

# House File 91 - Introduced

HOUSE FILE \_\_\_\_\_  
BY TYMESON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the suspension of students who commit assault.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 1913HH 83  
4 ak/nh/8

PAG LIN

1 1 Section 1. Section 282.4, subsection 2, Code 2009, is  
1 2 amended to read as follows:  
1 3 2. a. A student who commits an assault, as defined under  
1 4 section 708.1, against another student or a school employee in  
1 5 a school building, on school grounds, or at a school-sponsored  
1 6 function shall be suspended for a minimum of three days or a  
1 7 longer time to be determined by the principal. Notice of the  
1 8 suspension shall be immediately sent to the president of the  
1 9 board. By special meeting open to the public or at the next  
1 10 regularly scheduled board meeting, the board shall review the  
1 11 suspension and may decide whether to enforce the suspension.  
1 12 If the suspension is enforced, the board shall also decide  
1 13 whether to hold a disciplinary hearing to determine whether ~~or~~  
1 14 not to order further sanctions against the student, which may  
1 15 include expelling the student. In making its decision, the  
1 16 board shall consider the best interests of the school  
1 17 district, which shall include what is best to protect and  
1 18 ensure the safety of the school employees and students from  
1 19 the student committing the assault.  
1 20 b. A student shall not be suspended or expelled pursuant  
1 21 to this section if the suspension or expulsion would violate  
1 22 the federal Individuals with Disabilities Education Act, 20  
1 23 U.S.C. } 1400-1450.

## EXPLANATION

1 24 This bill requires that students who physically harm  
1 25 another student or a school employee be suspended  
1 26 automatically from school for a minimum of three days. The  
1 27 bill allows the school board to waive the suspension after  
1 28 review of the events at a meeting that is open to the public.  
1 29 If the suspension is not waived, then the board shall decide  
1 30 whether further disciplinary measures are needed. The bill  
1 31 does not apply to students whose suspension or expulsion would  
1 32 violate the federal Individuals With Disabilities Education  
1 33 Act.  
1 34 Act.  
1 35 LSB 1913HH 83  
2 1 ak/nh/8