



SPONSOR: Sen. Sturgeon

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 48

AMEND Senate Bill No. 48 on line 12 by inserting "or bus attendant" after "driver" and before the period therein.

FURTHER AMEND Senate Bill No. 48 on line 14 by inserting "a bus attendant," after "driver," and before "a" therein.

FURTHER AMEND Senate Bill No. 48 on line 15 after "bus," by inserting the following:

"For purposes of this paragraph (a)(3)b.3., a statement that a person plans to hire an attorney, seek a legal remedy, or inform others about concerns, is not a threat."

FURTHER AMEND Senate Bill No. 48 by inserting the following after line 18:

"(d)(1) A parent of a student with an Individualized Education Program (IEP) under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., or a Section 504 plan under § 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, does not violate paragraphs (a)(3)b.1. and (a)(3)b.2. of this section if they are addressing a health or safety concern involving their student in a manner that is safe for the other occupants of the school bus.

(2) For purposes of this subsection, "parent" means as defined in § 3101 of Title 14, if the student satisfies the definition of "child with a disability" under § 3101 of Title 14. Otherwise, "parent" means as defined in § 401A of Title 14."

SYNOPSIS

This Senate Amendment adds bus attendants as follows:

- (1) Identifies that bus attendants may be giving the order to exit the school bus and therefore adds that a person may be guilty of disorderly conduct if they refuse to comply with the lawful order made by the bus attendant.
- (2) Adds that a person may be guilty of disorderly conduct if they threaten a bus attendant.

This Amendment specifies that it is not a "threat" for purposes of paragraph § 1301(a)(3)b.3. if a person makes a statement that they plan to hire an attorney, seek a legal remedy, or inform others about concerns.

This Amendment also gives additional protections for the parents of students with an Individualized Education Program (IEP) or a Section 504 plan to address a health or safety concern.

Author: Senator Sturgeon