

HOUSE BILL No. 1172

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-1; IC 20-3.1-15-1; IC 20-5; IC 20-6.1-7; IC 20-8.1; IC 20-10.1.

Synopsis: Obsolete statutes and school report cards. Revises the reporting requirements for ISTEP and SAT test scores for school corporation annual performance reports and benchmarks to reflect current test scoring methods. Allows a school corporation to use larger type and graphics when publishing the annual performance report and provides a method to compute costs for publication of the report. Allows a school corporation to appoint assistant or deputy treasurers and provides that the term "treasurer" includes an assistant or a deputy treasurer. Allows a school corporation to adopt textbooks that do not appear on the state adoption list without seeking a waiver from the Indiana state board of education. Repeals the provision requiring a
(Continued next page)

Effective: July 1, 1999.

Scholer, Smith V, Bosma

January 6, 1999, read first time and referred to Committee on Education.

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Digest Continued

waiver from the department of education to adopt a textbook that does not appear on the state adoption list. Repeals provisions for the following programs that have expired, have not been funded, or are not in compliance with federal law: (1) Inclusion school pilot program. (2) Teacher quality and professional improvement program. (3) Compulsory attendance exception. (4) Governor's scholars academy. (5) Innovative education grant program. (6) Art education grant program. (7) Committee on educational attitudes, motivation, and parental involvement. (8) Readiness testing. (9) Student services summer institute. (10) Early childhood, preschool, and latch key pilot programs. (11) Anti-gang counseling pilot program. Removes references to repealed statutes from related sections.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1172

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-1-1.3-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. The board shall
3 implement the performance-based award and incentive program to
4 recognize and reward schools that have exhibited relative improvement
5 toward the performance benchmarks determined to be appropriate for
6 the school by the superintendent and board, including the following
7 benchmarks:
8 (1) Graduation rate.
9 (2) Attendance rate.
10 (3) ISTEP scores ~~under the ISTEP program or a locally adopted~~
11 ~~assessment program used by or, for~~ a freeway school, including
12 ~~the number and percentage of students:~~
13 (A) meeting an advanced standard; or
14 (B) ~~meeting a proficient standard: scores on a locally adopted~~
15 **assessment program, if appropriate.**



- 1 (4) Actual class size.
 2 (5) The number and percentage of students in the following
 3 groups or programs:
 4 (A) At risk.
 5 (B) Vocational education.
 6 (C) Special education.
 7 (D) Gifted or talented.
 8 (E) ~~Remediation/preventative~~ **Remediation and preventive**
 9 remediation.
 10 (F) Technology preparation.
 11 (6) Advanced placement, including the following:
 12 (A) For advanced placement tests, the number and percentage
 13 of students:
 14 (i) scoring three (3), four (4), and **five (5); or and**
 15 (ii) participating.
 16 (B) For the Scholastic Aptitude Test: ~~the number and~~
 17 ~~percentage of students:~~
 18 (i) ~~above a designated proficient score; test scores; and~~
 19 (ii) ~~above a designated advanced score; or~~
 20 (iii) **the number and percentage of students** participating.
 21 (7) Course completion, including the number and percentage of
 22 students completing the following programs:
 23 (A) Academic honors diploma.
 24 (B) Core 40 curriculum.
 25 (C) Vocational programs.
 26 (8) The percentage of graduates who pursue higher education.
 27 (9) School safety, including the number and percentage of
 28 students receiving suspension or expulsion for the possession of
 29 alcohol, drugs, or weapons.
 30 (10) Financial information relevant to performance.
 31 SECTION 2. IC 20-1-1.8-22 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 22. (a) To evaluate the
 33 effectiveness of step ahead as the program relates to the step ahead
 34 goals listed in section 12 of this chapter, the panel shall employ the
 35 following assessment mechanisms:
 36 (1) The step ahead county coordinator shall annually report to the
 37 panel on the development, quality, and appropriateness of the
 38 individual family service plans for children whose parents qualify
 39 under the income eligibility guidelines.
 40 (2) The step ahead county coordinator shall annually report to the
 41 panel on the number of children who:
 42 (A) are utilizing step ahead services; and

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- 1 (B) do not qualify under the income eligibility guidelines.
 2 (3) The panel shall annually assess the results of any readiness
 3 program under IC 20-10.1-21 for students in kindergarten and
 4 grade 1 to determine whether children enrolling in school after
 5 benefiting from step ahead demonstrate greater readiness for
 6 learning. The department shall cooperate with the panel in this
 7 regard by assisting in defining the term "readiness" and
 8 supporting the evaluation based on knowledge and training in
 9 early childhood.
 10 (4) (3) Any other valid assessment technique or method approved
 11 by the panel.

