

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Education, to which was referred Senate Bill 276, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 20-1-1.2-6, AS AMENDED BY P.L.34-1996,
- 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1998]: Sec. 6. (a) Each school shall submit to the department
- 6 the following benchmarks:
- 7 (1) Graduation rate.
- 8 (2) Attendance rate.
- 9 (3) ISTEP scores, or, for a freeway school, scores on a locally
- 10 adopted assessment program, if appropriate. ~~including the~~
- 11 ~~number and percentage of students:~~
- 12 (A) ~~meeting an advanced standard; or~~
- 13 (B) ~~meeting a proficient standard.~~
- 14 (4) Actual class size.
- 15 (5) The number and percentage of students in the following
- 16 groups or programs:

- 1 (A) At risk.
 2 (B) Vocational education.
 3 (C) Special education.
 4 (D) Gifted or talented.
 5 (E) ~~Remediation/preventative~~ **Remediation and preventive**
 6 remediation.
 7 (F) ~~Technology preparation.~~
- 8 (6) Advanced placement, including the following:
 9 (A) For advanced placement tests, the number and
 10 percentage of students:
 11 (i) scoring three (3), four (4), and **five (5); or and**
 12 (ii) participating.
 13 (B) For the Scholastic Aptitude Test: ~~the number and~~
 14 ~~percentage of students:~~
 15 (i) ~~above a designated proficient score; test scores;~~
 16 **and**
 17 (ii) ~~above a designated advanced score; or~~
 18 ~~(iii) the number and percentage of students~~
 19 participating.
- 20 (7) Course completion, including the number and percentage of
 21 students completing the following programs:
 22 (A) Academic honors diploma.
 23 (B) Core 40 curriculum.
 24 (C) Vocational programs.
- 25 (8) The percentage of graduates who pursue higher education.
 26 (9) School safety, including the number and percentage of
 27 students receiving suspension or expulsion for the possession of
 28 alcohol, drugs, or weapons.
 29 (10) Financial information relevant to performance.
- 30 (b) The superintendent and board shall determine which
 31 benchmarks under subsection (a) are appropriate benchmarks for
 32 performance based accreditation under IC 20-1-1.3-3.
- 33 SECTION 2. IC 20-1-1.3-3, AS AMENDED BY P.L.34-1996,
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 1998]: Sec. 3. The board shall implement the
 36 performance-based award and incentive program to recognize and
 37 reward schools that have exhibited relative improvement toward the
 38 performance benchmarks determined to be appropriate for the school

- 1 by the superintendent and board, including the following benchmarks:
- 2 (1) Graduation rate.
- 3 (2) Attendance rate.
- 4 (3) ISTEP scores ~~under the ISTEP program or a locally adopted~~
5 ~~assessment program used by or, for~~ a freeway school, including
6 ~~the number and percentage of students:~~
- 7 ~~(A) meeting an advanced standard; or~~
8 ~~(B) meeting a proficient standard: scores on a locally~~
9 ~~adopted assessment program, if appropriate.~~
- 10 (4) Actual class size.
- 11 (5) The number and percentage of students in the following
12 groups or programs:
- 13 (A) At risk.
- 14 (B) Vocational education.
- 15 (C) Special education.
- 16 (D) Gifted or talented.
- 17 (E) ~~Remediation/preventative~~ **Remediation and preventive**
18 remediation.
- 19 (F) Technology preparation.
- 20 (6) Advanced placement, including the following:
- 21 (A) For advanced placement tests, the number and
22 percentage of students:
- 23 (i) scoring three (3), four (4), and **five (5); or and**
24 (ii) participating.
- 25 (B) For the Scholastic Aptitude Test: ~~the number and~~
26 ~~percentage of students:~~
- 27 (i) ~~above a designated proficient score; test scores;~~
28 **and**
29 (ii) ~~above a designated advanced score; or~~
30 ~~(iii) the number and percentage of students~~
31 participating.
- 32 (7) Course completion, including the number and percentage of
33 students completing the following programs:
- 34 (A) Academic honors diploma.
- 35 (B) Core 40 curriculum.
- 36 (C) Vocational programs.
- 37 (8) The percentage of graduates who pursue higher education.
- 38 (9) School safety, including the number and percentage of

1 students receiving suspension or expulsion for the possession of
2 alcohol, drugs, or weapons.

