

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1002 be amended to read as follows:

- 1 Page 25, between lines 32 and 33, begin a new paragraph and insert:
- 2 "SECTION 26. IC 20-24-8-5, AS AMENDED BY P.L.154-2009,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]: Sec. 5. The following statutes and rules and guidelines
- 5 adopted under the following statutes apply to a charter school:
- 6 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 7 (2) IC 20-39-1-1 (unified accounting system).
- 8 (3) IC 20-35 (special education).
- 9 (4) IC 20-26-5-10 (criminal history).
- 10 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
- 11 agencies).
- 12 (6) IC 20-28-7-14 (void teacher contract when two (2) contracts
- 13 are signed).
- 14 (7) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 15 (8) IC 20-28-10-14 (teacher freedom of association).
- 16 (9) IC 20-28-10-17 (school counselor immunity).
- 17 (10) For conversion charter schools only, IC 20-28-6, IC 20-28-7,
- 18 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 19 **IC 20-31 (accountability for performance and improvement).**
- 20 (11) IC 20-33-2 (compulsory school attendance).
- 21 (12) IC 20-33-3 (limitations on employment of children).
- 22 (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
- 23 due process and judicial review).
- 24 (14) IC 20-33-8-16 (firearms and deadly weapons).

- 1 ~~(15)~~ IC 20-34-3 (health and safety measures).
 2 ~~(16)~~ IC 20-33-9 (reporting of student violations of law).
 3 ~~(17)~~ IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
 4 observances).
 5 ~~(18)~~ IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8,
 6 or any other statute, rule, or guideline related to standardized
 7 testing (assessment programs, including remediation under the
 8 assessment programs).
 9 ~~(19)~~ IC 20-33-7 (parental access to education records).
 10 ~~(20)~~ IC 20-31 (accountability for school performance and
 11 improvement).
 12 ~~(21)~~ IC 20-30-5-19 (personal financial responsibility
 13 instruction).".

14 Page 32, between lines 27 and 28, begin a new paragraph and insert:
 15 "SECTION 34. IC 20-31-9-1, AS ADDED BY P.L.1-2005,
 16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2011]: Sec. 1. This chapter does not apply to ~~the following~~:

- 18 ~~(1)~~ a nonpublic school.
 19 ~~(2)~~ ~~A charter school.~~

20 SECTION 35. IC 20-31-9-2, AS ADDED BY P.L.1-2005,
 21 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2011]: Sec. 2. (a) This section applies the first year that a
 23 school is placed in the lowest category or designation of school
 24 improvement.

25 (b) The state board shall place the school, ~~and~~ the school
 26 corporation, **and the charter sponsor, if the school corporation is a**
 27 **charter school**, on notice that the school is in the lowest category or
 28 designation of school improvement. Upon receiving the notice, the
 29 governing body shall:

- 30 (1) issue a public notice of the school's lack of improvement; and
 31 (2) hold a public hearing in which public testimony is received
 32 concerning the lack of improvement.

33 (c) The committee shall revise the school's plan. A revision under
 34 this subsection may include any of the following:

- 35 (1) Shifting resources.
 36 (2) Changing personnel.
 37 (3) Requesting the state board to appoint an outside team to
 38 manage the school or assist in the development of a new plan.

39 (d) If the governing body approves a request for the state board to
 40 appoint an outside team under subsection (c)(3), the school is
 41 considered to be placed under section 3 of this chapter.

42 SECTION 36. IC 20-31-9-3, AS ADDED BY P.L.1-2005,
 43 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 44 JULY 1, 2011]: Sec. 3. (a) This section applies if, in the third year after
 45 initial placement in the lowest category or designation, a school still
 46 remains in the lowest category or designation.

1 **(b) This subsection applies to a school corporation that is not a**
 2 **charter school.** The state board shall establish and assign an expert
 3 team to the school. The expert team:

4 (1) must include representatives from the community or region
 5 that the school serves; and

6 (2) may include:

7 (A) school superintendents, members of governing bodies, and
 8 teachers from school corporations that are in high categories
 9 or designations; and

10 (B) special consultants or advisers.

11 **(c) If the school corporation is a charter school, the sponsor or**
 12 **authorizing body shall establish and assign an expert team to the**
 13 **school. The expert team:**

14 **(1) must include representatives from the community or**
 15 **region that the school serves; and**

16 **(2) may include:**

17 **(A) a member of the state charter board established under**
 18 **IC 20-24-2.1, members of governing bodies and teachers**
 19 **from school corporations that are in high categories or**
 20 **designations, and parents of students attending the school;**
 21 **and**

22 **(B) special consultants or advisers.**

23 ~~(c)~~ **(d)** The expert team shall:

24 (1) assist the school in revising the school's plan; and

25 (2) recommend changes in the school that will promote
 26 improvement, including the reallocation of resources or requests
 27 for technical assistance.

28 SECTION 37. IC 20-31-9-4, AS ADDED BY P.L.1-2005,
 29 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2011]: Sec. 4. (a) This section applies if, in the fifth year after
 31 initial placement in the lowest category or designation, a school still
 32 remains in the lowest category or designation.

33 **(b) This subsection applies to a school corporation that is not a**
 34 **charter school.** The state board shall do the following:

35 (1) Hold at least one (1) public hearing in the school corporation
 36 where the school is located to consider and hear testimony
 37 concerning the following options for school improvement:

38 (A) Merging the school with a nearby school that is in a higher
 39 category.

40 (B) Assigning a special management team to operate all or
 41 part of the school.

42 (C) The department's recommendations for improving the
 43 school.

44 (D) Other options for school improvement expressed at the
 45 public hearing, including closing the school.

46 (E) Revising the school's plan in any of the following areas:

- 1 (i) Changes in school procedures or operations.
- 2 (ii) Professional development.
- 3 (iii) Intervention for individual teachers or administrators.
- 4 (2) If the state board determines that intervention will improve the
- 5 school, implement at least one (1) of the options listed in
- 6 subdivision (1).
- 7 **(c) If the school is a charter school, the state board shall do the**
- 8 **following:**
- 9 **(1) Hold at least one (1) public hearing in the school**
- 10 **community where the school is located to consider and hear**
- 11 **testimony concerning the following options for school**
- 12 **improvement:**
- 13 **(A) Merging the school with a nearby school or charter**
- 14 **school that is in a higher category.**
- 15 **(B) Assigning a special management team to operate all or**
- 16 **part of the school.**
- 17 **(C) The department's recommendations for improving the**
- 18 **school.**
- 19 **(D) Other options for school improvement expressed at the**
- 20 **public hearing, including closing the school and revoking**
- 21 **the charter.**
- 22 **(E) Revising the school's plan in any of the following areas:**
- 23 **(i) Changes in school procedures or operations.**
- 24 **(ii) Professional development.**
- 25 **(iii) Intervention for individual teachers or**
- 26 **administrators.**
- 27 **(2) If the state board determines that intervention will**
- 28 **improve the school, implement at least one (1) of the options**
- 29 **listed in subdivision (1)."**

30 Renumber all SECTIONS consecutively.
 (Reference is to HB 1002 as printed January 26, 2011.)

Representative Austin