12 (b) The panel shall implement a schedule for assessing step ahead
 13 programs, utilizing prior evaluation results and techniques learned
 14 through the department's pilot preschool programs.

15 SECTION 3. IC 20-1-21-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Not earlier than
 17 September 1 or later than September 15 of each year, the governing
 18 body of a school corporation shall publish an annual performance
 19 report of the school corporation, in compliance with the procedures
 20 identified in section 8 of this chapter. The report must be published one
 21 (1) time annually under IC 5-3-1.

22 (b) **Notwithstanding IC 5-3-1-1(c), the annual performance**
 23 **report of the school corporation may include the following:**

- 24 (1) **Type larger than the type used in the regular reading**
 25 **matter of the newspaper or qualified publication.**
 26 (2) **Graphics.**
 27 (3) **Other typographical methods to enhance the report.**

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

37 SECTION 4. IC 20-1-21-9 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. The report must
 39 include the following benchmarks:

- 40 (1) Graduation rate.
 41 (2) Attendance rate.
 42 (3) ISTEP test scores or, for a freeway school, scores on a locally



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- 1 adopted assessment program, if appropriate. ~~including the number~~
 2 ~~and percentage of students:~~
 3 ~~(A) meeting an advanced standard; or~~
 4 ~~(B) meeting a proficient standard:~~
 5 (4) Actual class size.
 6 (5) The number and percentage of students in the following
 7 groups or programs:
 8 (A) At risk.
 9 (B) Vocational education.
 10 (C) Special education.
 11 (D) Gifted or talented.
 12 (E) ~~Remediation/preventative~~ **Remediation and preventive**
 13 **remediation.**
 14 (6) Advanced placement, including the following:
 15 (A) For advanced placement tests, the number and percentage
 16 of students:
 17 (i) scoring three (3), four (4), and **five (5); or and**
 18 (ii) participating.
 19 (B) For the Scholastic Aptitude Test: ~~the number and~~
 20 ~~percentage of students:~~
 21 (i) ~~above a designated proficient score; test scores; and~~
 22 (ii) ~~above a designated advanced score; or~~
 23 ~~(iii) the number and percentage of students~~ **participating.**
 24 (7) Course completion, including the number and percentage of
 25 students completing the following programs:
 26 (A) Academic honors diploma.
 27 (B) Core 40 curriculum.
 28 (C) Vocational programs.
 29 (8) The percentage of graduates who pursue higher education.
 30 (9) School safety, including the number and percentage of
 31 students receiving suspension or expulsion for the possession of
 32 alcohol, drugs, or weapons.
 33 (10) Financial information relevant to performance.
 34 SECTION 5. IC 20-3.1-15-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. To provide the board
 36 with the necessary flexibility and resources to carry out this article, the
 37 following apply:
 38 (1) The board may eliminate or modify existing policies and
 39 create new policies, and alter policies from time to time, subject
 40 to this article and the plan developed under IC 20-3.1-7.
 41 (2) IC 20-7.5 does not apply to matters set forth in this article.
 42 The matters set forth in this article may not be the subject of

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1 collective bargaining or discussion under IC 20-7.5.

2 (3) An exclusive representative certified under IC 20-7.5 to
 3 represent certified employees of the school city, or any other
 4 entity voluntarily recognized by the board as a representative of
 5 employees providing educational services in the schools, may
 6 bargain collectively only concerning salary, wages, and salary and
 7 wage related fringe benefits. The exclusive representative may not
 8 bargain collectively or discuss performance awards under
 9 IC 20-3.1-12.

