

Senate Amendment 3359

Amendment Text

PAG LIN

1 1 Amend [House File 288](#), as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking page 1, line 28, through page 2,
1 4 line 19.
1 5 #2. Page 2, by inserting after line 24 the
1 6 following:
1 7 "Sec. 201. Section [275.55A](#), Code 1995, is amended
1 8 to read as follows:
1 9 275.55A ATTENDANCE IN OTHER DISTRICT.
1 10 A

~~pupil~~

- ~~student~~ enrolled in ninth, tenth, or
1 11 eleventh grade during the school year preceding the
1 12 effective date of a dissolution proposal, who was a
1 13 resident of the school district that dissolved, may
1 14 enroll in

~~any~~

- a school district to which territory of
1 15 the school district that dissolved was attached until
1 16

~~that pupil's~~

- ~~the student's~~ graduation from high
1 17 school, unless the student was expelled or suspended
1 18 from school and the conditions of expulsion or
1 19 suspension have not been met. The student under
1 20 expulsion or suspension shall not be enrolled until
1 21 the board of directors of the school district to which
1 22 territory of the dissolved school district was
1 23 attached approves, by majority vote, the enrollment of
1 24 the student. Notwithstanding section 282.24, the
1 25 district of residence of the

~~pupil~~

- ~~student~~, determined
1 26 in the dissolution proposal, shall pay tuition to the
1 27 school district selected by the

~~pupil~~

- ~~student~~ in an
1 28 amount not to exceed the district cost per pupil of
1 29 the district of residence and the school district
1 30 selected by the

~~pupil~~

- ~~student~~ shall accept that
1 31 tuition payment and enroll the

~~pupil~~

- ~~student.~~"
1 32 #3. Page 2, line 35, through page 3, line 1, by
1 33 striking the words "requires students to wear specific
1 34 attire or".
1 35 #4. Page 3, line 5, by striking the words
1 36 "Adoption and".

1 37 #5. By striking page 3, line 6, through page 4,
1 38 line 3.
1 39 #6. Page 4, by inserting after line 24 the
1 40 following:
1 41 "Sec. 202. Section 282.4, Code 1995, is amended to
1 42 read as follows:
1 43 282.4 SUSPENSION ‐ EXPULSION

~~‐ DISMISSAL~~

1 44 1. The board may, by a majority vote, expel any
1 45

~~pupil~~

- student from school for a violation of the
1 46 regulations or rules established by the board, or when
1 47 the presence of the

~~pupil~~

- student is detrimental to
1 48 the best interests of the school. The board may
1 49 confer upon any teacher, principal, or superintendent
1 50 the power temporarily to

~~dismiss~~

- suspend a

~~pupil~~

- student, notice of

~~such dismissal~~

- the suspension being
2 2 at once given in writing to the president of the
2 3 board.
2 4 2. A

~~pupil~~

- student who commits an assault, as
2 5 defined under section 708.1, against a school employee
2 6 in a school building, on school grounds, or at a
2 7 school-sponsored function shall be suspended for a
2 8 time to be determined by the principal. Notice of the
2 9 suspension shall be immediately sent to the president
2 10 of the board. By special meeting or at the next
2 11 regularly scheduled board meeting, the board shall
2 12 review the suspension and decide whether to hold a
2 13 disciplinary hearing to determine whether or not to
2 14 order further sanctions against the

~~pupil~~

- student,
2 15 which may include expelling the

~~pupil~~

- student. In
2 16 making its decision, the board shall consider the best
2 17 interests of the school district, which shall include
2 18 what is best to protect and ensure the safety of the
2 19 school employees and

~~pupils~~

- students from the

~~pupil~~

- student committing the assault.

