

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 236 be amended to read as follows:

- 1 Page 11, after line 42, begin a new paragraph and insert:
- 2 "SECTION 14. IC 20-10.1-2-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A school year
- 4 is the period of time beginning after June 30 of each year and ending
- 5 before July 1 of the following year, except when a different period is
- 6 specified for a particular purpose.
- 7 (b) A student instructional day in grades 1 through 6 consists of a
- 8 minimum of five (5) hours of instructional time. A student instructional
- 9 day in grades 7 through 12 consists of a minimum of six (6) hours of
- 10 instructional time. For purposes of this section, instructional time is
- 11 time in which students are participating in an approved course,
- 12 curriculum, or educationally related activity under the direction of a
- 13 teacher, including a reasonable amount of passing time between
- 14 classes. However, instructional time does not include lunch or recess.
- 15 (c) ~~For the 1987-88 school year, each school corporation shall~~
- 16 ~~conduct at least one hundred seventy-five (175) student instructional~~
- 17 ~~days. For the 1988-89 school year and~~ Each school year, after that, each
- 18 school corporation shall **do the following:**
- 19 (1) conduct at least one hundred eighty (180) student
- 20 instructional days; **or**
- 21 (2) **for a school corporation that is eligible for a waiver under**
- 22 **section 1.5 of this chapter, conduct the equivalent in hours of**
- 23 **one hundred eighty (180) student instructional days as**
- 24 **determined under section 1.5 of this chapter.**
- 25 No later than June 15 of each school year, the superintendent of each
- 26 school corporation shall certify to the department the number of student
- 27 instructional days conducted during that school year.

1 (d) If a school corporation fails to conduct the minimum number
2 of student instructional days during a school year as required under
3 subsection (c), the department shall reduce the August tuition support
4 distribution to that school corporation by an amount determined as
5 follows:

6 (1) For the 1987-88 school year, the amount determined under
7 STEP THREE of the following formula:

8 STEP ONE: Divide the amount of the total tuition support
9 allocated to the school corporation for the 1987-88 school
10 year by one hundred seventy-five (175):

11 STEP TWO: Subtract the number of student instructional
12 days that the school corporation conducted from one
13 hundred seventy-five (175):

14 STEP THREE: Multiply the amount determined under
15 STEP ONE by the amount determined under STEP TWO:

16 (2) For the 1988-89 school year and each school year after that,
17 the amount determined under STEP NINE of the following
18 formula:

19 STEP ONE: Determine the remainder of:

20 (A) the amount of the total tuition support allocated to
21 the school corporation for the particular school year;
22 minus

23 (B) that part of the total tuition support allocated to the
24 school corporation for that school year with respect to
25 student instructional days one hundred seventy-six
26 (176) through one hundred eighty (180).

27 STEP TWO: Subtract the number of student instructional
28 days that the school corporation conducted from one
29 hundred eighty (180).

30 STEP THREE: Determine the lesser of five (5) or the
31 remainder determined under STEP TWO.

32 STEP FOUR: Divide the amount subtracted under STEP
33 ONE(B) by five (5).

34 STEP FIVE: Multiply the quotient determined under STEP
35 FOUR by the number determined under STEP THREE.

36 STEP SIX: Subtract the number determined under STEP
37 THREE from the remainder determined under STEP TWO.

38 STEP SEVEN: Divide the remainder determined under
39 STEP ONE by one hundred seventy-five (175).

40 STEP EIGHT: Multiply the quotient determined under
41 STEP SEVEN by the remainder determined under STEP
42 SIX.

43 STEP NINE: Add the product determined under STEP
44 FIVE to the product determined under STEP EIGHT.

45 (e) The department may grant a waiver of the penalty imposed
46 under subsection (d) for a particular number of cancelled student
47 instructional days if:

48 (1) the school corporation applies to the department for a waiver
49 of the penalty imposed under subsection (d) for a specific
50 number of cancelled student instructional days; and

51 (2) each of the particular number of student instructional days

1 requested to be waived under this subsection was cancelled due
2 to extraordinary circumstances.

3 (f) The department shall develop guidelines for school
4 corporations to apply for a waiver under subsection (e).

