

HOUSE BILL No. 1262

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-8.

Synopsis: Behavioral issues in schools. Permits a governing body of a school corporation to establish a disruption policy concerning student removal from and reentry to a classroom. Provides that a principal, teacher, or school staff member may immediately remove a disruptive student for a violation of school policy. Provides that a principal must determine a disruptive student's placement. Provides that a disruptive student who is removed from a classroom at least three times during a 30 day period shall be considered chronically disruptive and may be suspended. Requires that a disruption policy must be included in certain written regulations.

Effective: July 1, 2024.

Smith V

January 9, 2024, read first time and referred to Committee on Education.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1262

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 20-33-8-14, AS ADDED BY P.L.1-2005,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 14. (a) The following are the grounds for student
4 suspension or expulsion, subject to the procedural requirements of this
5 chapter and as stated by school corporation rules:
6 (1) Student misconduct.
7 (2) Substantial disobedience.
8 **(3) Disruption under section 36 of this chapter.**
9 (b) The grounds for suspension or expulsion listed in subsection (a)
10 apply when a student is:
11 (1) on school grounds immediately before or during school hours,
12 or immediately after school hours, or at any other time when the
13 school is being used by a school group;
14 (2) off school grounds at a school activity, function, or event; or
15 (3) traveling to or from school or a school activity, function, or
16 event.
17 SECTION 2. IC 20-33-8-18, AS AMENDED BY P.L.155-2020,



1 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 18. (a) A principal may suspend a student for not
3 more than ten (10) school days under section 14, 15, ~~or 16~~, **or 36** of
4 this chapter. However, the student may be suspended for more than ten
5 (10) school days under section 23 of this chapter.

6 (b) A principal may not suspend a student before the principal
7 affords the student an opportunity for a meeting during which the
8 student is entitled to the following:

9 (1) A written or an oral statement of the charges against the
10 student.

11 (2) If the student denies the charges, a summary of the evidence
12 against the student.

13 (3) An opportunity for the student to explain the student's
14 conduct.

15 (c) When misconduct requires immediate removal of a student, the
16 meeting under subsection (b) must begin as soon as reasonably possible
17 after the student's suspension.

18 (d) Following a suspension, the principal shall send a written
19 statement to the parent of the suspended student describing the
20 following:

21 (1) The student's misconduct.

22 (2) The action taken by the principal.

23 (e) If a student is suspended, the student is required to complete all
24 assignments and school work assigned during the period of the
25 student's suspension. The principal or the principal's designee shall
26 ensure that the student receives:

27 (1) notice of any assignments or school work due;

28 (2) teacher contact information in the event the student has
29 questions regarding the assignments or school work; and

30 (3) credit, in the same manner that a student who is not suspended
31 would receive, for any assignments or school work assigned
32 during the period of the student's suspension that the student
33 completes.

34 A student may be allowed to make up missed tests or quizzes when the
35 student returns to school.

36 SECTION 3. IC 20-33-8-36 IS ADDED TO THE INDIANA CODE
37 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
38 1, 2024]: **Sec. 36. (a) The governing body of a school corporation**
39 **may establish a disruption policy concerning student removal from**
40 **and reentry to a classroom if a student:**

41 (1) **disrupts the educational function of the classroom; or**

42 (2) **challenges the authority of school corporation personnel**



- 1 **who are supervising the classroom.**
- 2 **(b) A principal, teacher, or school staff member may**
- 3 **immediately remove a disruptive student from a classroom setting**
- 4 **for a violation of a policy under subsection (a).**
- 5 **(c) A principal shall determine the placement of a disruptive**
- 6 **student removed from a classroom under subsection (b). Placement**
- 7 **of a student may include:**
- 8 **(1) another classroom in the school;**
- 9 **(2) an alternative program; or**
- 10 **(3) a virtual program.**
- 11 **(d) A disruptive student who is removed under subsection (b) at**
- 12 **least three (3) times within a thirty (30) day period shall be**
- 13 **considered chronically disruptive and may be suspended.**
- 14 **(e) A policy adopted under subsection (a) must be included in**
- 15 **any written regulations created under section 10 of this chapter.**

