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WITHDRAWN	Noes _____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

HOUSE MOTION ____

MR. SPEAKER:

I move that Engrossed Senate Bill 1 be amended to read as follows:

Page 3, line 2, after "(5)" insert "**(3)**".
Page 3, line 2, reset in roman "A teacher.".
Page 3, line 3, after "(6)" insert "**(4)**".
Page 3, line 3, reset in roman "A librarian.".
Page 5, delete lines 23 through 42.
Page 6, delete line 1.
Page 6, between lines 1 and 2, begin a new paragraph and insert:
"SECTION 9. IC 20-24-6-10, AS ADDED BY P.L.1-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10. (a) The governing body:
(1) must grant a transfer of not more than two (2) years; and
(2) may grant a transfer for a period in addition to the period required in subdivision (1);
to a teacher of a noncharter school in the school corporation who wishes to teach and has been accepted to teach at a nonconversion charter school.
(b) During the term of the transfer under subsection (a):
(1) the teacher's seniority status under law continues as if the teacher were an employee of a noncharter school in the school corporation; and
(2) the teacher's years as a charter school employee shall not be considered for purposes of permanent or semipermanent status with the school corporation under IC 20-28-6, ~~IC 20-28-7,~~ **IC 20-28-7.5,** or IC 20-28-8.".

Page 6, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 12. IC 20-24-8-5, AS AMENDED BY P.L.154-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

(1) IC 5-11-1-9 (required audits by the state board of accounts).

(2) IC 20-39-1-1 (unified accounting system).

(3) IC 20-35 (special education).

(4) IC 20-26-5-10 (criminal history).

(5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).

~~(6) IC 20-28-7-14 (void teacher contract when two (2) contracts are signed).~~

~~(7)~~ **(6)** IC 20-28-10-12 (nondiscrimination for teacher marital status).

~~(8)~~ **(7)** IC 20-28-10-14 (teacher freedom of association).

~~(9)~~ **(8)** IC 20-28-10-17 (school counselor immunity).

~~(10)~~ **(9)** For conversion charter schools only, IC 20-28-6, ~~IC 20-28-7,~~ **IC 20-28-7.5,** IC 20-28-8, IC 20-28-9, and IC 20-28-10.

~~(11)~~ **(10)** IC 20-33-2 (compulsory school attendance).

~~(12)~~ **(11)** IC 20-33-3 (limitations on employment of children).

~~(13)~~ **(12)** IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).

~~(14)~~ **(13)** IC 20-33-8-16 (firearms and deadly weapons).

~~(15)~~ **(14)** IC 20-34-3 (health and safety measures).

~~(16)~~ **(15)** IC 20-33-9 (reporting of student violations of law).

~~(17)~~ **(16)** IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).

~~(18)~~ **(17)** IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8, or any other statute, rule, or guideline related to standardized testing (assessment programs, including remediation under the assessment programs).

~~(19)~~ **(18)** IC 20-33-7 (parental access to education records).

~~(20)~~ **(19)** IC 20-31 (accountability for school performance and improvement).

~~(21)~~ **(20)** IC 20-30-5-19 (personal financial responsibility instruction).".

Page 12, line 16, delete "IC 20-28-7," and insert "**IC 20-28-7.5,**".

Page 12, line 19, delete "." and insert "**, subject to the approval of the governing body.**".

Page 20, line 21, strike "IC 20-28-7-7." and insert "**IC 20-28-7.5.**".

Page 22, line 25, delete "this section is not subject to section 8 of this chapter." and insert "**section 8 of this chapter is not subject to this section.**".

Page 22, line 35, delete "consecutive".

Page 23, delete lines 35 through 42.

Delete page 24.

Page 25, delete lines 1 through 9.

Page 25, line 34, delete "IC 20-28-9-1(c)" and insert "**IC 20-28-9-1(b)**".

Page 25, line 35, delete "Seniority may be considered as one (1) of the criteria".

Page 25, delete lines 36 through 38.

Page 26, line 9, delete "ratings in" and insert "**rating in three (3) years of**".

Page 28, line 40, after "(1)" insert "**A combination of the following factors taken together may account for not more than thirty-three percent (33%) of the calculation used to determine a teacher's increase or increment:**

(A)".

