



February 24, 2012

**ENGROSSED  
HOUSE BILL No. 1326**

DIGEST OF HB 1326 (Updated February 22, 2012 4:12 pm - DI 71)

**Citations Affected:** IC 4-12; IC 5-22; IC 6-3.1; IC 9-18; IC 12-17; IC 12-32; IC 20-19; IC 20-20; IC 20-24; IC 20-26; IC 20-27; IC 20-28; IC 20-30; IC 20-31; IC 20-32; IC 20-40; IC 21-14; noncode.

**Synopsis:** Various education matters. Provides that an "expanded criminal history check," for purposes of education law, requires a national criminal history background check. Eliminates other types of permissible record searches under current law. Provides that prohibitions against financial aid do not apply to international students with bona fide legal status who are enrolled in state educational institutions. Provides that an individual who was enrolled in a state educational institution on or before July 1, 2011, is not lawfully present in the United States, and is a resident of Indiana may pay resident tuition at a state educational institution. Replaces the ambassador for education program with provisions which allow a teacher of the year to serve one year of professional leave with the department of education or a postsecondary educational institution. Abolishes the following programs and entities concerning various education matters:  
(Continued next page)

**Effective:** Upon passage; July 1, 2012.

**Rhoads, Behning**

(SENATE SPONSOR — YODER)

January 11, 2012, read first time and referred to Committee on Education.  
January 23, 2012, amended, reported — Do Pass.  
January 27, 2012, read second time; call withdrawn.  
January 30, 2012, re-read second time, amended, ordered engrossed.  
January 31, 2012, engrossed. Read third time, passed. Yeas 79, nays 17.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Education and Career Development.  
February 23, 2012, amended, reported favorably — Do Pass.

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Digest Continued

(1) Technology apprenticeship grant program. (2) Corporation for educational technology, including the buddy system project. (5) Education consultant for health and physical education. (6) Principal leadership academy. (7) School grant writing and fund raising assistance program. (8) Technology preparation task force. (9) Research and development program concerning various studies and evaluations. (10) Educational technology council. (11) Teacher quality and professional improvement program. (12) Committee on educational attitudes, motivation, and parental involvement. (13) Readiness testing. (14) Student services programs. (15) Twenty-first century schools pilot program. (16) Anti-gang counseling pilot program and fund. (17) Department of education review of professional development programs. (18) Performance based awards. (19) ISTEP program citizens' review committee. (20) A requirement that a course in safety education be taught to eighth graders. Requires the state board of education's plan for ensuring that charter school students are reading at grade level by the end of grade 3 to include only an assessment of each student's reading level in grade 3 and retention of a student as a last resort. Provides that a governing body may dispose of an unused school building that the governing body believes no charter school will be interested in leasing or purchasing after: (1) notifying the department, each charter school sponsor, and a statewide organization representing charter schools; (2) receiving no objections from a charter school sponsor or a statewide organization; and (3) receiving a waiver from the state superintendent; without placing the unused school building on the department's list of unused school buildings. Requires each school corporation to include cursive writing in the curriculum of the school corporation. Deletes provisions concerning the availability of ISTEP essay questions for inspection by students and parents. Provides that: (1) a student's parent may request a rescoring of the student's responses to an ISTEP test, including the student's essay; or (2) a school may request a rescoring only if there is evidence that the test score is not accurate. Requires school bus inspectors to attach to the bus a certificate of inspection and document the certification in the school bus inspection data base. Changes the registration deadline for school bus owners who are not school corporations from July 29 to September 30. Deletes obsolete provisions concerning testing schedules. Makes conforming changes. Deletes references to statutes repealed during the 2011 legislative session. Requests the legislative council to assign to an interim study committee during the 2012 legislative interim the topics of: (1) the use of balanced school calendars by school corporations and procedures for the implementation or discontinuance of the use of balanced calendars, including the use of referenda; and (2) state educational institution grading practices.