3 (10) Financial information relevant to performance.".

4 Page 1, line 1, renumber SECTION 1 as SECTION 3.

5 Page 2, between lines 11 and 12, begin a new paragraph and
6 insert:

7 "SECTION 4. IC 20-1-21-4, AS ADDED BY P.L.34-1996,
8 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 1998]: Sec. 4. (a) Not earlier than September 1 or later than
10 September 15 of each year, the governing body of a school corporation
11 shall publish an annual performance report of the school corporation,
12 in compliance with the procedures identified in section 8 of this
13 chapter. The report must be published one (1) time annually under
14 IC 5-3-1.

15 **(b) Notwithstanding the provisions of IC 5-3-1-1(c), the annual**
16 **performance report of the school corporation may include the**
17 **following:**

18 **(1) Type larger than the type used in the regular reading**
19 **matter of the newspaper or qualified publication.**

20 **(2) Graphics.**

21 **(3) Other typographical methods to enhance the report.**

22 **However, the basic charge for publishing the annual performance**
23 **report remains the charge for the lines as computed with the**
24 **formula established in IC 5-3-1-1-(b). To determine the charge for**
25 **publishing the annual performance report, advertising space**
26 **devoted to graphics, type larger than the type used in the regular**
27 **reading matter of the newspaper or qualified publication, and**
28 **other typographical methods to enhance the report shall be**
29 **converted to the number of lines of regular reading matter that**
30 **would normally have occupied the same space.**

31 SECTION 5. IC 20-1-21-9, AS ADDED BY P.L.34-1996,
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 1998]: Sec. 9. The report must include the following
34 benchmarks:

35 (1) Graduation rate.

36 (2) Attendance rate.

37 (3) ISTEP test scores or, for a freeway school, scores on a locally
38 adopted assessment program, if appropriate. ~~including the~~

- 1 **number and percentage of students:**
 2 (A) ~~meeting an advanced standard; or~~
 3 (B) ~~meeting a proficient standard.~~
 4 (4) Actual class size.
 5 (5) The number and percentage of students in the following
 6 groups or programs:
 7 (A) At risk.
 8 (B) Vocational education.
 9 (C) Special education.
 10 (D) Gifted or talented.
 11 (E) ~~Remediation/preventative~~ **Remediation and preventive**
 12 remediation.
 13 (6) Advanced placement, including the following:
 14 (A) For advanced placement tests, the number and
 15 percentage of students:
 16 (i) scoring three (3), four (4), and **five (5); or and**
 17 (ii) participating.
 18 (B) For the Scholastic Aptitude Test: ~~the number and~~
 19 ~~percentage of students:~~
 20 (i) ~~above a designated proficient score; test scores;~~
 21 **and**
 22 (ii) ~~above a designated advanced score; or~~
 23 ~~(iii) the number and percentage of students~~
 24 participating.
 25 (7) Course completion, including the number and percentage of
 26 students completing the following programs:
 27 (A) Academic honors diploma.
 28 (B) Core 40 curriculum.
 29 (C) Vocational programs.
 30 (8) The percentage of graduates who pursue higher education.
 31 (9) School safety, including the number and percentage of
 32 students receiving suspension or expulsion for the possession of
 33 alcohol, drugs, or weapons.
 34 (10) Financial information relevant to performance.
 35 SECTION 6. IC 20-3.1-15-1, AS ADDED BY P.L.340-1995,
 36 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 1998]: Sec. 1. To provide the board with the necessary
 38 flexibility and resources to carry out this article, the following apply:

