

Adopted	Rejected
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COMMITTEE REPORT

YES:	15
NO:	8

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1860, 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 Delete the amendment made by the committee report of the
- 2 Committee on Education adopted February 22, 1999.
- 3 Delete the title and insert the following:
- 4 A BILL FOR AN ACT to amend the Indiana Code concerning
- 5 education.
- 6 Page 1, delete lines 1 through 15 and insert the following:
- 7 "SECTION 1. IC 20-1-1-6.3 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6.3. (a) As used in this
- 9 section, "governing body" refers to the governing body of a school
- 10 corporation.
- 11 **(b) As used in this section, "grant" refers to a school**
- 12 **improvement grant established by subsection (j).**
- 13 ~~(b)~~ (c) As used in this section, "program" refers to an Indiana school
- 14 **quality and academic improvement progress innovation** program

1 established under this section.

2 ~~(c)~~ **(d)** The board shall permit the governing body to establish an
 3 Indiana school **quality and** academic ~~improvement~~ **progress**
 4 **innovation** program for one **(1) or more schools in the school**
 5 **corporation.**

6 **(e) A program must include the following components:**

7 **(1) Academic standards equal to or greater than state**
 8 **requirements.**

9 **(2) Quality assurance benchmarks.**

10 **(3) Best curriculum and instruction practices.**

11 **(4) Family and community involvement strategies.**

12 **(f)** The governing body may do the following for a school that
 13 participates in ~~the~~ **a** program:

14 (1) Invoke a waiver of any rule adopted by the board (except a
 15 rule adopted under this section).

16 (2) Develop a plan for the admission of students to the school who
 17 do not reside in the school's attendance area but who have legal
 18 settlement within the school corporation.

19 ~~(d)~~ **(g)** In approving school corporations under this section, the
 20 board shall consider whether the governing body has done the
 21 following for **a school's** participation in the program:

22 (1) Established ~~an Indiana school academic improvement a~~
 23 ~~program.~~

24 (2) Adopted academic education goals.

25 (3) Established a community-wide strategy for achieving those
 26 academic goals.

27 (4) Developed a report card for measuring a participating school's
 28 progress in achieving those academic goals.

29 (5) Demonstrated community support for participation in the
 30 program, including the support of the exclusive representative.

31 **(6) Provided for progress toward locally designated**
 32 **benchmarks that are consistent with the state's educational**
 33 **goals in all areas measured or indicated on the school**
 34 **corporation annual performance report required by**
 35 **IC 20-1-21.**

36 **(7) Placed funding priority in areas where measurable results**
 37 **can be gained as depicted by the following:**

38 **(A) Indicators on the school corporation annual**

1 **performance report required by IC 20-1-21.**

2 **(B) Other areas where measures may be developed.**

3 ~~(e)~~ **(h)** With the approval of the governing body, the board may do
4 **the following:**

5 (1) Designate a single school, more than one (1) school, or every
6 school within a particular school corporation to participate ~~under~~
7 ~~this section.~~

8 ~~(f)~~ **(f)** With the approval of the governing body, the board may in a
9 **program.**

10 (2) Waive any statute relating to curriculum or textbook selection
11 on behalf of a school or school corporation participating under
12 this section.

13 ~~(g)~~ **(g)** Funds available for school improvements under IC 20-10.1-26
14 ~~(twenty-first century schools pilot program)~~ may be expended to fund
15 ~~the program.~~

16 ~~(h)~~ **(i)** As part of the program, the governing body may develop and
17 implement a plan to do the following:

18 (1) Allow for the transfer of a student who resides in the school's
19 attendance area but whose parent or legal guardian requests that
20 the student attend another school within the school corporation of
21 legal settlement.

22 (2) Allow a school that has established a program to offer
23 alternatives to participation in the program.

24 (3) Inform parents of their rights under this section.