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February 24, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1326

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 4-12-12-6, AS AMENDED BY P.L.2-2007,  
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2012]: Sec. 6. Money in the account that is not otherwise  
4 designated under section 3 of this chapter is annually dedicated to the  
5 following:  
6 (1) The certified school to career program and grants under  
7 IC 22-4.1-8.  
8 (2) The certified internship program and grants under IC 22-4.1-7.  
9 (3) The Indiana economic development partnership fund under  
10 IC 4-12-10.  
11 (4) Minority training program grants under IC 22-4-18.1-11.  
12 (5) ~~Technology apprenticeship grants under IC 20-20-32.~~  
13 (6) (5) The back home in Indiana program under IC 22-4-18.1-12.  
14 (7) (6) The Indiana schools smart partnership under IC 22-4.1-9.  
15 (8) (7) The scientific instrument project within the department of  
16 education.  
17 (9) (8) The coal technology research fund under IC 21-47-4-5.

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1 SECTION 2. IC 5-22-21-7.5, AS AMENDED BY P.L.1-2006,  
 2 SECTION 124, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2012]: Sec. 7.5. (a) This section applies to  
 4 surplus computer hardware that:

5 (1) is not usable by a state agency as determined under section 6  
 6 of this chapter; and

7 (2) has market value.

8 (b) As used in this section, "educational entity" refers to ~~the~~  
 9 ~~following:~~

10 (1) a school corporation as defined in IC 36-1-2-17 or nonpublic  
 11 schools as defined in IC 20-10.1-1-3 before July 1, 2005, or  
 12 IC 20-18-2-12.

13 (2) ~~The corporation for educational technology described in~~  
 14 ~~IC 20-10.1-25.1 before July 1, 2005; or IC 20-20-15.~~

15 (c) As used in this section, "market value" means the value of the  
 16 property is more than the estimated costs of sale and transportation of  
 17 the property.

18 (d) Surplus computer hardware available for sale may, under the  
 19 policies prescribed by the budget agency, be offered to an educational  
 20 entity.

21 SECTION 3. IC 6-3.1-15-1, AS AMENDED BY P.L.1-2005,  
 22 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 1. As used in this chapter, "buddy system project"  
 24 ~~has the meaning set forth in IC 20-20-15-4(1)(A).~~ **means a statewide**  
 25 **computer project placing computers in homes of public school**  
 26 **students (commonly referred to as the "buddy system project")**  
 27 **and any other educational technology program or project jointly**  
 28 **authorized by the state superintendent of public instruction and the**  
 29 **governor.**

30 SECTION 4. IC 6-3.1-15-10, AS AMENDED BY P.L.1-2005,  
 31 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 10. The state board shall ~~in consultation with the~~  
 33 ~~corporation for educational technology if the corporation is established~~  
 34 ~~under IC 20-20-15-3~~; establish minimum standards for qualified  
 35 computer equipment. Upon receipt of computer equipment, a service  
 36 center shall promptly inspect the equipment. If the computer equipment  
 37 meets the minimum standards established by the state board, the  
 38 service center shall accept the computer equipment as qualified  
 39 computer equipment and shall, subject to section 11(b) of this chapter,  
 40 promptly send a certification to the computer equipment owner for the  
 41 tax credit available under this chapter.

42 SECTION 5. IC 9-18-2-8.5, AS ADDED BY P.L.31-2008,

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1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 8.5. (a) Notwithstanding section 8 of this chapter,  
3 a school bus owned by a person other than a school corporation shall  
4 be registered before ~~July 29~~ **September 28** of each year.

5 (b) Registration and reregistration for a school bus under this  
6 section is for one (1) year.

7 (c) A certificate of inspection as ~~required under IC 20-27-7-16~~  
8 **described under IC 20-27-7-3** must accompany a registration and  
9 reregistration application of a school bus under this section.

10 (d) A person registering a school bus under this section shall pay the  
11 annual registration fee required under IC 9-29-5-8 and any fees and  
12 service charges required of a vehicle registered under this chapter.

13 (e) Upon registration of a school bus under this section, the bureau  
14 shall issue a license plate under section 30 of this chapter, including:

- 15 (1) an annual renewal tag; or  
16 (2) other indicia;

17 to be attached on the semipermanent plate.