~~pupil~~

- ~~student~~ shall not be suspended or expelled
 2 22 pursuant to this section if the suspension or
 2 23 expulsion would violate the federal Individuals with
 2 24 Disabilities Education Act.
 2 25 3. Notwithstanding section 282.6, if a student has
 2 26 been expelled or suspended from school and has not met
 2 27 the conditions of the expulsion or suspension and if
 2 28 the student, or the parent or guardian of the student,
 2 29 changes district of residence, the student shall not
 2 30 be enrolled in the new district of residence until the
 2 31 board of directors of the new district of residence
 2 32 approves, by a majority vote, the enrollment of the
 2 33 student.
 2 34 Sec. 203. Section 282.5, Code 1995, is amended to
 2 35 read as follows:
 2 36 282.5 READMISSION OF STUDENT.
 2 37 When a student is

~~dismissed~~

- ~~suspended~~ by a teacher,
 2 38 principal, or superintendent, pursuant to section
 2 39 282.4, the student may be readmitted by the teacher,
 2 40 principal, or superintendent, but when expelled by the
 2 41 board the student may be readmitted only by the board
 2 42 or in the manner prescribed by the board."
 2 43 #7. Page 5, by striking lines 6 through 16 and
 2 44 inserting the following:
 2 45 "Sec. _____. Section 808A.1, subsection 1, paragraph
 2 46 d, Code 1995, is amended to read as follows:
 2 47 d. A school locker, desk, or other facility or
 2 48 space issued or assigned to, or chosen by, the student
 2 49 for the storage of personal belongings of any kind,
 2 50 which the student locks or is permitted to lock.
 3 1

~~School officials may conduct periodic inspections of~~

~~3 2~~

~~all school lockers. However, the school district~~

~~3 3~~

~~shall provide notice to the students, at least twenty~~

~~3 4~~

~~four hours prior to the inspection, of the date and~~

~~3 5~~

~~time of the inspection.~~

- 3 6 Sec. _____. Section 808A.2, subsection 1, Code 1995,
 3 7 is amended to read as follows:
 3 8 1. A school official may conduct a search of a
 3 9 student or a protected student area

~~only if all of the~~

~~3 10~~

~~following apply~~

- in either of the following situations:

3 11 a.

~~The school official has a reasonable and~~

3 12

~~articulable suspicion that a criminal offense or a~~

3 13

~~school rule or regulation bearing on school order has~~

3 14

~~been violated~~

~~A school official may search a student~~

3 15 or a protected student area if the official has

3 16 reasonable grounds for suspecting that the search will

3 17 produce evidence that a student has violated or is

3 18 violating a law or a school rule or regulation.

3 19 b.

~~The school official has a reasonable and~~

3 20

~~articulable belief that the search will produce~~

3 21

~~evidence of such violation~~

~~A school official may~~

3 22 search more than one student or protected student area

3 23 pursuant to a student search rule. A rule allowing

3 24 searches of more than one student or protected student

3 25 areas must be reasonable based on balancing the need

3 26 for the search against the intrusion into a protected

3 27 student area. A search conducted pursuant to this

3 28 paragraph may include a search of all school lockers.

3 29 however, all searches conducted pursuant to this

3 30 paragraph shall be conducted in a manner reasonably

3 31 related to the circumstances which justified the

3 32 search.

3 33

~~e. If the search is of an individual student, the~~

3 34

~~suspicion and belief required by paragraphs "a" and~~

3 35

~~"b" is particular to the student to be searched.~~

3 36

~~d. If the search is of more than one student or of~~

3 37

~~a protected student area, the search must be based~~

3 38

~~upon and pursuant to a valid and reasonable student~~

~~search rule~~

—"

3 40 #8. Page 5, line 17, by striking the word and
3 41 figure "Section 7" and inserting the following:
3 42 "Sections 201, 7, 202, and 203".
3 43 #9. Page 5, line 18, by striking the word "takes"
3 44 and inserting the following: "take".
3 45 #10. Title page, line 5, by striking the words
3 46 "eliminating the".
3 47 #11. Title page, by striking lines 6 through 8 and
3 48 inserting the following: "the grounds upon which a
3 49 school official may search student lockers or
3 50 protected student areas, the enrollment of a suspended
4 1 or expelled student who changes district of residence,
4 2 access to juvenile court records, and providing".
4 3 #12. By renumbering and correcting internal
4 4 references as necessary.
4 5
4 6
4 7 _____
4 8 COMMITTEE ON [EDUCATION](#)
4 9 MIKE CONNOLLY, Chairperson
4 10 [HF 288](#).506 76
4 11 kh/jw