
HOUSE BILL No. 1409

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-1-1; IC 20-8.1-3-18.

Synopsis: Student members on state board of education. Increases the Indiana state board of education membership from 10 to 14 members. Provides for 4 members to be student members who are high school students enrolled in high school in Indiana. Establishes a student member recommendation committee to recommend candidates for appointment as the student members to the governor and state superintendent of public instruction. Establishes criteria for selection as a candidate. Specifies that a student member serves for a term of 2 years, except a student member who is appointed in grade 12.

Effective: July 1, 2001.

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January 11, 2001, read first time and referred to Committee on Education.

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First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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HOUSE BILL No. 1409



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 20-1-1-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The Indiana state board of
3 education is established. The board shall consist of ~~ten (10)~~ **fourteen**
4 **(14)** members appointed by the governor and the state superintendent
5 of public instruction. Of the ~~ten (10)~~ **fourteen (14)** members appointed
6 by the governor, a minimum of four (4) members must be persons who
7 are actively employed in the schools in Indiana and who hold a valid
8 teaching license. At least one (1) member must be appointed from each
9 congressional district in Indiana. **Four (4) members must be student**
10 **members appointed under section 1.1 of this chapter.** No more than
11 ~~six (6)~~ **seven (7)** members of the board may be appointed from the
12 membership of any one (1) political party. A quorum consists of ~~six (6)~~
13 **eight (8)** members of the board, and an action of the board is not
14 official unless it is authorized by at least ~~six (6)~~ **eight (8)** members. The
15 **state** superintendent of public instruction shall serve as chairman of the
16 board. **Except for the student members,** appointed board members



1 shall serve for a term of four (4) years, unless dismissed before the
 2 expiration of four (4) years by the governor for just cause. **The student**
 3 **members shall serve for a term of two (2) years. However, a**
 4 **student member who is appointed in grade twelve (12) shall serve**
 5 **for a term of one (1) year.** Any appointment to fill a vacancy
 6 occurring on the board shall be for the unexpired term.

7 (b) The **state** superintendent of public instruction shall appoint six
 8 (6) persons who shall serve on the advisory committee on textbook
 9 adoption. The state superintendent of public instruction or his designee
 10 shall serve as a voting member of the committee. At least four (4) of
 11 the members of the advisory committee on textbook adoptions shall be
 12 actively employed in the schools in Indiana and hold a valid teaching
 13 license. No more than four (4) of the members of the committee may
 14 be appointed from the membership of any one (1) political party. The
 15 state superintendent or his designee shall serve as chairman of the
 16 committee. Committee members shall serve at the pleasure of the
 17 superintendent of public instruction.

18 (c) The board and the committee shall meet at such times as they
 19 determine. The terms of office of the appointive members of the board
 20 shall commence on July 1.

21 (d) The board may establish other advisory committees as necessary
 22 to provide technical and professional assistance to the board.

23 (e) Whenever the board is required to conduct hearings under
 24 IC 4-21.5-3, the board may use hearing examiners who are not
 25 members of the board to conduct the hearings.

26 SECTION 2. IC 20-1-1-1.1 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2001]: **Sec. 1.1. (a) The student member recommendation**
 29 **committee is established for the purpose of recommending**
 30 **candidates for the student members of the Indiana state board of**
 31 **education to the governor and state superintendent of public**
 32 **instruction. The student member recommendation committee**
 33 **consists of the following members:**

34 (1) Four (4) youth members, including:

35 (A) two (2) members representing the Association of High
 36 School Student Councils; and

37 (B) two (2) members representing the Indiana Youth
 38 Commission for Service and Leadership.

39 (2) One (1) adult member representing the Indiana
 40 Association of Secondary Schools.

41 (3) One (1) adult member representing the Indiana State
 42 Teachers Association.

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1 (4) One (1) adult member representing the Indiana State
2 Superintendent's Association.

3 (5) One (1) adult member representing the department of
4 education.

5 The chairperson shall be an adult member elected by the members.
6 The members shall serve without compensation.

7 (b) The student member recommendation committee shall
8 develop a written application form to be submitted to the student
9 member recommendation committee by applicants for
10 appointment as the student members of the Indiana state board of
11 education under section 1 of this chapter.

12 (c) The student member recommendation committee shall
13 screen applications submitted under subsection (b) and select ten
14 (10) candidates according to the following criteria:

15 (1) Applicants must meet the following criteria for selection
16 as a candidate:

17 (A) An applicant must be a high school student enrolled in
18 an Indiana high school.

19 (B) An applicant must submit the written application
20 developed under subsection (b) to the student member
21 recommendation committee established by subsection (a).

22 (C) An applicant must submit two (2) letters of
23 recommendation, including:

24 (i) one (1) letter from the principal of the high school in
25 which the applicant is enrolled; and

26 (ii) one (1) letter from a parent or guardian of the
27 applicant.

28 (D) An applicant's parent or grandparent may not:

29 (i) work for a bona fide political party (as defined in
30 IC 3-5-2-5.5); or

31 (ii) hold a position appointed by a bona fide political
32 party (as defined in IC 3-5-2-5.5).

