

COMMITTEE REPORT

SB 473-1—Filed 12/1/98, 1/27/98

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 473, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Delete the title and insert the following:
 - "A BILL FOR AN ACT to amend the Indiana Code concerning education."
 - Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
 - "SECTION 1. IC 20-10.1-4.6-1, AS AMENDED BY P.L.260-1997(ss), SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. As used in this chapter, "alternative education program" refers to an alternative school or educational program that is described in ~~section 4~~ of this chapter. The term includes:
 - (1) an alternative education program described in section 3(a)(1) of this chapter; or
 - (2) an area alternative education program described in section 3(a)(2) of this chapter.
 - SECTION 2. IC 20-10.1-4.6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. (a) The governing body may elect to:
 - (1) establish an alternative program on its own; or
 - (2) participate in an area alternative program through a **joint cooperative program under IC 20-5-11; permitted by law.**
 - (b) An alternative program is not required to be located at a site that is different than the site at which the traditional school instruction is offered.
 - (c) **An alternative program may be managed or operated on behalf of a school corporation by an entity other than a school corporation.**
 - SECTION 3. IC 20-10.1-4.6-4, AS AMENDED BY P.L.260-1997(ss), SECTION 65, IS AMENDED TO READ AS FOLLOWS: Sec. 4. To qualify as an alternative education program, the program must:
 - (1) be an educational program for eligible students that instructs the eligible students in a different manner **than from** the manner of instruction available in a traditional school setting; and
 - (2) comply with the rules that are adopted under IC 4-22-2 by the board to govern:
 - (A) alternative education programs; and
 - (B) admission of eligible students to alternative education programs.
 - SECTION 4. IC 20-10.1-4.6-5, AS AMENDED BY

P.L.260-1997(ss), SECTION 66, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE JULY 1, 1998]: Sec. 5. The ~~program organizer~~ **school corporation** may request the approval from the department for the following:

- (1) To receive the grant for alternative education programs under IC 21-3-11.
- (2) To be granted waivers from rules adopted by the state board that may otherwise interfere with the objectives of the alternative education program, including waivers of:
 - (A) certain high school graduation requirements;
 - (B) the length of the student instructional day as set forth in IC 20-10.1-2-1(b);
 - (C) required curriculum and textbooks;
 - (D) teacher certification requirements; and
 - (E) physical facility requirements.

SECTION 5. IC 20-10.1-4.6-6, AS AMENDED BY P.L.260-1997(ss), SECTION 67, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE JULY 1, 1998]: Sec. 6. (a) Before a ~~program organizer~~ **school corporation** is eligible for the funding, a ~~program organizer~~ **must have** the grant for the program **must be** approved by both:

- (1) the department; and
- (2) the budget agency. ~~after review by the budget committee.~~

(b) A school corporation may initiate the program and waiver approval process under section 5 of this chapter and the grant approval process under this section by submitting an application for the proposed alternative education program, on forms developed by the department, to the department. The application must include the following information:

- (1) The number of eligible students expected to participate in the alternative education program.
- (2) A description of the proposed alternative education program, including a description of the nature of the alternative education program curriculum.
- (3) The extent to which the manner of instruction at the alternative education program differs from the manner of instruction available in the traditional school setting.
- (4) A description of specific progressive disciplinary procedures that:
 - (A) are reasonably designed to modify disruptive behavior in the traditional school learning environment without necessitating admission to an alternative education program; and
 - (B) will be used before admitting a disruptive student into an alternative education program.
- (5) Any other pertinent information required by the department.

(c) The term of a grant may not exceed one (1) school year. If a school corporation fails to conduct an alternative education program in conformity with this chapter, the rules adopted by the state board of education, or the terms of the approved grant, the department or the budget agency after review by the budget committee may terminate funding for the alternative education program before the grant expires.

SECTION 6. IC 20-10.1-4.6-2.7 IS REPEALED [EFFECTIVE JULY 1, 1998]."

(Reference is to SB 473 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Education.

Senator Garton, Chairman