25 **(j) A school improvement grant is established for school**
26 **corporations. Each school corporation that complies with the**
27 **requirement of this subsection for receiving a grant is eligible to**
28 **receive a grant. A school corporation must request a grant by:**

29 **(1) applying to the board for a grant; and**

30 **(2) submitting to the board a school improvement plan that**
31 **meets the following requirements:**

32 **(A) Be approved by the governing body of the school**
33 **corporation.**

34 **(B) Clearly and concisely indicate how the school**
35 **corporation will use the grant.**

36 **(C) Do the following:**

37 **(i) Identify each specific area of student performance or**
38 **school performance that the school corporation targets**

- 1 **for improvement.**
- 2 **(ii) Identify each state educational goal, objective, or**
- 3 **expectation in which the school corporation intends to**
- 4 **accomplish improvement.**
- 5 **(iii) Set defined benchmarks related to each state**
- 6 **educational goal, objective, or expectation identified**
- 7 **under subdivision (2).**
- 8 **(iv) Establish an evaluation method to assess**
- 9 **improvement that includes information on how the**
- 10 **school corporation will measure results.**
- 11 **(v) Establish an evaluation method to assess**
- 12 **improvement that is consistent with the measures used**
- 13 **on the school corporation annual performance report or**
- 14 **appropriate national models if the indicator is not on the**
- 15 **school corporation annual performance report.**
- 16 **(vi) State the school corporation's plans and methods for**
- 17 **sustaining improvement after the grant funds are spent.**
- 18 **(k) The department of education shall distribute to school**
- 19 **corporations any money that becomes available for distribution for**
- 20 **programs under this section.**
- 21 **(†) (l) The board shall adopt rules under IC 4-22-2 to implement this**
- 22 **section.**
- 23 **SECTION 2. IC 20-1-2.1 IS ADDED TO THE INDIANA CODE**
- 24 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
- 25 **JULY 1, 1999]:**
- 26 **Chapter 2.1. Baldrige Program Pilot Project Grant**
- 27 **Sec. 1. As used in this chapter, "Baldrige Program" refers to a**
- 28 **program that meets the requirements of the Malcolm Baldrige**
- 29 **National Quality Award criteria.**
- 30 **Sec. 2. As used in this chapter, "board" has the meaning set**
- 31 **forth in IC 20-10.1-1-17.**
- 32 **Sec. 3. As used in this chapter, "pilot project grant" refers to a**
- 33 **Baldrige Program pilot project grant established under section 6**
- 34 **of this chapter.**
- 35 **Sec. 4. As used in this chapter, "school" refers to a public school**
- 36 **(as defined in IC 20-10.1-1-2).**
- 37 **Sec. 5. As used in this chapter, "school corporation" has the**
- 38 **meaning set forth in IC 21-3-1.6-1.1(a).**

1 **Sec. 6. The Baldrige Program pilot project grant is established**
 2 **to assist school corporations to implement a Baldrige Program**
 3 **design for systemic improvement that does the following:**

4 **(1) Aligns all of a school corporation's programs, services,**
 5 **processes, and activities with a system of standards,**
 6 **assessment, and accountability.**

7 **(2) Designs systemic change in the school corporation using**
 8 **the Baldrige design, which connects every component of a**
 9 **school corporation's operations with a set of goals, objectives,**
 10 **and expectations that meet or exceed the state's educational**
 11 **goals.**

12 **(3) Emphasizes quality through a customer (or stakeholder)**
 13 **driven philosophy.**

14 **(4) Is based on the Baldrige Program criteria as described as**
 15 **follows:**

16 **(A) The purposes of the Baldrige Program criteria for**
 17 **education, as follows:**

18 **(i) To help improve school performance practices by**
 19 **making available an integrated, results oriented set of**
 20 **key performance requirements.**

21 **(ii) To facilitate communications and sharing of best**
 22 **practices information within and among schools of all**
 23 **types based upon a common understanding of key**
 24 **performance requirements.**

25 **(iii) To foster the development of partnerships involving**
 26 **schools, businesses, human service agencies, and other**
 27 **organizations.**

28 **(iv) To serve as a working tool for improving school**
 29 **performance, planning, training, and institutional**
 30 **assessment.**

31 **(B) The following are the Baldrige Program criteria for**
 32 **education:**