18 (f) A license plate with a renewal tag or other indicia of registration  
19 issued under this section may be displayed during:

- 20 (1) the calendar year for which the school bus is registered; and  
21 (2) the period:  
22 (A) after the calendar year; and  
23 (B) before ~~July 29~~ **September 28** of the subsequent year.

24 SECTION 6. IC 12-17-19-24, AS ADDED BY P.L.1-2005,  
25 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2012]: Sec. 24. (a) To evaluate the effectiveness of step ahead  
27 as the program relates to the step ahead goals listed in section 13 of this  
28 chapter, the panel shall employ the following assessment mechanisms:

29 (1) The step ahead county coordinator shall annually report to the  
30 panel on the development, quality, and appropriateness of the  
31 individual family service plans for children whose parents qualify  
32 under the income eligibility guidelines.

33 (2) The step ahead county coordinator shall annually report to the  
34 panel on the number of children who:

- 35 (A) are using step ahead services; and  
36 (B) do not qualify under the income eligibility guidelines.

37 (3) The panel shall annually assess the results of any readiness  
38 program ~~under IC 20-20-26~~ **established by the department of**  
39 **education** for students in kindergarten and grade 1 to determine  
40 whether children enrolling in school after benefiting from step  
41 ahead demonstrate greater readiness for learning. The department  
42 of education shall cooperate with the panel in this regard by

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1 assisting in defining the term "readiness" and supporting the  
 2 evaluation based on knowledge and training in early childhood.

3 (4) Any other valid assessment technique or method approved by  
 4 the panel.

5 (b) The panel shall implement a schedule for assessing step ahead  
 6 programs, using prior evaluation results and techniques learned  
 7 through the department of education's pilot preschool programs.

8 SECTION 7. IC 12-32-1-3, AS ADDED BY P.L.171-2011,  
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2012]: Sec. 3. (a) As used in this chapter, "state or local public  
 11 benefit" has the meaning set forth in 8 U.S.C. 1621.

12 (b) The term includes:

13 (1) a postsecondary education award, including a scholarship, a  
 14 grant, or financial aid, **except for a scholarship, a grant, or**  
 15 **financial aid that is awarded to an international student with**  
 16 **bona fide legal status who is enrolled in a state educational**  
 17 **institution;** and

18 (2) **except for an individual who was enrolled in a state**  
 19 **educational institution on or before July 1, 2011,** the resident  
 20 tuition rate (as determined by the state educational institution).

21 SECTION 8. IC 20-19-2-8, AS AMENDED BY P.L.145-2011,  
 22 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 8. (a) In addition to any other powers and duties  
 24 prescribed by law, the state board shall adopt rules under IC 4-22-2  
 25 concerning, but not limited to, the following matters:

26 (1) The designation and employment of the employees and  
 27 consultants necessary for the department. The state board shall fix  
 28 the compensation of employees of the department, subject to the  
 29 approval of the budget committee and the governor under  
 30 IC 4-12-2.

31 (2) The establishment and maintenance of standards and  
 32 guidelines for media centers, libraries, instructional materials  
 33 centers, or any other area or system of areas in a school where a  
 34 full range of information sources, associated equipment, and  
 35 services from professional media staff are accessible to the school  
 36 community. With regard to library automation systems, the state  
 37 board may only adopt rules that meet the standards established by  
 38 the state library board for library automation systems under  
 39 IC 4-23-7.1-11(b).

40 (3) The establishment and maintenance of standards for student  
 41 personnel and guidance services.

42 (4) This subdivision expires December 31, 2011. The

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1 establishment and maintenance of minimum standards for driver  
 2 education programs (including classroom instruction and practice  
 3 driving) and equipment. Classroom instruction standards  
 4 established under this subdivision must include instruction about:

5 (A) railroad-highway grade crossing safety; and

6 (B) the procedure for participation in the human organ donor  
 7 program;

8 and must provide, effective July 1, 2010, that the classroom  
 9 instruction may not be provided to a child less than fifteen (15)  
 10 years and one hundred eighty (180) days of age.