Page 28, line 40, delete "or the" and insert "**.**".

Page 28, delete lines 41 through 42, begin a new line double block indented and insert:

"**(B) The attainment of either:**

(i) additional content area degrees beyond the requirements for employment; or

(ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.".

Page 29, delete lines 1 through 5.

Page 29, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 39. IC 20-28-9-21, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 21. (a) This section and sections 22 through 23 of this chapter apply to the suspension of a teacher without pay when the procedure for the cancellation of the teacher's contract under ~~IC 20-28-7-3 through IC 20-28-7-5 do~~ **IC 20-28-7.5 does** not apply.

(b) A teacher may be suspended from duty without pay only for the following reasons:

(1) Immorality.

(2) Insubordination, which means the willful refusal to obey the state school laws or reasonable rules prescribed for the government of the school corporation.

(3) Neglect of duty.

(4) Substantial inability to perform teaching duties.

(5) Good and just cause.

SECTION 40. IC 20-28-10-1, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) A school corporation may grant a teacher a leave of absence not to exceed one (1) year for:

(1) a sabbatical;

(2) a disability leave; or

(3) a sick leave.

(b) The school corporation may grant consecutive leaves to a teacher.

(c) A school corporation may grant partial compensation for a leave in an amount the school corporation determines. However, if a teacher on a sabbatical serves an employer that agrees to reimburse the school corporation in whole or in part of the amount of the teacher's regular salary, the school corporation may grant full or partial compensation.

(d) A teacher who is pregnant shall be granted a leave of absence for the period provided in and subject to section 5 of this chapter.

(e) Except where a contract is not required under ~~IC 20-28-7~~ **IC 20-28-7.5** in a situation that occurs before or after the commencement of leave, the teacher and the school corporation shall execute a regular teacher's contract for each school year in which any part of the teacher's leave is granted.

(f) The teacher has the right to return to a teaching position for which the teacher is certified or otherwise qualified under the rules of the state board.".

Page 30, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 42. IC 20-28-10-4, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) A school corporation may place a teacher, with or without written request, on a disability or sick leave not to exceed one (1) year.

(b) A teacher placed on a disability or sick leave without a written request is entitled to a hearing on that action under ~~IC 20-28-7-1 and IC 20-28-7-3 through IC 20-28-7-5.~~ **IC 20-28-7.5.**".

Page 34, line 42, after "board" insert "**, and to the public via the department's Internet web site,**".

Page 37, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 54. IC 20-35-5-9, AS ADDED BY P.L.1-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 9. A teacher who:

(1) is employed by a special education cooperative; and

(2) previously taught in a participating school corporation;

retains all rights and privileges under IC 20-28-6, ~~IC 20-28-7,~~ **IC 20-28-7.5,** IC 20-28-8, IC 20-28-9, and IC 20-28-10 to the same extent as if the teacher had continued teaching in the participating school corporation.

SECTION 55. IC 20-35-5-10, AS ADDED BY P.L.1-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10. A teacher who:

(1) is employed by a special education cooperative; and

(2) does not have existing years of service in any of the participating school corporations;

shall be considered to be employed by the special education cooperative and is entitled to the same rights and privileges under IC 20-28-6, ~~IC 20-28-7,~~ **IC 20-28-7.5,** IC 20-28-8, IC 20-28-9, and IC 20-28-10 as if the teacher were employed by a school corporation.

SECTION 56. IC 20-35-5-12, AS ADDED BY P.L.1-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. If:

(1) a teacher loses the teacher's job in a special education cooperative due to:

(A) a reduction in services of;

(B) a reorganization of;

(C) the discontinuance of; or

(D) a withdrawal in whole or in part of a participating school corporation from;

the special education cooperative; and

(2) the teacher is employed by a participating school corporation as described in section 11 of this chapter;

the teacher retains the rights and privileges under IC 20-28-6, ~~IC 20-28-7,~~ **IC 20-28-7.5,** IC 20-28-8, IC 20-28-9, and IC 20-28-10 that the teacher held at the time the teacher lost the job in the special education cooperative as described in subdivision (1).".

Page 37, line 40, delete "IC 20-28-11." and insert "IC 20-28-11; IC 20-29-6-11.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 1 as printed April 13, 2011.)

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Representative Behning