33 **(i) Leadership.**

34 **(ii) Information and analysis.**

35 **(iii) Strategic and operational planning.**

36 **(iv) Human resource development and management.**

37 **(v) Educational and business process management.**

38 **(vi) School performance results.**

- 1 (vii) Student focus and student stakeholder satisfaction.
- 2 **(C) The Baldrige Program criteria are designed to help**
- 3 **schools improve their educational services through focus**
- 4 **on the following dual, results oriented goals:**
- 5 **(i) Delivery of constantly improving educational value to**
- 6 **students, contributing to their overall development and**
- 7 **well-being.**
- 8 **(ii) Improvement of overall school effectiveness, use of**
- 9 **resources, and capabilities.**

10 **Sec. 7. A school corporation may request a pilot project grant**

11 **by submitting to the board a pilot project grant proposal that is**

12 **approved in the same manner that a plan is approved under**

13 **IC 20-1-1-6.3(g).**

14 **Sec. 8. (a) The board, in consultation with the superintendent of**

15 **public instruction and the governor, shall:**

- 16 **(1) review pilot project grant proposals; and**
- 17 **(2) select a number of school corporations to receive a pilot**
- 18 **project grant.**

19 **(b) Subject to available appropriations for pilot project grants,**

20 **the awarding authorities shall determine the number of pilot**

21 **project grants and the amount of each grant. However, if more**

22 **school corporations submit pilot project grant proposals than**

23 **funds are available for pilot project grants, the board shall select**

24 **grant recipients in a manner that results in pilot projects being**

25 **conducted throughout the state by school corporations having a**

26 **variety of enrollment sizes.**

27 **Sec. 9. The amount that a school corporation receives as a pilot**

28 **project grant is excluded from previous year revenue for purposes**

29 **of calculations under IC 21-3-1.7.**

30 SECTION 3. IC 20-1-2.2 IS ADDED TO THE INDIANA CODE

31 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE

32 JULY 1, 1999]:

33 **Chapter 2.2. Professional Development Match Grant**

34 **Sec. 1. As used in this chapter, "board" has the meaning set**

35 **forth in IC 20-10.1-1-17.**

36 **Sec 2. As used in this chapter, "department" has the meaning**

37 **set forth in IC 20-10.1-1-18.**

38 **Sec. 3. As used in this chapter, "school" refers to a public school**

1 (as defined in IC 20-10.1-1-2).

2 **Sec. 4.** As used in this chapter, "school corporation" has the
3 meaning set forth in IC 21-3-1.6-1.1(a).

4 **Sec. 5.** The professional development match grant is established
5 to provide money to:

- 6 (1) school corporations; or
7 (2) accredited colleges or universities in Indiana;
8 to use as matching funds for participation in federal professional
9 development grant programs.

10 **Sec. 6.** A school corporation or an accredited college or
11 university in Indiana may request a professional development
12 match grant by submitting to the department a grant proposal that
13 meets the following requirements:

- 14 (1) Is approved in the same manner that a plan is approved
15 under IC 20-1-1-6.3(g) or by the accredited college or
16 university.
17 (2) Meets the professional development criteria established by
18 the board and the professional standards board.
19 (3) Is aligned in professional development design with the
20 state's student standards.

21 **Sec. 7. (a)** The following, acting jointly, shall review professional
22 development match grant proposals and recommend a number of
23 school corporations or accredited colleges or universities in
24 Indiana to receive grants, subject to the approval of the budget
25 agency after review by the budget committee:

- 26 (1) The board.
27 (2) The commission for higher education.
28 (3) The professional standards board.
29 (4) The superintendent of public instruction.
30 (5) The governor.

31 (b) In making awards under subsection (a), the awarding
32 authorities must give highest priority to grant proposals for
33 programs that involve higher education and school or school
34 corporation partnerships that include:

- 35 (1) at least one (1) accredited college or university partner;
36 and
37 (2) ten (10) or more participating school corporations.

38 **Sec. 8. (a)** Subject to available appropriations for professional

1 development match grants, the awarding authorities shall
2 determine the number of match grants and the amount of each
3 grant.

