

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2021 REGULAR SESSION
Unofficial Document

Amend printed copy of **HB 145/HCS 1**

On page 1, lines 6 through 9, delete all language and insert the following in lieu thereof:

"(a) "Complainant" means a student who has formally filed a complaint alleging that he or she is the victim of a violation of the rules of student conduct promulgated by the governing body of a public postsecondary education institution to address conduct that would violate Title IX or other federal law if left unaddressed;"; and

On page 1, lines 10-11, delete "**, if applicable to a specific disciplinary proceeding,**"; and

On page 2, line 16, insert "**pleadings and**" before "**evidence**"; and

On page 3, line 2, delete "**and**"; and

On page 3, after line 6 and before line 7, insert:

"3. Waive the confidentiality of any phase in the disciplinary process to permit the attendance of any support person so long as that person would not violate the privacy rights of another student or substantially delay the disciplinary process. If required by Title IX, the support person may serve as an advisor to the participant; and"; and

On page 4, line 1, after ";" insert "**and**"; and

On page 4, line 3, delete "**complainant**" and insert "**student**" in lieu thereof; and

On page 4, line 5 delete "**; and**" and insert ";" in lieu thereof; and

On page 4, lines 6 through 9, delete all language; and

Amendment No. _____

Rep. Rep. Kim Banta

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

Unofficial Document

On page 4, line 12, after "the power to" insert "*recommend suspension or expulsion of*" and bracket and strike through "suspend or expel; and";

On page 4, beginning on line 12, after "any student for" insert "*a violation of*" and bracket and strike through "disobedience to"; and

On page 4, line 22, delete "*if proven*"; and

On page 4, line 24, after "*governing* board" insert "*or designee of the governing board*"; and

On page 4, line 26, after "*governing* board" insert "*or its designee*"; and

On page 5, line 1, delete "*decision*" and insert "*order*" in lieu thereof; and

On page 5, line 2, after "*board*" insert "*or its designee*"; and

On page 5, line 4, after "*compensatory damages*" insert "*from the institution*"; and

On page 5, lines 10 and 11, delete all language and insert the following in lieu thereof:

"(b) Impair an institution's ability to take reasonable interim actions during a timely investigation and adjudication of a student disciplinary issue, including but not limited to the ability to make adjustments in student housing arrangements and to temporarily suspend a student; and"; and

On page 5, line 26, after "*A dismissal*" insert "*of the complaint*"; and

On page 6, line 7, after "*governing board*" insert "*or its designee*"; and

On page 6, line 9, after "*governing board*" insert "*or its designee*"; and

On page 6, line 15, delete "*approximate annual household income,*"; and

On page 6, line 17, after "*violation alleged;*" delete "*and*"; and

On page 6, after line 17 and before line 18 insert:

"(c) The general source of the initial information underlying the alleged violation, including but not limited to another student, faculty, staff, community member, or law enforcement; and"; and

On page 6, line 18 delete "(c)" and insert "(d)" in lieu thereof; and

On page 6, line 20, delete "¡;" and insert "¡;" in lieu thereof.