11 (5) The inspection of all public schools in Indiana to determine  
 12 the condition of the schools. The state board shall establish  
 13 standards governing the accreditation of public schools.

14 Observance of:

15 (A) IC 20-31-4;

16 (B) IC 20-28-5-2;

17 (C) IC 20-28-6-3 through IC 20-28-6-7;

18 (D) IC 20-28-11.5; and

19 (E) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, and  
 20 IC 20-32-8;

21 is a prerequisite to the accreditation of a school. Local public  
 22 school officials shall make the reports required of them and  
 23 otherwise cooperate with the state board regarding required  
 24 inspections. Nonpublic schools may also request the inspection  
 25 for classification purposes. Compliance with the building and site  
 26 guidelines adopted by the state board is not a prerequisite of  
 27 accreditation.

28 (6) The distribution of funds and revenues appropriated for the  
 29 support of schools in the state.

30 (7) The state board may not establish an accreditation system for  
 31 nonpublic schools that is less stringent than the accreditation  
 32 system for public schools.

33 (8) A separate system for recognizing nonpublic schools under  
 34 IC 20-19-2-10. Recognition of nonpublic schools under this  
 35 subdivision constitutes the system of regulatory standards that  
 36 apply to nonpublic schools that seek to qualify for the system of  
 37 recognition.

38 (9) The establishment and enforcement of standards and  
 39 guidelines concerning the safety of students participating in  
 40 cheerleading activities.

41 (10) Subject to IC 20-28-2, the preparation and licensing of  
 42 teachers.

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1 (b) Before final adoption of any rule, the state board shall make a  
2 finding on the estimated fiscal impact that the rule will have on school  
3 corporations.

4 SECTION 9. IC 20-19-2-14, AS AMENDED BY P.L.172-2011,  
5 SECTION 120, IS AMENDED TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2012]: Sec. 14. The state board shall do the  
7 following:

- 8 (1) Establish the educational goals of the state, developing
- 9 standards and objectives for local school corporations.
- 10 (2) Assess the attainment of the established goals.
- 11 (3) Assure compliance with established standards and objectives.
- 12 (4) Coordinate with the commission for higher education
- 13 (IC 21-18-1) and the department of workforce development
- 14 (IC 22-4.1-2) to develop entrepreneurship education programs for
- 15 elementary and secondary education, higher education, and
- 16 individuals in the work force.
- 17 (5) Make recommendations to the governor and general assembly
- 18 concerning the educational needs of the state, including financial
- 19 needs.

20 **(6) Provide for reviews to ensure the validity and reliability of**  
21 **the ISTEP program.**

22 SECTION 10. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,  
23 2012]. Sec. 6: (a) The department shall:

- 24 (1) establish a program in health and physical education to
- 25 encourage children in kindergarten through grade 12 to develop:
- 26 (A) healthful living habits;
- 27 (B) an interest in lifetime health and physical fitness; and
- 28 (C) decision making skills in the areas of health and physical
- 29 fitness;

30 (2) establish the position of education consultant for health and  
31 physical education; and

32 (3) hire an individual to perform the duties of education  
33 consultant for health and physical education.

34 (b) The education consultant for health and physical education shall:

- 35 (1) plan and develop curricula for health and physical education
- 36 for grades kindergarten through 12; and
- 37 (2) perform other duties designated by the department.

38 (c) The program in health and physical education must include the  
39 following:

- 40 (1) Local school program development.
- 41 (2) Technical and inservice training assistance for local schools.
- 42 (3) Local school initiatives in writing curricula in the areas of

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1 health and physical education:

2 (4) Cardiopulmonary resuscitation training using a training  
3 program approved by the American Heart Association or an  
4 equivalent nationally recognized training program:

5 (d) The department may give grants to or enter into contracts with  
6 individuals or school corporations to carry out the purposes of the  
7 program in health and physical education:

8 SECTION 11. IC 20-19-4-10, AS ADDED BY P.L.1-2005,  
9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 10. The roundtable shall review and recommend  
11 to the state board for the state board's approval the following:

12 (1) The academic standards under IC 20-31-3, IC 20-32-4, **and**  
13 IC 20-32-5 **and** ~~IC 20-32-6~~ for all grade levels from kindergarten  
14 through grade 12.