10 (4) The board of school commissioners may waive the following
 11 statutes and rules for any school in the school city without the
 12 need for administrative, regulatory, or legislative approval:

13 (A) The following rules concerning curriculum and
 14 instructional time:

15 511 IAC 6.1-3-4

16 511 IAC 6.1-5-0.5

17 511 IAC 6.1-5-1

18 511 IAC 6.1-5-2.5

19 511 IAC 6.1-5-3.5

20 511 IAC 6.1-5-4

21 (B) The following rules concerning pupil/teacher ratios:

22 511 IAC 6-2-1(b)(2)

23 511 IAC 6.1-4-1

24 (C) The following statutes and rules concerning textbooks, and
 25 rules adopted under the statutes:

26 IC 20-10.1-9-1

27 IC 20-10.1-9-18

28 IC 20-10.1-9-21

29 IC 20-10.1-9-23

30 ~~IC 20-10.1-9-27~~

31 IC 20-10.1-10-1

32 IC 20-10.1-10-2

33 511 IAC 6.1-5-5

34 (D) The following rules concerning school principals:

35 511 IAC 6-2-1(c)(4)

36 511 IAC 6.1-4-2

37 (E) 511 IAC 2-2, concerning school construction and
 38 remodeling.

39 (5) Notwithstanding any other law, a school city may do the
 40 following:

41 (A) Lease school transportation equipment to others for
 42 nonschool use when the equipment is not in use for a school

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- 1 city purpose.
- 2 (B) Establish a professional development and technology fund
- 3 to be used for:
- 4 (i) professional development; or
- 5 (ii) technology, including video distance learning.
- 6 (C) Transfer funds obtained from sources other than state or
- 7 local government taxation among any account of the school
- 8 corporation, including a professional development and
- 9 technology fund established under clause (B).
- 10 (6) Transfer funds obtained from property taxation among the
- 11 general fund (established under IC 21-2-11) and the school
- 12 transportation fund (established under IC 21-2-11.5), subject to
- 13 the following:
- 14 (A) The sum of the property tax rates for the general fund and
- 15 the school transportation fund after a transfer occurs under this
- 16 subdivision may not exceed the sum of the property tax rates
- 17 for the general fund and the school transportation fund before
- 18 a transfer occurs under this clause.
- 19 (B) This clause does not allow a school corporation to transfer
- 20 to any other fund money from the debt service fund
- 21 (established under IC 21-2-4).
- 22 SECTION 6. IC 20-5-7-0.5 IS ADDED TO THE INDIANA CODE
- 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 24 1, 1999]: **Sec. 0.5. As used in this chapter, "treasurer" includes an**
- 25 **assistant treasurer or a deputy treasurer.**
- 26 SECTION 7. IC 20-5-7-1 IS AMENDED TO READ AS FOLLOWS
- 27 [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) Every public school in the
- 28 state of Indiana shall have a treasurer for the purpose of this chapter
- 29 who shall be the superintendent or principal of the particular school or
- 30 some clerk of the school corporation or member of the faculty
- 31 appointed by such superintendent or principal, such designation to be
- 32 made immediately upon the opening of the school term or the vacating
- 33 of such treasurership. All claims shall be filed and paid in accordance
- 34 with the terms of section 2 of this chapter, and the power to appoint and
- 35 engage such school treasurer or clerk is hereby granted to the
- 36 employing and/or appointing officials of the school.
- 37 (b) **A school corporation may appoint one (1) or more assistant**
- 38 **or deputy treasurers.**
- 39 SECTION 8. IC 20-5-62-5 IS AMENDED TO READ AS
- 40 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Notwithstanding any
- 41 other law, the operation of the following is suspended for a freeway
- 42 school corporation or a freeway school if the governing body of the

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1 school corporation elects to have the specific statute or rule suspended
2 in the contract:

3 (1) The following statutes and rules concerning curriculum and
4 instructional time:

5 IC 20-10.1-2-2

6 IC 20-10.1-4-6

7 IC 20-10.1-4-7

8 IC 20-10.1-4-9.1

9 511 IAC 6-7-6

10 511 IAC 6.1-3-4

11 511 IAC 6.1-5-0.5

12 511 IAC 6.1-5-1

13 511 IAC 6.1-5-2.5

14 511 IAC 6.1-5-3.5

15 511 IAC 6.1-5-4

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

17 511 IAC 6-2-1(b)(2)

18 511 IAC 6.1-4-1

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

20 IC 20-10.1-9-1

21 IC 20-10.1-9-18

22 IC 20-10.1-9-21

23 IC 20-10.1-9-23

24 ~~IC 20-10.1-9-27~~

25 IC 20-10.1-10-1

26 IC 20-10.1-10-2

27 511 IAC 6.1-5-5

28 (4) 511 IAC 6-7, concerning graduation requirements.