33 (E) An applicant must maintain a grade point average of
34 at least 2.0 on a 4.0 scale.

35 (2) The committee shall consider the following additional
36 criteria in selecting the ten (10) candidates:

37 (A) There must be at least one (1) candidate representing
38 each of the following:

39 (i) Congressional districts 1, 3, and 4.

40 (ii) Congressional districts 2, 5, and 7.

41 (iii) Congressional districts 6 and 10.

42 (iv) Congressional districts 8 and 9.



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- 1 **(B) Diversity in the size of the schools in which candidates**
 2 **are enrolled.**
 3 **(C) Diversity in qualities and background of candidates.**
 4 **(D) Commitment and motivation of a candidate.**
 5 **(E) Emotional maturity of a candidate.**
 6 **(F) Diversity in the educational experiences of candidates.**
 7 **(G) Level of support for a candidate's appointment by:**
 8 **(i) the candidate's high school;**
 9 **(ii) the candidate's source of transportation; and**
 10 **(iii) a member of the candidate's community that will**
 11 **assess the candidate's ability to serve on the Indiana**
 12 **state board of education.**

13 **(d) The student member recommendation committee shall**
 14 **recommend the ten (10) candidates selected under subsection (c) to**
 15 **the governor and the state superintendent of public instruction.**

16 **(e) The four (4) student members of the Indiana state board of**
 17 **education shall consist of the following:**

- 18 **(1) One (1) member who is enrolled in grade nine (9).**
 19 **(2) One (1) member who is enrolled in grade ten (10).**
 20 **(3) One (1) member who is enrolled in grade eleven (11).**
 21 **(4) One (1) member who is enrolled in grade twelve (12).**

22 SECTION 3. IC 20-8.1-3-18, AS AMENDED BY P.L.146-1999,
 23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2001]: Sec. 18. (a) Service as a page for or as an honoree of
 25 the Indiana general assembly constitutes a lawful excuse for a pupil to
 26 be absent from school. For each day of page service or as an honoree
 27 of the Indiana general assembly, verified by the certificate of the
 28 secretary of the senate or the chief clerk of the house of representatives,
 29 a student excused from school attendance under this subsection shall
 30 not be recorded as being absent on any date for which the excuse is
 31 operative, nor shall the student be penalized by the school in any
 32 manner. This section applies to all pupils, whether they attend public,
 33 private, or parochial schools.

34 (b) The governing body of each school corporation and the chief
 35 administrative official of each private secondary school system shall
 36 authorize the absence and excuse of each secondary school student who
 37 serves on the precinct election board or as a helper to a political
 38 candidate or to a political party on the date of each general, city or
 39 town, special, and primary election at which the student works. Prior
 40 to the date of the election, the student must submit a document signed
 41 by one (1) of the student's parents or guardians giving permission to
 42 participate in the election as provided in this section, and the student

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1 must verify to school authorities the performance of services by
 2 submitting a document signed by the candidate, political party
 3 chairman, campaign manager, or precinct officer. The document must
 4 describe generally the duties of the student on the date of the election.
 5 A student excused from school attendance under this subsection shall
 6 not be recorded as being absent on any date for which the excuse is
 7 operative, nor shall the student be penalized by the school in any
 8 manner.

9 (c) The governing body of each school corporation or the chief
 10 administrative officer of each private school system shall authorize the
 11 absence and excuse of a student who is issued a subpoena to appear in
 12 court as a witness in a judicial proceeding. A student excused under
 13 this subsection shall not be recorded as being absent on any date for
 14 which the excuse is operative, nor shall the student be penalized by the
 15 school in any manner. The appropriate school authority may require
 16 that the student submit the subpoena to the appropriate school authority
 17 for verification.

18 (d) The governing body of each school corporation or the chief
 19 administrative officer of each private school system shall authorize the
 20 absence and excuse of each secondary school student who is ordered
 21 to active duty with the Indiana National Guard for not more than ten
 22 (10) days in a school year. For verification, the student must submit to
 23 school authorities a copy of the orders to active duty and a copy of the
 24 orders releasing the student from active duty. A student excused from
 25 school attendance under this subsection shall not be recorded as being
 26 absent on any date for which the excuse is operative, nor shall the
 27 student be penalized by the school in any manner.

28 **(e) The governing body of a school corporation or the chief**
 29 **administrative officer of a private school system shall authorize the**
 30 **absence and excuse of a student during the time that the student**
 31 **serves as:**

32 **(1) a student member of the Indiana state board of education**
 33 **under IC 20-1-1-1; or**

34 **(2) a youth member of the student member recommendation**
 35 **committee under IC 20-1-1-1.1.**

36 **For verification, the student must submit to school authorities a**
 37 **document verifying the attendance of the student at a meeting of**
 38 **the Indiana state board of education or the student member**
 39 **recommendation committee. The document must be signed by the**
 40 **chairman of the Indiana state board of education or of the student**
 41 **member recommendation committee. A student excused from**
 42 **school attendance under this subsection shall not be recorded as**

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1 **being absent on any date for which the excuse is operative, nor**
2 **shall the student be penalized by the school in any manner.**

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