- 1 (1) The board may eliminate or modify existing policies and
 2 create new policies, and alter policies from time to time, subject
 3 to this article and the plan developed under IC 20-3.1-7.
- 4 (2) IC 20-7.5 does not apply to matters set forth in this article.
 5 The matters set forth in this article may not be the subject of
 6 collective bargaining or discussion under IC 20-7.5.
- 7 (3) An exclusive representative certified under IC 20-7.5 to
 8 represent certified employees of the school city, or any other
 9 entity voluntarily recognized by the board as a representative of
 10 employees providing educational services in the schools, may
 11 bargain collectively only concerning salary, wages, and salary
 12 and wage related fringe benefits. The exclusive representative
 13 may not bargain collectively or discuss performance awards
 14 under IC 20-3.1-12.
- 15 (4) The board of school commissioners may waive the following
 16 statutes and rules for any school in the school city without the
 17 need for administrative, regulatory, or legislative approval:
- 18 (A) The following rules concerning curriculum and
 19 instructional time:
 20 511 IAC 6.1-3-4
 21 511 IAC 6.1-5-0.5
 22 511 IAC 6.1-5-1
 23 511 IAC 6.1-5-2.5
 24 511 IAC 6.1-5-3.5
 25 511 IAC 6.1-5-4
- 26 (B) The following rules concerning pupil/teacher ratios:
 27 511 IAC 6-2-1(b)(2)
 28 511 IAC 6.1-4-1
- 29 (C) The following statutes and rules concerning textbooks,
 30 and rules adopted under the statutes:
 31 IC 20-10.1-9-1
 32 IC 20-10.1-9-18
 33 IC 20-10.1-9-21
 34 IC 20-10.1-9-23
 35 ~~IC 20-10.1-9-27~~
 36 IC 20-10.1-10-1
 37 IC 20-10.1-10-2
 38 511 IAC 6.1-5-5

- 1 (D) The following rules concerning school principals:
 2 511 IAC 6-2-1(c)(4)
 3 511 IAC 6.1-4-2
- 4 (E) 511 IAC 2-2, concerning school construction and
 5 remodeling.
- 6 (5) Notwithstanding any other law, a school city may do the
 7 following:
- 8 (A) Lease school transportation equipment to others for
 9 nonschool use when the equipment is not in use for a school
 10 city purpose.
- 11 (B) Establish a professional development and technology
 12 fund to be used for:
- 13 (i) professional development; or
 14 (ii) technology, including video distance learning.
- 15 (C) Transfer funds obtained from sources other than state or
 16 local government taxation among any account of the school
 17 corporation, including a professional development and
 18 technology fund established under clause (B).
- 19 (6) Transfer funds obtained from property taxation among the
 20 general fund (established under IC 21-2-11) and the school
 21 transportation fund (established under IC 21-2-11.5), subject to
 22 the following:
- 23 (A) The sum of the property tax rates for the general fund
 24 and the school transportation fund after a transfer occurs
 25 under this subdivision may not exceed the sum of the
 26 property tax rates for the general fund and the school
 27 transportation fund before a transfer occurs under this
 28 clause.
- 29 (B) This clause does not allow a school corporation to
 30 transfer to any other fund money from the debt service fund
 31 (established under IC 21-2-4).
- 32 SECTION 7. IC 20-5-7-0.5 IS ADDED TO THE INDIANA CODE
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 1998]: **Sec. 0.5. As used in this chapter, "treasurer" includes an
 35 assistant treasurer or a deputy treasurer.**
- 36 SECTION 8. IC 20-5-7-1 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) Every public
 38 school in the state of Indiana shall have a treasurer for the purpose of

1 this chapter who shall be the superintendent or principal of the
 2 particular school or some clerk of the school corporation or member of
 3 the faculty appointed by such superintendent or principal, such
 4 designation to be made immediately upon the opening of the school
 5 term or the vacating of such treasurership. All claims shall be filed and
 6 paid in accordance with the terms of section 2 of this chapter, and the
 7 power to appoint and engage such school treasurer or clerk is hereby
 8 granted to the employing and/or appointing officials of the school.

