker, Brown T, Buell, Dillon,  
Foley, Fry, Kuzman, Mock, Pond,  
Smith V, Steele, Stilwell, Ulmer,  
Young M**

(SENATE SPONSORS — HARRISON, SIMPSON, CLARK, LANDSKE,  
ROGERS)

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November 23, 1999, read first time and referred to Committee on Education.  
January 13, 2000, amended, reported — Do Pass.  
January 18, 2000, read second time, amended, ordered engrossed.  
January 19, 2000, engrossed. Read third time, passed. Yeas 65, nays 32.

SENATE ACTION

January 27, 2000, read first time and referred to Committee on Rules and Legislative Procedure.  
February 1, 2000, reported favorably — Do Pass.  
February 14, 2000, read second time, amended, ordered engrossed.

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Reprinted  
February 15, 2000

Second Regular Session 111th General Assembly (2000)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## ENGROSSED HOUSE BILL No. 1018

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 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2000]:  
4 **Chapter 63. Interscholastic Athletic Associations**  
5 **Sec. 1. As used in this chapter, "association" means any**  
6 **organization that conducts, organizes, sanctions, or sponsors**  
7 **interscholastic high school athletic events as the organization's**  
8 **primary purpose.**  
9 **Sec. 2. As used in this chapter, "case" refers to a decision of the**  
10 **association:**  
11 **(1) that concerns the application or interpretation of a rule of**  
12 **the association to an individual student; and**  
13 **(2) with which the student's parent disagrees.**  
14 **Sec. 3. As used in this chapter, "panel" refers to the case review**  
15 **panel established under section 8 of this chapter.**  
16 **Sec. 4. As used in this chapter, "parent" has the meaning set**  
17 **forth in IC 20-10.1-1-9.**

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1           **Sec. 5.** As used in this chapter, "state superintendent" refers to  
2 the state superintendent of public instruction.

3           **Sec. 6.** A school corporation may participate in an association  
4 or in an athletic event conducted, organized, sanctioned, or  
5 sponsored by an association only if the association complies with  
6 this chapter.

7           **Sec. 7. (a)** The association must establish a case review panel  
8 that meets the following requirements:

9           (1) The panel has nine (9) members.

10           (2) The state superintendent or the state superintendent's  
11 designee is a member of the panel and is the chairperson of  
12 the panel.

13           (3) The state superintendent shall appoint as members of the  
14 panel persons having the following qualifications:

15           (A) Four (4) parents of a high school student.

16           (B) Two (2) high school principals.

17           (C) Two (2) high school athletic directors.

18           (4) A member of the panel serves for a four (4) year term,  
19 subject to following:

20           (A) An appointee who ceases to meet the member's  
21 qualification under subdivision (3) ceases to be a member  
22 of the panel.

23           (B) The state superintendent shall appoint fifty percent  
24 (50%) of the initial appointees under in each clause in  
25 subdivision (3) for terms of two (2) years, so that terms of  
26 the panel are staggered.

27           (5) The panel must meet monthly, unless there are no cases  
28 before the panel. The panel may meet more frequently at the  
29 call of the chairperson. However, the chairperson must call a  
30 meeting within five (5) business days after the panel receives  
31 a case in which time is a factor in relation to the scheduling of  
32 an athletic competition.

33           (6) A quorum of the panel is five (5) members. The affirmative  
34 vote of five (5) members of the panel is required for the panel  
35 to take action.

36           **(b)** A student's parent who disagrees with a decision of the  
37 association concerning the application or interpretation of a rule  
38 of the association to the student shall have the right to do one (1) of  
39 the following:

40           (1) Accept the decision.

41           (2) Take legal action without first referring the case to the  
42 panel.



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- 1           **(3) Refer the case to the panel.**
- 2           **(c) Upon receipt of a case, the panel must do the following:**
- 3               **(1) Collect testimony and information on the case, including**
- 4               **testimony and information from both the association and the**
- 5               **parent.**
- 6               **(2) Place the case on the panel's agenda and consider the case**
- 7               **at a meeting of the panel.**
- 8               **(3) Make one (1) of the following decisions:**
- 9                   **(A) Uphold the association's decision on the case.**
- 10                  **(B) Modify the association's decision on the case.**
- 11                  **(C) Nullify the association's decision on the case.**
- 12           **(d) The association must implement the decision of the panel on**
- 13           **each case. However, a decision of the panel:**
- 14               **(1) applies only to the case before the panel; and**
- 15               **(2) does not affect any rule of the association or decision**
- 16               **under any rule concerning any student other than the student**
- 17               **whose parent referred the case to the panel.**
- 18           **(e) The association shall pay all costs attributable to the**
- 19           **operation of the panel, including travel and per diem for panel**
- 20           **members.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1018, 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, between lines 8 and 9, begin a new paragraph and insert:

**"Sec. 2. As used in this chapter, "case" refers to a decision of the association:**

- (1) that concerns the application or interpretation of a rule of the association to an individual student; and**
- (2) with which the student's parent disagrees.**

**Sec. 3. As used in this chapter, "panel" refers to the case review panel established under section 8 of this chapter.**

**Sec. 4. As used in this chapter, "parent" has the meaning set forth in IC 20-10.1-1-9.**

**Sec. 5. As used in this chapter, "state superintendent" refers to the state superintendent of public instruction."**

Page 1, line 9, delete "2" and insert "6".

