

3/13/95 Education
3.14.95 Amend/Do Pass W/S - 3126
H-3/22/95 Education

SENATE FILE 314
BY FINK

Passed Senate, Date 3/21/95 Passed House, Date _____
Vote: Ayes 45 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to enrollment in another district of an expelled
2 or suspended student and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 314

S-3126

- 1 Amend Senate File 314 as follows:
- 2 1. Page 2, line 20, by striking the word
- 3 "another" and inserting the following: "a new".
- 4 2. Page 2, line 21, by striking the word "other"
- 5 and inserting the following: "new".
- 6 3. Page 2, line 22, by striking the word "other"
- 7 and inserting the following: "new".
- 8 4. Title, line 1, by striking the word "another"
- 9 and inserting the following: "a new".

WITHDRAWN
3-21-94

By COMMITTEE ON EDUCATION
MIKE CONNOLLY, Chairperson

S.F. 314

S-3126 FILED MARCH 14, 1995

(p. 764)

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1 Section 1. Section 275.55A, Code 1995, is amended to read
2 as follows:

3 275.55A ATTENDANCE IN OTHER DISTRICT.

4 A pupit student enrolled in ninth, tenth, or eleventh grade
5 during the school year preceding the effective date of a
6 dissolution proposal, who was a resident of the school
7 district that dissolved, may enroll in any a school district
8 to which territory of the school district that dissolved was
9 attached until ~~that-pupit's~~ the student's graduation from high
10 school, unless the student was expelled or suspended from
11 school and the conditions of expulsion or suspension have not
12 been met. The student under expulsion or suspension shall not
13 be enrolled until the board of directors of the school
14 district to which territory of the dissolved school district
15 was attached approves, by majority vote, the enrollment of the
16 student. Notwithstanding section 282.24, the district of
17 residence of the pupit student, determined in the dissolution
18 proposal, shall pay tuition to the school district selected by
19 the pupit student in an amount not to exceed the district cost
20 per pupil of the district of residence and the school district
21 selected by the pupit student shall accept that tuition
22 payment and enroll the pupit student.

23 Sec. 2. Section 282.4, Code 1995, is amended to read as
24 follows:

25 282.4 SUSPENSION -- EXPULSION -- DISMISSAL.

26 1. The board may, by a majority vote, expel any pupit
27 student from school for a violation of the regulations or
28 rules established by the board, or when the presence of the
29 pupit student is detrimental to the best interests of the
30 school. The board may confer upon any teacher, principal, or
31 superintendent the power temporarily to ~~dismiss~~ suspend a
32 pupit student, notice of ~~such-dismissal~~ the suspension being
33 at once given in writing to the president of the board.

34 2. A pupit student who commits an assault, as defined
35 under section 708.1, against a school employee in a school

1 building, on school grounds, or at a school-sponsored function
2 shall be suspended for a time to be determined by the
3 principal. Notice of the suspension shall be immediately sent
4 to the president of the board. By special meeting or at the
5 next regularly scheduled board meeting, the board shall review
6 the suspension and decide whether to hold a disciplinary
7 hearing to determine whether or not to order further sanctions
8 against the pupit student, which may include expelling the
9 pupit student. In making its decision, the board shall
10 consider the best interests of the school district, which
11 shall include what is best to protect and ensure the safety of
12 the school employees and pupit students from the pupit
13 student committing the assault.

14 A pupit student shall not be suspended or expelled pursuant
15 to this section if the suspension or expulsion would violate
16 the federal Individuals with Disabilities Education Act.

17 3. If a student has been expelled or suspended from school
18 and has not met the conditions of the expulsion or suspension
19 and if the student, or the parent or guardian of the student,
20 moves to another school district, the student shall not be
21 enrolled in the other school district until the board of
22 directors of the other school district approves, by a majority
23 vote, the enrollment of the student.

24 Sec. 3. Section 282.5, Code 1995, is amended to read as
25 follows:

26 282.5 READMISSION OF STUDENT.

27 When a student is dismissed suspended by a teacher,
28 principal, or superintendent, pursuant to section 282.4, the
29 student may be readmitted by the teacher, principal, or
30 superintendent, but when expelled by the board the student may
31 be readmitted only by the board or in the manner prescribed by
32 the board.

33 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
34 immediate importance, takes effect upon enactment.

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EXPLANATION

1 This bill provides that a student who was expelled or
2 suspended from another school district, who has not met
3 conditions of expulsion or suspension, and whose district has
4 dissolved or who has moved to another district or whose parent
5 or guardian has moved to another school district, shall not be
6 enrolled in another district until a majority of the board of
7 directors of the district votes to approve the enrollment of
8 the student.

9 The bill also strikes from the Code the words "dismiss" and
10 "dismissal", and replaces them with the words "suspend" and
11 "suspension" to update the language relating to the power a
12 school board may confer upon a teacher, principal, or
13 superintendent.

14 The bill takes effect upon enactment.

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