9 **(b) A school corporation may appoint one (1) or more assistant**
 10 **or deputy treasurers.**

11 SECTION 9. IC 20-5-62-5, AS AMENDED BY P.L.34-1996,
 12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 1998]: Sec. 5. Notwithstanding any other law, the operation
 14 of the following is suspended for a freeway school corporation or a
 15 freeway school if the governing body of the school corporation elects
 16 to have the specific statute or rule suspended in the contract:

17 (1) The following statutes and rules concerning curriculum and
 18 instructional time:

19 IC 20-10.1-2-2

20 IC 20-10.1-4-6

21 IC 20-10.1-4-7

22 IC 20-10.1-4-9.1

23 511 IAC 6-7-6

24 511 IAC 6.1-3-4

25 511 IAC 6.1-5-0.5

26 511 IAC 6.1-5-1

27 511 IAC 6.1-5-2.5

28 511 IAC 6.1-5-3.5

29 511 IAC 6.1-5-4

30 (2) The following rules concerning pupil/teacher ratios:

31 511 IAC 6-2-1(b)(2)

32 511 IAC 6.1-4-1

33 (3) The following statutes and rules concerning textbooks:

34 IC 20-10.1-9-1

35 IC 20-10.1-9-18

36 IC 20-10.1-9-21

37 IC 20-10.1-9-23

38 ~~IC 20-10.1-9-27~~

1 IC 20-10.1-10-1

2 IC 20-10.1-10-2

3 511 IAC 6.1-5-5

4 (4) 511 IAC 6-7, concerning graduation requirements.

5 (5) 511 IAC 6-2-1(c)(4), concerning pupil/principal ratios.

6 (6) 511 IAC 2-2, concerning school construction and
7 remodeling.

8 (7) IC 20-1-1.2, concerning the performance-based accreditation
9 system.

10 (8) IC 20-10.1-16, concerning the ISTEP program established
11 under IC 20-10.1-16-8, if an alternative locally adopted norm
12 and criterion referenced assessment program is adopted under
13 section 6(7) of this chapter.

14 SECTION 10. IC 20-8.1-9-3 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. (a) If a parent of a
16 child or an emancipated minor who is enrolled in a public school in
17 ~~grades K-12~~, **kindergarten through grade 12** meets the financial
18 eligibility standard under section 2 of this chapter, the parent or the
19 emancipated minor may not be required to pay the fees for school
20 books, supplies, or other required class fees. Such fees shall be paid by
21 the school corporation in which the child resides.

22 (b) The school corporation may apply for a reimbursement under
23 section 9 of this chapter from the department of the costs incurred
24 under subsection (a).

25 (c) To the extent the reimbursement received by the school
26 corporation is less than the textbook rental fee assessed for textbooks,
27 ~~that have been adopted under IC 20-10.1-9-1 or waived under~~
28 ~~IC 20-10.1-9-27~~, the school corporation may request that the parent or
29 emancipated minor pay the balance of this amount.

30 SECTION 11. IC 20-8.1-9-9 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9. (a) If a determination
32 is made that the applicant is eligible for assistance, the school
33 corporation shall pay the cost of the student's required fees.

34 (b) A school corporation may receive a reimbursement from the
35 department for some or all of the costs incurred by a school corporation
36 during a school year in providing textbook assistance to children who
37 are eligible under section 2 of this chapter.

38 (c) In order to be guaranteed some level of reimbursement from

1 the department, the governing body of a school corporation shall
 2 request the reimbursement before November 1 of a school year.