29 (5) 511 IAC 6-2-1(c)(4), concerning pupil/principal ratios.

30 (6) 511 IAC 2-2, concerning school construction and remodeling.

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

33 (8) IC 20-10.1-16, concerning the ISTEP program established
34 under IC 20-10.1-16-8, if an alternative locally adopted norm and
35 criterion referenced assessment program is adopted under section
36 6(7) of this chapter.

37 SECTION 9. IC 20-8.1-9-3 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) If a parent of a
39 child or an emancipated minor who is enrolled in a public school in
40 **grades K-12; kindergarten through grade 12** meets the financial
41 eligibility standard under section 2 of this chapter, the parent or the
42 emancipated minor may not be required to pay the fees for school



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1 books, supplies, or other required class fees. Such fees shall be paid by
2 the school corporation in which the child resides.

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

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

11 SECTION 10. IC 20-8.1-9-9 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) If a determination
13 is made that the applicant is eligible for assistance, the school
14 corporation shall pay the cost of the student's required fees.

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

19 (c) In order to be guaranteed some level of reimbursement from the
20 department, the governing body of a school corporation shall request
21 the reimbursement before November 1 of a school year.

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

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

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

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

28 (B) workbooks and consumable textbooks (including
29 workbooks and consumable textbooks, and other consumable
30 instructional materials that are used in special education and
31 gifted and talented classes) that are used by students for no
32 more than one (1) school year; and

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

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

42 ~~(4)~~ (3) that the amount of reimbursement requested for each

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- 1 textbook ~~under subdivision (3)~~ does not exceed twenty percent
 2 (20%) of the costs incurred for the textbook, as provided in the
 3 textbook adoption list in each year of the adoption cycle;
 4 ~~(5)~~ (4) that the amount of reimbursement requested for each
 5 workbook or consumable textbook (or other consumable
 6 instructional material used in special education and gifted and
 7 talented classes) under subdivision (2)(B), if applicable, does not
 8 exceed one hundred percent (100%) of the costs incurred for the
 9 workbook or consumable textbook (or other consumable
 10 instructional material used in special education and gifted and
 11 talented classes);
 12 ~~(6)~~ (5) that the amount of reimbursement requested for each
 13 textbook used in special education and gifted and talented classes
 14 is amortized for the number of years in which the textbook is
 15 used;
 16 ~~(7)~~ (6) that the amount of reimbursement requested for
 17 developmentally appropriate material is amortized for the number
 18 of years in which the material is used and does not exceed a total
 19 of one hundred percent (100%) of the costs incurred for the
 20 developmentally appropriate material; and
 21 ~~(8)~~ (7) any other information required by the department,
 22 including copies of purchase orders used to acquire consumable
 23 instructional materials used in special education and gifted and
 24 talented classes and developmentally appropriate material.
- 25 (e) Each school within a school corporation shall maintain complete
 26 and accurate information concerning the number of students
 27 determined to be eligible for assistance under this chapter. This
 28 information shall be provided to the department upon request.
- 29 (f) If the amount of reimbursement requested before November 1 of
 30 a particular year exceeds the amount of money appropriated to the
 31 department for this purpose, the department shall proportionately
 32 reduce the amount of reimbursement to each school corporation.
- 33 (g) A school corporation may submit a supplemental reimbursement
 34 request under section 9.1 of this chapter. The school corporation is
 35 entitled to receive a supplemental reimbursement only if there are
 36 funds available. The department shall proportionately reduce the
 37 amount of supplemental reimbursement to each school corporation if
 38 the total amount requested exceeds the amount of money available to
 39 the department for this purpose. In the case of this supplemental
 40 reimbursement, the provisions in this section apply, except that section
 41 9.1 of this chapter applies to the making of the supplemental request by
 42 the governing body of the school corporation.



