
HOUSE BILL No. 1097

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-2-12.

Synopsis: Air and water quality for schools. Requires the state board of education to adopt standards concerning indoor and outdoor air quality and water quality as part of the nonbinding guidelines for school corporation construction, alteration, and repair of school buildings and athletic and other facilities.

Effective: July 1, 2009.

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January 8, 2009, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1097



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 20-19-2-12, AS AMENDED BY P.L.146-2008,
2 SECTION 451, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) The state board shall, in the
4 manner provided by IC 4-22-2, adopt rules setting forth nonbinding
5 guidelines for the selection of school sites and the construction,
6 alteration, and repair of school buildings, athletic facilities, and other
7 categories of facilities related to the operation and administration of
8 school corporations. The nonbinding guidelines must include:
9 (1) preferred location and building practices for school
10 corporations, including standards for enhancing health, student
11 safety, accessibility, energy efficiency, operating efficiency, and
12 instructional efficacy;
13 (2) guidelines concerning minimum acreage, cost per square foot
14 or cost per ADM (as defined in IC 20-18-2-2), technology
15 infrastructure, building materials, per student square footage, and
16 other general space requirements, including space for academics,
17 administration and staff support, arts education and auditoriums,



1 libraries, cafeterias, athletics and physical education,
 2 transportation facilities, and maintenance and repair facilities;
 3 **(3) standards concerning indoor and outdoor air quality;**
 4 **(4) standards concerning water quality;** and
 5 ~~(3)~~ **(5) additional guidelines that the state board considers**
 6 **necessary for healthy, efficient, and cost effective construction of**
 7 **school facilities.**

8 The building law compliance officer appointed under IC 10-19-7-4, the
 9 office of management and budget, and the department of local
 10 government finance shall, upon request of the board, provide technical
 11 assistance as necessary for the development of the guidelines.

12 (b) The state board shall annually compile, in a document capable
 13 of easy revision, the:

- 14 (1) guidelines described in subsection (a); and
- 15 (2) rules of the:
 - 16 (A) fire prevention and building safety commission; and
 - 17 (B) state department of health;

18 that govern site selection and the construction, alteration, and repair of
 19 school buildings.

20 (c) A school corporation shall consider the guidelines adopted under
 21 subsection (a) when developing plans and specifications for a facility
 22 described in subsection (a). Before submitting completed written plans
 23 and specifications for the selection of a school building site or the
 24 construction or alteration of a school building to the division of fire and
 25 building safety for issuance of a design release under IC 22-15-3, a
 26 school corporation shall do the following:

27 (1) Submit the proposed plans and specifications to the
 28 department. Within thirty (30) days after the department receives
 29 the plans and specifications, the department shall:

- 30 (A) review the plans and specifications to determine whether
 31 they comply with the guidelines adopted under subsection (a);
 32 and
- 33 (B) provide written recommendations concerning the plans
 34 and specifications to the school corporation, which must
 35 include findings as to any material differences between the
 36 plans and specifications and the guidelines adopted under
 37 subsection (a).

38 (2) After the earlier of:

- 39 (A) receipt of the recommendations provided under
 40 subdivision (1)(B); or
- 41 (B) the date that is thirty (30) days after the date the
 42 department received the plans and specifications under

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1 subdivision (1)(A);
 2 issue a public document that describes the recommendations, if
 3 any, and any material differences between the plans and
 4 specifications prepared by the school corporation and the
 5 guidelines adopted under subsection (a), as determined under the
 6 guidelines adopted by the state board.
 7 (3) After publishing a notice of the public hearing under IC 5-3-1,
 8 conduct a public hearing to receive public comment concerning
 9 the school corporation's plans and specifications.
 10 After the public hearing and without conducting another public hearing
 11 under this subsection, the governing body may revise the plans and
 12 specifications or submit the plans and specifications to the division of
 13 fire and building safety without making changes. The school
 14 corporation shall revise the public document described in subdivision
 15 (2) to identify any changes in the plans and specifications after the
 16 public document's initial preparation.

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