3 (d) In its request, the governing body shall certify to the
 4 department:

5 (1) the number of students who are enrolled in that school
 6 corporation and who are eligible for assistance under this
 7 chapter;

8 (2) the costs incurred by the school corporation in providing:

9 (A) textbooks (including textbooks used in special
 10 education and gifted and talented classes) to these students;

11 (B) workbooks and consumable textbooks (including
 12 workbooks and consumable textbooks, and other
 13 consumable instructional materials that are used in special
 14 education and gifted and talented classes) that are used by
 15 students for no more than one (1) school year; and

16 (C) instead of the purchase of textbooks, developmentally
 17 appropriate material for instruction in kindergarten through
 18 the grade 3 level, laboratories, and children's literature
 19 programs;

20 ~~(3) that each textbook described in subdivision (2)(A) and~~
 21 ~~included in the reimbursement request (except those textbooks~~
 22 ~~used in special education classes and gifted and talented classes)~~
 23 ~~has been adopted by the state board of education under~~
 24 ~~IC 20-10.1-9-1 or has been waived by the state board of~~
 25 ~~education under IC 20-10.1-9-27;~~

26 ~~(4)~~ (3) that the amount of reimbursement requested for each
 27 textbook ~~under subdivision (3)~~ does not exceed twenty percent
 28 (20%) of the costs incurred for the textbook, as provided in the
 29 textbook adoption list in each year of the adoption cycle;

30 ~~(5)~~ (4) that the amount of reimbursement requested for each
 31 workbook or consumable textbook (or other consumable
 32 instructional material used in special education and gifted and
 33 talented classes) under subdivision (2)(B), if applicable, does not
 34 exceed one hundred percent (100%) of the costs incurred for the
 35 workbook or consumable textbook (or other consumable
 36 instructional material used in special education and gifted and
 37 talented classes);

38 ~~(6)~~ (5) that the amount of reimbursement requested for each

1 textbook used in special education and gifted and talented
2 classes is amortized for the number of years in which the
3 textbook is used;

4 ~~(7)~~ (6) that the amount of reimbursement requested for
5 developmentally appropriate material is amortized for the
6 number of years in which the material is used and does not
7 exceed a total of one hundred percent (100%) of the costs
8 incurred for the developmentally appropriate material; and

9 ~~(8)~~ (7) any other information required by the department,
10 including copies of purchase orders used to acquire consumable
11 instructional materials used in special education and gifted and
12 talented classes and developmentally appropriate material.

13 (e) Each school within a school corporation shall maintain
14 complete and accurate information concerning the number of students
15 determined to be eligible for assistance under this chapter. This
16 information shall be provided to the department upon request.

17 (f) If the amount of reimbursement requested before November 1
18 of a particular year exceeds the amount of money appropriated to the
19 department for this purpose, the department shall proportionately
20 reduce the amount of reimbursement to each school corporation.

21 (g) A school corporation may submit a supplemental
22 reimbursement request under section 9.1 of this chapter. The school
23 corporation is entitled to receive a supplemental reimbursement only
24 if there are funds available. The department shall proportionately
25 reduce the amount of supplemental reimbursement to each school
26 corporation if the total amount requested exceeds the amount of money
27 available to the department for this purpose. In the case of this
28 supplemental reimbursement, the provisions in this section apply,
29 except that section 9.1 of this chapter applies to the making of the
30 supplemental request by the governing body of the school corporation.

31 (h) Parents receiving other governmental assistance or aid which
32 considers educational needs in computing the entire amount of
33 assistance granted may not be denied assistance if the applicant's total
34 family income does not exceed the standards established by this
35 chapter.

36 SECTION 12. IC 20-8.1-9-9.5 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9.5. (a) If a parent of a
38 child or an emancipated minor who is enrolled in an accredited

1 nonpublic school meets the financial eligibility standard under section
2 of this chapter, the parent or the emancipated minor may receive a
3 reimbursement from the department as provided in this chapter for the
4 costs or some of the costs incurred by the parent or emancipated minor
5 in fees that are reimbursable under section 9 of this chapter. The extent
6 to which the fees are reimbursable under this section may not exceed
7 the percentage rates of reimbursement under section 9 of this chapter.
8 In addition, if a child enrolls in an accredited nonpublic school after the
9 initial request for reimbursement is filed under subsection (b), the
10 parent of the child or the emancipated minor who meets the financial
11 eligibility standard may receive a reimbursement from the department
12 for the costs or some of the costs incurred in fees that are reimbursable
13 under section 9 of this chapter by applying to the accredited nonpublic
14 school for assistance. In this case, the provisions of this section apply,
15 except that section 9.6 of this chapter applies to the making of the
16 supplemental request for reimbursement by the principal or other
17 designee of the accredited nonpublic school.

