

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WITHDRAWN	Noes _____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

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 371 be amended to read as follows:

- 1 Page 40, between lines 24 and 25, begin a new paragraph and insert:
- 2 "SECTION 49. IC 20-10.1-2-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A school year is
- 4 the period of time beginning after June 30 of each year and ending
- 5 before July 1 of the following year, except when a different period is
- 6 specified for a particular purpose.
- 7 (b) A student instructional day in grades 1 through 6 consists of a
- 8 minimum of five (5) hours of instructional time. A student instructional
- 9 day in grades 7 through 12 consists of a minimum of six (6) hours of
- 10 instructional time. For purposes of this section, instructional time is
- 11 time in which students are participating in an approved course,
- 12 curriculum, or educationally related activity under the direction of a
- 13 teacher, including a reasonable amount of passing time between classes.
- 14 However, instructional time does not include lunch or recess.
- 15 (c) ~~For the 1987-88 school year, each school corporation shall~~
- 16 ~~conduct at least one hundred seventy-five (175) student instructional~~
- 17 ~~days.~~ For the 1988-89 school year and each school year after that, each
- 18 school corporation shall conduct at least one hundred eighty (180)
- 19 student instructional days. No later than June 15 of each school year,
- 20 the superintendent of each school corporation shall certify to the
- 21 department the number of student instructional days conducted during
- 22 that school year.
- 23 (d) If a school corporation fails to conduct the minimum number of
- 24 student instructional days during a school year as required under

1 subsection (c), the department shall reduce the August tuition support  
 2 distribution to that school corporation by an amount determined as  
 3 follows:

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

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

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

12 STEP THREE: Multiply the amount determined under STEP  
 13 ONE by the amount determined under STEP TWO:

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

17 STEP ONE: Determine the remainder of:

18 (A) the amount of the total tuition support allocated to the  
 19 school corporation for the particular school year; minus

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

24 STEP TWO: Subtract the number of student instructional days  
 25 that the school corporation conducted from one hundred eighty  
 26 (180).

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

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

31 STEP FIVE: Multiply the quotient determined under STEP FOUR  
 32 by the number determined under STEP THREE.

33 STEP SIX: Subtract the number determined under STEP THREE  
 34 from the remainder determined under STEP TWO.

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

37 STEP EIGHT: Multiply the quotient determined under STEP  
 38 SEVEN by the remainder determined under STEP SIX.

39 STEP NINE: Add the product determined under STEP FIVE to  
 40 the product determined under STEP EIGHT.

41 (e) The department may grant a waiver of the penalty imposed under  
 42 subsection (d) for a particular number of ~~cancelled~~ ~~canceled~~ student  
 43 instructional days if:

44 (1) the school corporation applies to the department for a waiver  
 45 of the penalty imposed under subsection (d) for a specific number  
 46 of ~~cancelled~~ ~~canceled~~ student instructional days; and

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

1 requested to be waived under this subsection was ~~cancelled~~  
2 **canceled** due to extraordinary circumstances.  
3 (f) The department shall develop guidelines for school corporations  
4 to apply for a waiver under subsection (e).  
5 **(g) Beginning with the 2007-2008 school year, student**  
6 **instructional days for a school year may not begin before**  
7 **September 1. This subsection does not apply to a school that**  
8 **conducts student instructional days (other than during summer**  
9 **school) during a school term in twelve (12) consecutive months."**  
10 Renumber all SECTIONS consecutively.  
(Reference is to ESB 371 as printed March 30, 2005.)

---

Representative Lehe