4 (b) The amount that a school corporation receives as a
5 professional development match grant is excluded from previous
6 year revenue for purposes of calculations under IC 21-3-1.7."

7 Delete page 2.

8 Page 3, delete lines 1 through 7.

9 Page 5, between lines 11 and 12, begin a new line block indented
10 and insert:

11 "(9) A charter school is subject to the bidding and wage
12 determination laws and all other statutes and rules that apply
13 to the construction of a public school.

14 (10) A charter school may not duplicate the following if the
15 programs are established in another school in the school
16 corporation:

17 (A) A cooperative program established under
18 IC 20-10.1-6-7.

19 (B) Any apprenticeship program other than the program
20 specified in clause (A)."

21 Page 7, delete lines 2 through 8.

22 Page 17, delete lines 4 through 42.

23 Page 18, delete lines 1 through 5.

24 Page 19, delete lines 6 through 42 and insert:

25 "SECTION 8. IC 20-10.1-30 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 1999]:

28 **Chapter 30. Indiana School Quality and Best Practices Resource**
29 **Center**

30 **Sec. 1. As used in this chapter, "center" refers to the Indiana**
31 **school quality and best practices resource center established by**
32 **section 2 of this chapter.**

33 **Sec. 2. The governor with the advice of the superintendent of**
34 **public instruction shall designate one (1) private nonprofit**
35 **corporation as the Indiana school quality and best practices**
36 **resource center, subject to the following:**

37 **(1) Requests for proposals for the center must specify the**
38 **partners, governance structure, budget, program content, and**

- 1 **implementation plan.**
- 2 **(2) The center must be a nonprofit corporation under Section**
- 3 **501(c)(3) of the Internal Revenue Code.**
- 4 **(3) The center must be unaffiliated with any political party or**
- 5 **entity.**
- 6 **(4) The center must have a substantial financial commitment**
- 7 **from a private for-profit or nonprofit organization so that the**
- 8 **center is developed under a public-private partnership.**
- 9 **(5) The center must be a public-private partnership that**
- 10 **includes the following:**
- 11 **(A) Business organizations.**
- 12 **(B) Prekindergarten through grade 12 education**
- 13 **organizations.**
- 14 **(C) Family community organizations.**
- 15 **(D) Higher education institutions.**
- 16 **(6) Before the governor may designate the center, the**
- 17 **governor shall conduct public hearings for the purpose of**
- 18 **giving all interested parties an opportunity to review and**
- 19 **comment on the articles of incorporation, bylaws, and**
- 20 **methods of operation of the proposed center. The governor**
- 21 **must give notice of the hearing at least fourteen (14) days**
- 22 **before the hearing in accordance with IC 5-14-1.5-5(b).**
- 23 **Sec. 3. The articles of incorporation and bylaws of the**
- 24 **corporation that the governor designates as the center must**
- 25 **provide for the following:**
- 26 **(1) That in cooperation with the department and the**
- 27 **educational service center, the exclusive purpose of the**
- 28 **corporation is to provide information, research, and training**
- 29 **to public school faculties and school constituents throughout**
- 30 **the state regarding the following:**
- 31 **(A) Standards.**
- 32 **(B) Assessments.**
- 33 **(C) Curriculum.**
- 34 **(D) Instruction.**
- 35 **(E) Parent and family involvement.**
- 36 **(F) Community partnerships.**
- 37 **(G) Quality assurance models.**
- 38 **(2) That the board of directors of the corporation is composed**