18 (b) The department shall provide each accredited nonpublic school
19 with sufficient application forms for assistance, prescribed by the state
20 board of accounts.

21 (c) Each accredited nonpublic school shall provide the parents or
22 emancipated minors who wish to apply for assistance with:

- 23 (1) the appropriate application forms; and
24 (2) any assistance needed in completing the application form.

25 (d) The parent or emancipated minor shall submit the application
26 to the accredited nonpublic school. The accredited nonpublic school
27 shall make a determination of financial eligibility subject to appeal by
28 the parent or emancipated minor.

29 (e) If a determination is made that the applicant is eligible for
30 assistance, subsection (a) applies.

31 (f) In order to be guaranteed some level of reimbursement from the
32 department, the principal or other designee shall submit the
33 reimbursement request before November 1 of a school year.

34 (g) In its request, the principal or other designee shall certify to the
35 department:

- 36 (1) the number of students who are enrolled in that accredited
37 nonpublic school and who are eligible for assistance under this
38 chapter;

- 1 (2) the costs incurred in providing:
- 2 (A) textbooks (including textbooks used in special
- 3 education and gifted and talented classes); and
- 4 (B) workbooks and consumable textbooks (including
- 5 workbooks, consumable textbooks, and other consumable
- 6 teaching materials that are used in special education and
- 7 gifted and talented classes) that are used by students for no
- 8 more than one (1) school year;
- 9 ~~(3) that each textbook described in subdivision (2)(A) and~~
- 10 ~~included in the reimbursement request (except those textbooks~~
- 11 ~~used in special education classes and gifted and talented classes)~~
- 12 ~~has been adopted by the state board of education under~~
- 13 ~~IC 20-10.1-9-1 or has been waived by the state board of~~
- 14 ~~education under IC 20-10.1-9-27;~~
- 15 ~~(4) (3) that the amount of reimbursement requested for each~~
- 16 ~~textbook under subdivision (3) does not exceed twenty percent~~
- 17 ~~(20%) of the costs incurred for the textbook, as provided in the~~
- 18 ~~textbook adoption list in each year of the adoption cycle;~~
- 19 ~~(5) (4) that the amount of reimbursement requested for each~~
- 20 ~~workbook or consumable textbook (or other consumable~~
- 21 ~~teaching material used in special education and gifted and~~
- 22 ~~talented classes) under subdivision (2)(B), if applicable, does not~~
- 23 ~~exceed one hundred percent (100%) of the costs incurred for the~~
- 24 ~~workbook or consumable textbook (or other consumable~~
- 25 ~~teaching material used in special education and gifted and~~
- 26 ~~talented classes);~~
- 27 ~~(6) (5) that the amount of reimbursement requested for each~~
- 28 ~~textbook used in special education and gifted and talented~~
- 29 ~~classes is amortized for the number of years in which the~~
- 30 ~~textbook is used; and~~
- 31 ~~(7) (6) any other information required by the department,~~
- 32 ~~including copies of purchase orders used to acquire consumable~~
- 33 ~~teaching materials used in special education and gifted and~~
- 34 ~~talented classes.~~
- 35 (h) If the amount of reimbursement requested before November 1
- 36 of a particular school year exceeds the amount of money appropriated
- 37 to the department for this purpose, the department shall proportionately
- 38 reduce the amount of reimbursement to each accredited nonpublic

1 school. An accredited nonpublic school may submit a supplemental
 2 reimbursement request under section 9.6 of this chapter. The parent or
 3 emancipated minor is entitled to receive a supplemental reimbursement
 4 only if there are funds available. The department shall proportionately
 5 reduce the amount of supplemental reimbursement to the accredited
 6 nonpublic schools if the amount requested exceeds the amount of
 7 money available to the department for this purpose.