15 (2) The content and format of the ISTEP program, including the  
16 following:

17 (A) The graduation examination.

18 (B) The passing scores required at the various grade levels  
19 tested under the ISTEP program.

20 SECTION 12. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,  
21 2012]. (Principal Leadership Academy).

22 SECTION 13. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1,  
23 2012]. Sec. 1: The following are the goals of the ambassador for  
24 education program:

25 (1) Enhance the stature of teachers and the teaching profession:

26 (2) Inspire and attract talented young people to become teachers:

27 (3) Promote the teaching profession within community and  
28 business groups:

29 (4) Support the activities of the Future Teachers of America  
30 clubs:

31 (5) Represent Indiana teachers at business, education, and teacher  
32 leadership conferences and meetings:

33 (6) Reward the teacher of the year for the teacher's outstanding  
34 contributions to the teaching profession:

35 (7) Reward the teacher of the year for the teacher's contributions  
36 to the teacher's classroom and school:

37 SECTION 14. IC 20-20-4-2 IS REPEALED [EFFECTIVE JULY 1,  
38 2012]. Sec. 2: As used in this chapter, "ambassador" refers to the  
39 ambassador for education established by section 4 of this chapter:

40 SECTION 15. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1,  
41 2012]. Sec. 3: As used in this chapter, "school" means a school  
42 corporation or an accredited nonpublic school:

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1 SECTION 16. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1,  
2 2012]. **Sec. 4. The position of ambassador for education is established**  
3 **to act as an education liaison to Indiana schools.**

4 SECTION 17. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1,  
5 2012]. **Sec. 5: A teacher in a school who:**

6 (1) is selected by the state superintendent as teacher of the year;  
7 and

8 (2) agrees to be ambassador;

9 is ambassador for a one (1) year term beginning July 1 after selection  
10 as teacher of the year and ending the following June 30.

11 SECTION 18. IC 20-20-4-5.5 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2012]: **Sec. 5.5. A teacher of the year may be**  
14 **invited to serve one (1) year of professional leave with:**

15 (1) **an Indiana postsecondary educational institution; or**

16 (2) **the department.**

17 SECTION 19. IC 20-20-4-6, AS ADDED BY P.L.1-2005,  
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: **Sec. 6. (a) The school where an ambassador a teacher**  
20 **of the year** is regularly employed shall do the following:

21 (1) Grant the **ambassador teacher** a one (1) year professional  
22 leave to **serve as ambassador during the ambassador's term.**  
23 **provide service as described in section 5.5 of this chapter.**

24 (2) Allow the **ambassador teacher** to return to the school from the  
25 professional leave:

26 (A) to the same or a comparable position as the **ambassador**  
27 **teacher** held before the professional leave; and

28 (B) without loss of accrued benefits or seniority.

29 (3) Continue to provide the **ambassador teacher** all benefits of  
30 employment with the school other than salary.

31 (b) The department shall reimburse a school for the cost of benefits  
32 provided by the school to an **ambassador a teacher** under subsection  
33 (a)(3).

34 SECTION 20. IC 20-20-4-6.5 IS ADDED TO THE INDIANA  
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2012]: **Sec. 6.5. If a teacher of the year**  
37 **provides service for the department or an Indiana postsecondary**  
38 **educational institution under this chapter, the department or the**  
39 **Indiana postsecondary educational institution shall pay the**  
40 **teacher's salary for the term of the service and shall reimburse the**  
41 **teacher's regular employer for the teacher's benefits during the**  
42 **term of service.**



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1 SECTION 21. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1,  
2 2012]. Sec. 7: An ambassador may elect to serve the one (1) year  
3 professional leave at:

- 4 (1) an Indiana postsecondary educational institution; or
- 5 (2) the department.