Page 1, line 13, delete "3" and insert "7".

Page 1, line 13, delete "organization" and insert "association".

Page 1, line 14, delete "organization" and insert "association".

Page 2, delete lines 8 through 14, begin a new paragraph and insert:

**"Sec. 8. (a) The association must establish a case review panel that meets the following requirements:**

- (1) The panel has nine (9) members.**
- (2) The state superintendent or the state superintendent's designee is a member of the panel and is the chairperson of the panel.**
- (3) The state superintendent shall appoint as members of the panel persons having the following qualifications:**
  - (A) Four (4) parents of a high school student.**
  - (B) Two (2) high school principals.**
  - (C) Two (2) high school athletic directors.**
- (4) A member of the panel serves for a four (4) year term, subject to following:**
  - (A) An appointee who ceases to meet the member's qualification under subdivision (3) ceases to be a member of the panel.**
  - (B) The state superintendent shall appoint fifty percent (50%) of the initial appointees under in each clause in subdivision (3) for terms of two (2) years, so that terms of the panel are staggered.**



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

(6) A quorum of the panel is five (5) members. The affirmative vote of five (5) members of the panel is required for the panel to take action.

(b) A student's parent who disagrees with a decision of the association concerning the application or interpretation of a rule of the association to the student shall have the right to refer the case to the panel.

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

(1) Collect testimony and information on the case, including testimony and information from both the association and the parent.

(2) Place the case on the panel's agenda and consider the case at a meeting of the panel.

(3) Make one (1) of the following decisions:

(A) Uphold the association's decision on the case.

(B) Modify the association's decision on the case.

(C) Nullify the association's decision on the case.

(d) The association must implement the decision of the panel on each case. However, a decision of the panel:

(1) applies only to the case before the panel ; and

(2) does not affect any rule of the association or decision under any rule concerning any student other than the student whose parent referred the case to the panel.

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

and when so amended that said bill do pass.

(Reference is to HB 1018 as introduced.)

PORTER, Chair

Committee Vote: yeas 8, nays 5.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1018 be amended to read as follows:

Page 2, delete lines 11 through 16, begin a new line block indented, and insert:

**"(1) The student was unable to comply with the rule because the student was engaged in military training in the armed forces of the United States.**

**(2) The student has passed a physical examination by a licensed physician who certifies that the student is in physical condition to participate in interscholastic athletic events in a specific named sport."**

Page 3, line 8, delete "refer the" and insert:

**"do one (1) of the following:**

**(1) Accept the decision.**

**(2) Take legal action without first referring the case to the panel.**

**(3) Refer the case to the panel."**

Page 3, delete line 9.

(Reference is to HB 1018 as printed January 14, 2000.)

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1018 be amended to read as follows:

Page 3, after line 28 , begin a new paragraph and insert:

**"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the interscholastic athletics study committee. The committee established by subsection (b).**

**(b) There is established the interscholastic athletics study committee. The committee consists of seventeen (17) members as follows:**

**(1) Six (6) members of the house of representatives appointed by the speaker of the house of representatives. Not more than three (3) members appointed under this subdivision may represent the same political party.**

**(2) Six (6) members of the senate appointed by the president pro tempore of the senate . Not more than three (3) members**

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appointed under this subdivision may represent the same political party.

(3) Two individuals appointed by the speaker of the house of representatives. An individual appointed under this subdivision must have a background in interscholastic athletics.

(4) Two (2) individuals appointed by the president pro tempore of the senate. An individual appointed under this subdivision must have a background in interscholastic athletics.

(5) One (1) individual appointed by the state superintendent of public instruction.

(c) The committee shall:

(1) study issues related the governance of interscholastic athletics in Indiana; and

(2) make recommendations to the general assembly concerning the governance of interscholastic athletics.

(d) The committee shall operate under policies governing study committees adopted by the legislative council.

(e) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(F) This SECTION expires November 1, 2000.

SECTION 3. An emergency is declared for this act."

(Reference is to HB1018 as printed January 14, 2000.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred House Bill No. 1018, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1018 as reprinted January 19, 2000.)

GARTON, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Engrossed House Bill 1018 be amended to read as follows:

Page 2, delete lines 7 through 19.

Page 2, line 20, delete "Sec. 8" and insert "**Sec. 7**".

Page 3, delete lines 34 through 42.

Delete page 4.

(Reference is to EHB 1018 as printed February 2, 2000.)

HARRISON

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