5 SECTION 15. IC 20-10.1-2-1.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. (a) As used in this section,**
8 **"canceled day" refers to a student instructional day actually**
9 **canceled during a school year by the superintendent of a school**
10 **corporation due to:**

11 (1) inclement weather; or

12 (2) extraordinary circumstances;

13 affecting the operation of a school within the school corporation or
14 the school corporation in general, as determined by the
15 superintendent of the school corporation.

16 (b) This section maintains the equivalent in hours of the one
17 hundred eighty (180) student instructional days required by section
18 1(c) of this chapter.

19 (c) For a grade 1 through grade 6 school within a school
20 corporation, the department shall grant a waiver of the penalty
21 imposed under section 1(d) of this chapter for the number of
22 canceled days equivalent to the remainder determined under STEP
23 FOUR of the following formula:

24 **STEP ONE: Determine the actual number of student**
25 **instructional minutes that the school will provide in the**
26 **school year.**

27 **STEP TWO: Determine the number of equivalent**
28 **instructional hours by dividing the number of minutes**
29 **determined under STEP ONE by sixty (60).**

30 **STEP THREE: Determine the number of equivalent five (5)**
31 **hour instructional days by dividing the quotient determined**
32 **under STEP TWO by five (5).**

33 **STEP FOUR: Determine the excess equivalent instructional**
34 **days by subtracting one hundred eighty (180) from the**
35 **quotient determined under STEP THREE.**

36 (d) For a grade 7 through grade 12 school within a school
37 corporation, the department shall grant a waiver of the penalty
38 imposed under section 1(d) of this chapter for a number of
39 canceled days equivalent to the remainder determined under STEP
40 FOUR of the following formula:

41 **STEP ONE: Determine the actual number of student**
42 **instructional minutes that the school will provide in the**
43 **school year.**

44 **STEP TWO: Determine the number of equivalent**
45 **instructional hours by dividing the number of minutes**
46 **determined under STEP ONE by sixty (60).**

47 **STEP THREE: Determine the number of equivalent six (6)**
48 **hour instructional days by dividing the quotient determined**
49 **under STEP TWO by six (6).**

50 **STEP FOUR: Determine the excess equivalent instructional**

1 days by subtracting one hundred eighty (180) from the
2 quotient determined under STEP THREE.

3 (e) For a school corporation in general, the department shall
4 grant a waiver of the penalty imposed under section 1(d) of this
5 chapter for a number of canceled days equivalent to the quotient
6 determined under STEP TEN of the following formula:

7 **STEP ONE:** Determine the number of student instructional
8 minutes that the school corporation will provide in the school
9 year for an average student in grades 1 through 6.

10 **STEP TWO:** Determine the number of equivalent
11 instructional hours in grades 1 through 6 by dividing the
12 number of minutes determined under STEP ONE by sixty
13 (60).

14 **STEP THREE:** Determine the number of equivalent five (5)
15 hour instructional days in grades 1 through 6 by dividing the
16 quotient determined under STEP TWO by five (5).

17 **STEP FOUR:** Determine the excess equivalent instructional
18 days in grades 1 through 6 by subtracting one hundred
19 eighty (180) from the quotient determined under STEP
20 THREE.

21 **STEP FIVE:** Determine the number of student instructional
22 minutes that the school corporation will provide in the school
23 year for an average student in grades 7 through 12.

24 **STEP SIX:** Determine the number of equivalent instructional
25 hours in grades 7 through 12 by dividing the number of
26 minutes determined under STEP FIVE by sixty (60).

27 **STEP SEVEN:** Determine the number of equivalent six (6)
28 hour instructional days in grades 7 through 12 by dividing
29 the quotient determined under STEP SIX by six (6).

30 **STEP EIGHT:** Determine the excess equivalent instructional
31 days in grades 7 through 12 by subtracting one hundred
32 eighty (180) from the quotient determined under STEP
33 SEVEN.

34 **STEP NINE:** Add the remainder determined under STEP
35 FOUR for grades 1 through 6 to the remainder determined
36 under STEP EIGHT for grades 7 through 12.

37 **STEP TEN:** Divide the sum determined under STEP NINE
38 by two (2).

39 (f) A waiver for canceled days that is provided under this
40 section is in addition to any waivers that may be granted under
41 section 1(e) of this chapter for canceled days.

42 SECTION 16. An emergency is declared for this act."

43 Renumber all SECTIONS consecutively.

(Reference is to ESB 236 as printed March 23, 1999.)

Representative DENBO