6 SECTION 22. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1,  
7 2012]. Sec. 8: If an ambassador elects to serve a one (1) year  
8 professional leave with the department, the following apply:

- 9 (1) The state coordinator of the ambassador for education  
10 program, as designated by the state superintendent, shall establish  
11 the ambassador's duties.
- 12 (2) The ambassador is entitled to receive from the department the  
13 following:

- 14 (A) A salary in place of compensation from the school where  
15 the ambassador is regularly employed that equals the salary  
16 that the ambassador, if not serving as ambassador, would  
17 receive during the school year of the ambassador's term from  
18 the school where the ambassador is regularly employed.
- 19 (B) Actual expenses of the ambassador incurred as a result of  
20 the performance of duties under this chapter.

21 SECTION 23. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1,  
22 2012]. Sec. 9: If an ambassador elects to serve a one (1) year  
23 professional leave with an Indiana postsecondary educational  
24 institution, the following apply:

- 25 (1) The dean of the institution's school of education or the  
26 equivalent officer shall establish the ambassador's duties.
- 27 (2) The ambassador is entitled to receive from the institution the  
28 amount of compensation that the institution offers the  
29 ambassador.
- 30 (3) The ambassador is entitled to receive from the department  
31 compensation in an amount that when added to the amount  
32 provided under subdivision (2) equals the salary that the  
33 ambassador, if not serving as ambassador, would receive during  
34 the school year of the ambassador's term from the school where  
35 the ambassador is regularly employed.

36 SECTION 24. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY  
37 1, 2012]. Sec. 10: The ambassador's duties must match the relative  
38 skills and education background of the ambassador and reflect the  
39 goals of the ambassador for education program. However, duties may  
40 include the following:

- 41 (1) Providing professional development seminars and workshops  
42 in the subject matter areas in which the ambassador has expertise.

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1           (2) Accompanying the state superintendent in the exercise of the  
2           state superintendent's duties throughout Indiana.  
3           SECTION 25. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,  
4           2012]. (School Grant Writing and Fund Raising Assistance Program).  
5           SECTION 26. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,  
6           2012]. (Technology Preparation Task Force).  
7           SECTION 27. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,  
8           2012]. (Research and Development Program).  
9           SECTION 28. IC 20-20-13-6, AS AMENDED BY  
10          P.L.182-2009(ss), SECTION 305, IS AMENDED TO READ AS  
11          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The Senator  
12          David C. Ford educational technology fund is established to extend  
13          educational technologies to elementary and secondary schools. The  
14          fund may be used for:  
15               (1) the 4R's technology grant program to assist school  
16               corporations (on behalf of public schools) in purchasing  
17               technology equipment:  
18                       (A) for kindergarten and grade 1 students, to learn reading,  
19                       writing, and arithmetic using technology;  
20                       (B) for students in all grades, to understand that technology is  
21                       a tool for learning; and  
22                       (C) for students in kindergarten through grade 3 who have  
23                       been identified as needing remediation, to offer daily  
24                       remediation opportunities using technology to prevent those  
25                       students from failing to make appropriate progress at the  
26                       particular grade level;  
27               (2) a school technology program developed by the department.  
28          The program may include grants to school corporations for the  
29          purchase of:  
30               (A) equipment, hardware, and software;  
31               (B) learning and teaching systems; and  
32               (C) other materials;  
33          that promote student learning, as determined by the department;  
34          (3) providing educational technologies, including computers in  
35          the homes of students;  
36          (4) conducting educational technology training for teachers; and  
37          (5) other innovative educational technology programs.  
38          (b) The department may also use money in the fund under contracts  
39          entered into with the office of technology established by IC 4-13.1-2-1  
40          to study the feasibility of establishing an information  
41          telecommunications gateway that provides access to information on  
42          employment opportunities, career development, and instructional

