

106TH CONGRESS
1ST SESSION

H. R. 697

To amend the Individuals with Disabilities Education Act to provide that any decision relating to the establishment or implementation of policies of discipline of children with disabilities in school be reserved to each State educational agency, or as determined by a State educational agency, to a local educational agency.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1999

Mr. WICKER introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Individuals with Disabilities Education Act to provide that any decision relating to the establishment or implementation of policies of discipline of children with disabilities in school be reserved to each State educational agency, or as determined by a State educational agency, to a local educational agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DISCIPLINE OF CHILDREN WITH DISABILITIES**
2 **UNDER THE INDIVIDUALS WITH DISABIL-**
3 **ITIES EDUCATION ACT.**

4 (a) IN GENERAL.—Section 615 of the Individuals
5 with Disabilities Education Act (20 U.S.C. 1415) is
6 amended by striking subsection (k) and inserting the fol-
7 lowing:

8 “(k) DISCIPLINE OF CHILDREN WITH DISABIL-
9 ITIES.—

10 “(1) IN GENERAL.—Any decision relating to the
11 establishment or implementation of policies of dis-
12 cipline of children with disabilities in school is re-
13 served to each State educational agency, or as deter-
14 mined by such a State educational agency, to a local
15 educational agency.

16 “(2) UNIFORMITY REQUIREMENT.—Any policy
17 of discipline of children with disabilities in school de-
18 scribed in paragraph (1) shall be applicable to all
19 children with disabilities in the State or local edu-
20 cational agency, as the case may be.”.

21 (b) CONFORMING AMENDMENTS.—The Individuals
22 with Disabilities Education Act (20 U.S.C. 1400 et seq.)
23 is amended—

24 (1) in section 615(j), by striking “Except as
25 provided in subsection (k)(7), during” and inserting
26 “During”; and

1 (2) in section 618(a)(1)(A)(vii)(I), by striking
2 “under subparagraphs (A)(ii) and (B) of section
3 615(k)(1), are removed to an interim alternative
4 educational setting” and inserting “, in accordance
5 with policies established and implemented under sec-
6 tion 615(k), are removed from the classroom”.

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