- 1 of not more than eleven (11) individuals who:
- 2 (A) serve at the pleasure of the governor; and
- 3 (B) are appointed jointly by the governor and the
- 4 superintendent of public instruction.
- 5 (3) That the governor shall designate the chairperson and
- 6 cochairperson of the board of directors from among the
- 7 members of the board of directors.
- 8 (4) That the board of directors may select officers that the
- 9 board considers necessary, including a vice chairperson,
- 10 treasurer, or secretary.
- 11 (5) That the chairperson of the board of directors may
- 12 appoint subcommittees that the chairperson considers
- 13 necessary to carry out the duties of the corporation.
- 14 (6) That the corporation, with the approval of the governor,
- 15 shall appoint or contract with a person to be director. The
- 16 person shall serve as the chief operating officer of the
- 17 corporation and may employ consultants to carry out the
- 18 corporation's duties under this chapter.
- 19 (7) That a majority of the entire board of directors constitutes
- 20 a quorum to do business. However, no action of the
- 21 corporation is valid unless approved by at least six (6) board
- 22 members of the corporation.
- 23 (8) That each member of the board of directors who is not a
- 24 state employee is not entitled to the minimum per diem
- 25 provided by IC 4-10-11-2.1(b). Such a member is, however,
- 26 entitled to reimbursement for traveling expenses and other
- 27 expenses actually incurred in connection with the member's
- 28 duties, as provided in the state travel policies and procedures
- 29 established by the Indiana department of administration and
- 30 approved by the budget agency.
- 31 (9) That each member of the board of directors who is a state
- 32 employee but who is not a member of the general assembly is
- 33 entitled to reimbursement for traveling expenses and other
- 34 expenses actually incurred in connection with the member's
- 35 duties, as provided in the state travel policies and procedures
- 36 established by the Indiana department of administration and
- 37 approved by the budget agency.
- 38 (10) That each member of the board of directors who is a

1 member of the general assembly is entitled to receive the same
2 per diem, mileage, and travel allowances paid to members of
3 the general assembly serving on interim study committees
4 established by the legislative council.

5 (11) That to carry out the purposes of the corporation, the
6 corporation may do the following:

7 (A) Receive money from any source, including state
8 appropriations.

9 (B) Enter into contracts.

10 (C) Spend money for any activities necessary, convenient,
11 or expedient.

12 (12) That any change in the articles of incorporation must be
13 approved by the board.

14 Sec. 4. (a) The center shall provide public schools and the
15 communities served by public schools with expertise and training
16 regarding the following:

17 (1) World class academic standards supplemental to the state
18 academic standards.

19 (2) Rigorous performance assessments supplemental to the
20 ISTEP test.

21 (3) Best curriculum and instructional practices.

22 (4) Best school organizational practices.

23 (5) Effective parent and family involvement strategies.

24 (6) Effective community partnership strategies.

25 (7) High quality assurance models supplemental to
26 performance based accreditation.

27 (b) The center shall coordinate its expertise and training with
28 the department, including the educational service centers
29 (IC 20-1-11.3).

30 Sec. 5. The center shall annually sponsor activities throughout
31 the state for the following:

32 (1) Educators of students in prekindergarten through grade
33 12.

34 (2) Parents of school age children.

35 (3) Community representatives.

36 (4) Other local school constituents.

37 Sec. 6. (a) The programs of the center described in section 4 of
38 this chapter:

- 1 **(1) must sustain locally determined school quality and**
- 2 **academic progress initiatives; and**
- 3 **(2) may include the following:**
- 4 **(A) Future visions, including skill and knowledge**
- 5 **requirements for the global economy and information age**
- 6 **of the twenty-first century.**
- 7 **(B) Adapting quality assurance models to schools,**
- 8 **including the Malcolm Baldrige models and total quality**
- 9 **management models.**
- 10 **(C) Integrating world class standards in the local**
- 11 **curriculum.**
- 12 **(D) Aligning standards, curriculum, instruction, and**
- 13 **assessment.**
- 14 **(E) Implementing parent and family school partnerships.**
- 15 **(F) Modeling best curriculum and instruction practices.**
- 16 **(b) The center shall coordinate its activities with the**
- 17 **department, including the educational service centers**
- 18 **(IC 20-1-11.3).**

19 **Sec. 7. The budget agency shall distribute to the center money**
 20 **that becomes available for the operation of the center's program."**

21 Page 20, delete lines 1 through 26.

22 Renumber all SECTIONS consecutively.

(Reference is to HB 1860 as introduced and as amended by the
 committee report of the Committee on Education adopted February 22,
 1999.)

and when so amended that said bill do pass.

Representative Bauer