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

6 SECTION 11. IC 20-8.1-9-9.5 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9.5. (a) If a parent of a
 8 child or an emancipated minor who is enrolled in an accredited
 9 nonpublic school meets the financial eligibility standard under section
 10 2 of this chapter, the parent or the emancipated minor may receive a
 11 reimbursement from the department as provided in this chapter for the
 12 costs or some of the costs incurred by the parent or emancipated minor
 13 in fees that are reimbursable under section 9 of this chapter. The extent
 14 to which the fees are reimbursable under this section may not exceed
 15 the percentage rates of reimbursement under section 9 of this chapter.
 16 In addition, if a child enrolls in an accredited nonpublic school after the
 17 initial request for reimbursement is filed under subsection (b), the
 18 parent of the child or the emancipated minor who meets the financial
 19 eligibility standard may receive a reimbursement from the department
 20 for the costs or some of the costs incurred in fees that are reimbursable
 21 under section 9 of this chapter by applying to the accredited nonpublic
 22 school for assistance. In this case, the provisions of this section apply,
 23 except that section 9.6 of this chapter applies to the making of the
 24 supplemental request for reimbursement by the principal or other
 25 designee of the accredited nonpublic school.

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

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

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

33 (d) The parent or emancipated minor shall submit the application to
 34 the accredited nonpublic school. The accredited nonpublic school shall
 35 make a determination of financial eligibility subject to appeal by the
 36 parent or emancipated minor.

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

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

42 (g) In its request, the principal or other designee shall certify to the



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



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

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

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

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

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

17 SECTION 12. IC 20-10.1-9-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) Subject to
 19 subsection ~~(e)~~; **(b)**, the **Indiana** state board of education shall adopt
 20 textbooks and enter into contracts with publishers to furnish these
 21 textbooks at fixed prices. For each subject for which credit is given in
 22 the public schools and for each grade, the board shall adopt as many
 23 textbooks as it finds are satisfactory. In addition to adopting textbooks
 24 under this section, the board may recommend to school corporations as
 25 many as seven (7) textbooks from the list of adopted textbooks that the
 26 board finds most satisfactory. The board shall make regular adoptions
 27 and contracts each year for every subject in one (1) subject
 28 classification under section 4 of this chapter. These contracts shall be
 29 for six (6) years. The board in its call for bids may exempt a certain
 30 textbook category or categories in nonrequired subject matter areas
 31 from being bid.

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

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

37 ~~(2) the publisher does not submit a bid proposal for that textbook~~
 38 ~~at the next regular adoption of textbooks for that subject;~~

39 ~~a school corporation may continue to use that textbook unless the board~~
 40 ~~finds that the textbook is no longer satisfactory. This subsection does~~
 41 ~~not require a publisher to submit a bid or enter into a contract for the~~
 42 ~~continued sale of such a textbook. A textbook whose continued use is~~



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1 authorized by this subsection may be used for a maximum of six (6)
2 years after the expiration of its original adoption:

3 (e) The board may adopt only textbooks that:

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

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

7 (d) (c) In adopting textbooks, the board shall give priority to
8 textbooks written at a reading level appropriate to the grade for which
9 the textbooks will be used.

10 SECTION 13. IC 20-10.1-9-5 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. The **Indiana** state
12 board of education may, at any time, make additional adoptions as new
13 textbooks become available. ~~or as waivers are granted under section 27~~
14 ~~of this chapter.~~ A contract for a textbook that was adopted after regular
15 adoption shall expire at the same time as contracts which were entered
16 into at the regular time for adoptions of textbooks in that subject.

17 SECTION 14. IC 20-10.1-9-21 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 21. (a) The
19 superintendent shall be responsible for the establishment of procedures
20 for textbook adoption. The procedures must include the involvement
21 of teachers and parents on an advisory committee for the preparation
22 of recommendations for textbook adoptions. The majority of the
23 members of the advisory committee must be teachers, and not less than
24 forty percent (40%) of the committee must be parents. These
25 recommendations shall be submitted to the superintendent in
26 accordance with the established procedures in the local school
27 corporation. **A recommendation submitted under this subsection**
28 **may be one (1) of the following:**

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

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

32 (b) The governing body, upon receiving these recommendations,
33 from the superintendent, shall adopt from the state textbook adoption
34 lists a textbook for use in teaching each subject in the school
35 corporation. **do either of the following:**

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

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

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

41 (c) A special committee of teachers and parents may also be
42 appointed to review books, magazines, and audiovisual material used



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1 or proposed for use in the classroom to supplement state adopted
2 textbooks and may make recommendations to the superintendent and
3 the governing body concerning the use of this material.

