
HOUSE BILL No. 1353

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-6.1-4.

Synopsis: Actions by school boards. Requires approval by a 2/3 vote of a school board if: (1) the board is entering into an employment contract with an individual for more than a three year term; and (2) there will be a change in the majority of the membership of the board within three months.

Effective: July 1, 2005.

Brown C, Smith V

January 13, 2005, read first time and referred to Committee on Education.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1353



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 20-6.1-4-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Within ten (10)
3 days after a request from the governing body, the superintendent shall
4 make a report on any person being considered by the school
5 corporation for either a teaching appointment or an indefinite contract
6 as defined in section 9 of this chapter. This report must contain the
7 person's teaching preparation, experience, and license.
8 (b) The governing body of a school corporation may not employ an
9 individual who receives an initial standard or reciprocal license after
10 March 31, 1988, for a teaching appointment under this chapter unless
11 the individual:
12 (1) has successfully completed a beginning teacher internship
13 program under IC 20-6.1-8 (repealed); or
14 (2) has at least two (2) years of teaching experience outside
15 Indiana.
16 **(c) The governing body of a school corporation may enter into**
17 **an employment contract with an individual for more than a three**



1 (3) year term only upon the affirmative vote of two-thirds (2/3) of
2 the governing body's membership.

3 (d) An employment contract must be approved by an
4 affirmative vote of two-thirds (2/3) of the governing body's
5 membership if there will be a change in more than half of the
6 membership due to:

- 7 (1) the expiration of terms of the members;
- 8 (2) an election;
- 9 (3) death;
- 10 (4) resignation; or
- 11 (5) removal for cause;

12 within three (3) months after an employment contract is to be
13 entered into.

14 (e) This section does not prevent the granting of additional
15 authority in the selection or employment of teachers to a superintendent
16 by the rules and regulations of a school corporation

17 SECTION 2. IC 20-6.1-4-17.1 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 17.1. A contract of
19 employment shall be entered into between the governing body of the
20 school corporation and a principal or assistant principal subject to the
21 following conditions:

- 22 (1) The basic contract shall be the regular teacher's contract as
23 prescribed by the state superintendent of public instruction.
- 24 (2) The minimum term of the initial contract shall be the
25 equivalent of two (2) school years. ~~provided~~; However, ~~that~~ the
26 term of such contract may be greater than two (2) years.
- 27 (3) Such contract may be altered or modified or rescinded in favor
28 of a new contract at any time by mutual consent of the governing
29 body of the school corporation and the principal or assistant
30 principal, provided such contract when reduced to writing is not
31 inconsistent with provisions of this chapter.

32 (4) A contract for more than a three (3) year term must be
33 approved by an affirmative vote of two-thirds (2/3) of the
34 governing body's membership.

35 SECTION 3. IC 20-6.1-4-18 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. Superintendent
37 Contracts. Each contract entered into by a governing body and its
38 superintendent is subject to the following conditions:

- 39 (1) The basic contract is in the form of the regular teacher's
40 contract.
- 41 (2) The contract is for a term of at least thirty-six (36) months.
- 42 (3) The contract may be altered or rescinded for a new one at any

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1 time by mutual consent of the governing body and the
2 superintendent. This consent must be in writing and must be
3 expressed in a manner not inconsistent with sections 18 through
4 20 of this chapter.
5 **(4) A contract for more than a three (3) year term must be**
6 **approved by an affirmative vote of two-thirds (2/3) of the**
7 **governing body's membership.**
8 ~~(4)~~ **(5)** The rights of a superintendent as a teacher under any other
9 law are not affected.

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