8 (i) The accredited nonpublic school shall distribute the money
 9 received under this chapter to the appropriate eligible parents or
 10 emancipated minors.

11 (j) IC 20-8.1-9-9(h) applies to parents or emancipated minors as
 12 described in this section.

13 (k) The accredited nonpublic school and the department shall
 14 maintain complete and accurate information concerning the number of
 15 applicants determined to be eligible for assistance under this section.

16 (l) The **Indiana** state board of education shall adopt rules under
 17 IC 4-22-2 to implement this section.

18 SECTION 13. IC 20-10.1-9-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) Subject to
 20 subsection ~~(c)~~; **(b)**, the **Indiana** state board of education shall adopt
 21 textbooks and enter into contracts with publishers to furnish these
 22 textbooks at fixed prices. For each subject for which credit is given in
 23 the public schools and for each grade, the board shall adopt as many
 24 textbooks as it finds are satisfactory. In addition to adopting textbooks
 25 under this section, the board may recommend to school corporations as
 26 many as seven (7) textbooks from the list of adopted textbooks that the
 27 board finds most satisfactory. The board shall make regular adoptions
 28 and contracts each year for every subject in one (1) subject
 29 classification under section 4 of this chapter. These contracts shall be
 30 for six (6) years. The board in its call for bids may exempt a certain
 31 textbook category or categories in nonrequired subject matter areas
 32 from being bid.

33 (b) ~~If a textbook:~~

34 ~~(1) were adopted by the state board of education at its last~~
 35 ~~regular adoption of textbooks for that subject, or was adopted by~~
 36 ~~the board under section 5 or 6 of this chapter within the last six~~
 37 ~~(6) years; and~~

38 ~~(2) the publisher does not submit a bid proposal for that textbook~~

1 at the next regular adoption of textbooks for that subject;
 2 a school corporation may continue to use that textbook unless the board
 3 finds that the textbook is no longer satisfactory. This subsection does
 4 not require a publisher to submit a bid or enter into a contract for the
 5 continued sale of such a textbook. A textbook whose continued use is
 6 authorized by this subsection may be used for a maximum of six (6)
 7 years after the expiration of its original adoption.

8 (ε) The board may adopt only textbooks that:

9 (1) have been recommended by the advisory committee on
 10 textbook adoption under IC 20-1-1-1; or

11 (2) are approved by seven (7) members of the board.

12 (ϕ) (c) In adopting textbooks, the board shall give priority to
 13 textbooks written at a reading level appropriate to the grade for which
 14 the textbooks will be used.

15 SECTION 14. IC 20-10.1-9-5 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. The **Indiana** state
 17 board of education may, at any time, make additional adoptions as new
 18 textbooks become available. ~~or as waivers are granted under section 27~~
 19 ~~of this chapter.~~ A contract for a textbook that was adopted after regular
 20 adoption shall expire at the same time as contracts which were entered
 21 into at the regular time for adoptions of textbooks in that subject.

22 SECTION 15. IC 20-10.1-9-21 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 21. (a) The
 24 superintendent shall be responsible for the establishment of procedures
 25 for textbook adoption. The procedures must include the involvement
 26 of teachers and parents on an advisory committee for the preparation
 27 of recommendations for textbook adoptions. The majority of the
 28 members of the advisory committee must be teachers, and not less than
 29 forty percent (40%) of the committee must be parents. These
 30 recommendations shall be submitted to the superintendent in
 31 accordance with the established procedures in the local school
 32 corporation. **A recommendation submitted under this subsection**
 33 **may be one (1) of the following:**