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

5 (1) six (6) years; or

6 (2) the effective period of the state board of education's adoption
7 of that textbook.

8 (e) A selection may be extended beyond that period for up to six (6)
9 years, if the governing body is granted a waiver under section 27 of this
10 chapter.

11 SECTION 15. IC 20-10.1-9-22 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 22. After a local
13 superintendent has selected textbooks under this chapter, and not later
14 than July 1, when new contracts become effective, he the
15 **superintendent** shall forward to the **Indiana** state board of education
16 a list of those selections for all subjects and grades. The board shall
17 examine these lists, and, if the board finds a deviation from the state
18 adopted list and that there has been no waiver granted under section 27
19 of this chapter, the board shall notify the local superintendent of the
20 deviation. If the school corporation does not comply with this chapter
21 within thirty (30) days of receiving the notification, the board shall
22 cancel the accreditation of the offending schools.

23 SECTION 16. IC 20-10.1-10-2 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Each governing
25 body may purchase from a contracting publisher, at the net contract
26 price or at any subsequent lower price, any textbook adopted by the
27 **Indiana** state board of education and or selected by the proper local
28 officials, and may rent these textbooks to students enrolled in any
29 public or nonpublic school which is in compliance with the minimum
30 certification standards of the state board of education and is located
31 within the attendance unit served by the governing body, at an annual
32 rental not to exceed twenty-five percent (25%) of the retail price of the
33 textbooks.

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

37 (1) adopted for usage by students under IC 20-10.1-9;

38 (2) extended for usage by students under IC 20-10.1-9-1(b); and

39 (3) paid for through rental fees previously collected.

40 (c) This section does not limit any other laws but is supplementary.

41 SECTION 17. IC 20-10.1-22-3 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The types of

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1 initiatives for which money appropriated to the program may be
2 utilized include the following:

- 3 (1) Conducting feasibility studies concerning the following:
 - 4 (A) Mandating full-day or half-day kindergarten programs.
 - 5 (B) Choice of enrollment programs.
 - 6 (C) Establishing magnet schools.
- 7 (2) An evaluation of P.L.390-1987(ss).
- 8 (3) Exploring different or expanded testing methods.
- 9 (4) An evaluation of the primetime program under IC 21-1-30.
- 10 ~~(5) Administering pilot programs concerning school academic~~
- 11 ~~readiness factors of students in kindergarten and grades 1 and 2.~~
- 12 ~~(6) (5) Studying the implications of offering preschool programs~~
- 13 ~~for special education students.~~
- 14 ~~(7) Conducting the student services programs under~~
- 15 ~~IC 20-10.1-23.~~
- 16 ~~(8) (6) The Indiana writing project.~~

17 (b) The evaluation of P.L.390-1987(ss) and the primetime program
18 described in subsection (a)(2) and (a)(4) shall be conducted by an
19 entity other than the department under a contract entered into by the
20 department.

21 (c) ~~The student services programs under subsection (a)(7) shall be~~
22 ~~funded under the program based upon criteria approved by the~~
23 ~~department. The programs must include a study of:~~

- 24 ~~(1) the role of the public school guidance counselor; and~~
- 25 ~~(2) the guidance counselor proficiency statements developed~~
- 26 ~~under P.L.342-1989(ss); SECTION 39; as approved by the~~
- 27 ~~department.~~

28 SECTION 18. THE FOLLOWING ARE REPEALED [EFFECTIVE
29 JULY 1, 1999]: IC 20-1-6.2; IC 20-6.1-7; IC 20-8.1-3-19;
30 IC 20-8.1-10; IC 20-10.1-13; IC 20-10.1-14; IC 20-10.1-19;
31 IC 20-10.1-21; IC 20-10.1-23; IC 20-10.1-24; IC 20-10.1-27.

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