34 **(1) To adopt a textbook from the state adoption list.**

35 **(2) To adopt a textbook that does not appear on the state**
 36 **adoption list.**

37 (b) The governing body, upon receiving these recommendations,
 38 ~~from the superintendent,~~ shall adopt from the state textbook adoption

1 lists a textbook for use in teaching each subject in the school
2 corporation. **do either of the following:**

3 (1) **Adopt textbooks from the state adoption list.**

4 (2) **Adopt textbooks that do not appear on the state adoption
5 list.**

6 **The governing body shall adopt textbooks on a cycle that coincides
7 with the state adoption cycle under section 4 of this chapter.**

8 (c) A special committee of teachers and parents may also be
9 appointed to review books, magazines, and audiovisual material used
10 or proposed for use in the classroom to supplement state adopted
11 textbooks and may make recommendations to the superintendent and
12 the governing body concerning the use of this material.

13 (d) ~~Each textbook selected shall be used for the lesser of:~~

14 ~~(1) six (6) years; or~~

15 ~~(2) the effective period of the state board of education's adoption
16 of that textbook.~~

17 (e) ~~A selection may be extended beyond that period for up to six
18 (6) years; if the governing body is granted a waiver under section 27 of
19 this chapter.~~

20 SECTION 16. IC 20-10.1-9-22 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 22. After a local
22 superintendent has selected textbooks under this chapter, ~~and not later
23 than July 1, when new contracts become effective, he the~~
24 **superintendent** shall forward to the **Indiana** state board of education
25 a list of those selections for all subjects and grades. ~~The board shall
26 examine these lists; and, if the board finds a deviation from the state
27 adopted list and that there has been no waiver granted under section 27
28 of this chapter, the board shall notify the local superintendent of the
29 deviation. If the school corporation does not comply with this chapter
30 within thirty (30) days of receiving the notification, the board shall
31 cancel the accreditation of the offending schools.~~

32 SECTION 17. IC 20-10.1-10-2 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. (a) Each governing
34 body may purchase from a contracting publisher, at the net contract
35 price or at any subsequent lower price, any textbook adopted by the
36 **Indiana** state board of education ~~and or~~ selected by the proper local
37 officials, and may rent these textbooks to students enrolled in any
38 public or nonpublic school which is in compliance with the minimum

1 certification standards of the state board of education and is located
 2 within the attendance unit served by the governing body, at an annual
 3 rental not to exceed twenty-five percent (25%) of the retail price of the
 4 textbooks.

5 (b) However, the governing body may not assess a rental fee of
 6 more than fifteen percent (15%) of the retail price of a textbook that
 7 has been:

- 8 (1) adopted for usage by students under IC 20-10.1-9;
- 9 (2) extended for usage by students under IC 20-10.1-9-1(b); and
- 10 (3) paid for through rental fees previously collected.

11 (c) This section does not limit any other laws but is
 12 supplementary."

13 Page 2, line 12, renumber SECTION 2 as SECTION 18.

14 Page 2, between lines 40 and 41, begin a new paragraph and
 15 insert:

16 "SECTION 19. IC 20-10.1-26-4 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. A pilot program
 18 eligible to be funded under this chapter must include all of the
 19 following:

- 20 (1) School based management models.
- 21 (2) Parental involvement strategies.
- 22 (3) Innovative integration of curricula, individualized education
 23 programs, nonstandard courses, or textbook adoption in the
 24 school improvement plan described under
 25 ~~IC 20-1-1.2-7(a)(2)(G)~~. IC 20-1-1.2-7(a)(2)(D).
- 26 (4) Training for participants to become effective members on
 27 school/community improvement councils."

28 Page 2, line 41, renumber SECTION 3 as SECTION 20.

29 Page 3, line 1, after "IC 20-8.1-10;" insert "IC 20-10.1-9-27;".

30 Renumber all SECTIONS consecutively.

(Reference is to SB 276 as printed January 16, 1998.)

and when so amended that said bill do pass.

Representative Warner