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- 1 services from data bases operated by the state among the following:
- 2 (1) Elementary and secondary schools.
- 3 (2) Postsecondary educational institutions.
- 4 (3) Career and technical educational centers and institutions that
- 5 are not postsecondary educational institutions.
- 6 (4) Libraries.
- 7 (5) Any other agencies offering education and training programs.
- 8 (c) The fund consists of:
- 9 (1) state appropriations;
- 10 (2) private donations to the fund; **or**
- 11 ~~(3) money directed to the fund from the corporation for~~
- 12 ~~educational technology under IC 20-20-15; or~~
- 13 ~~(4) (3) any combination of the amounts described in subdivisions~~
- 14 (1) through ~~(3)~~ **(2)**.
- 15 (d) The fund shall be administered by the department.
- 16 (e) Unexpended money appropriated to or otherwise available in the
- 17 fund at the end of a state fiscal year does not revert to the state general
- 18 fund but remains available to the department for use under this chapter.
- 19 (f) Subject to section 7 of this chapter, a school corporation may use
- 20 money from the school corporation's capital projects fund as permitted
- 21 under IC 20-40-8 for educational technology equipment.
- 22 SECTION 29. IC 20-20-13-7, AS AMENDED BY P.L.2-2006,
- 23 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2012]: Sec. 7. (a) Notwithstanding any other law, a school
- 25 corporation is not entitled to:
- 26 (1) receive any money under this chapter; ~~or IC 20-20-15;~~
- 27 (2) use money from the school corporation's capital projects fund
- 28 for educational technology equipment under IC 20-40-8; or
- 29 (3) receive an advance from the common school fund for an
- 30 educational technology program under IC 20-49-4;
- 31 unless the school corporation develops a three (3) year technology plan.
- 32 (b) Each technology plan must include at least the following
- 33 information:
- 34 (1) A description of the school corporation's intent to integrate
- 35 technology into the school corporation's curriculum.
- 36 (2) A plan for providing inservice training.
- 37 (3) A schedule for maintaining and replacing educational
- 38 technology equipment.
- 39 (4) A description of the criteria used to select the appropriate
- 40 educational technology equipment for the appropriate use.
- 41 (5) Other information requested by the department after
- 42 consulting with the budget agency.

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1 (c) The department shall develop guidelines concerning the  
2 development of technology plans. The guidelines developed under this  
3 subsection are subject to the approval of the governor.

4 SECTION 30. IC 20-20-13-8, AS ADDED BY P.L.1-2005,  
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 8. Upon the approval of the governor and the  
7 budget agency, the department may use funds available under this  
8 chapter to provide or extend education technology to any school  
9 corporation for purposes described in this chapter. ~~The department  
10 (upon the approval of the governor and the budget agency) may direct  
11 funds under this chapter to the corporation for educational technology  
12 under IC 20-20-15 to further the corporation's purposes.~~

13 SECTION 31. IC 20-20-13-9, AS ADDED BY P.L.1-2005,  
14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2012]: Sec. 9. (a) This section applies to the 4R's technology  
16 program described in section 6(a)(1) of this chapter.

17 (b) In addition to any other funds available under this chapter, if  
18 state funds are transferred under IC 20-32-5-19 to the 4R's technology  
19 program:

- 20 (1) those funds do not revert to the state general fund;
- 21 (2) those funds shall be made available to the 4R's technology
- 22 program under this chapter; and
- 23 (3) the department, upon approval by the governor and the budget
- 24 agency, shall use those funds to award grants under this section.

25 (c) To be eligible to receive a grant under the program, a school  
26 corporation must comply with the following:

- 27 (1) The school corporation must apply to the department for a
- 28 grant on behalf of a school within the school corporation to
- 29 purchase technology equipment.
- 30 (2) The school corporation must certify the following:
  - 31 (A) That the school will provide every kindergarten and grade
  - 32 1 student at that school the opportunity to learn reading,
  - 33 writing, and arithmetic using technology.
  - 34 (B) That the school will provide daily before or after school
  - 35 technology laboratories for students in grades 1 through 3 who
  - 36 have been identified as needing remediation in reading,
  - 37 writing, or arithmetic.
  - 38 (C) That the school will provide additional technology
  - 39 opportunities, that may include Saturday sessions, for students
  - 40 in other grade levels to use the technology laboratories for
  - 41 remediation in reading, writing, arithmetic, or mathematics.
  - 42 (D) That the school will provide technology opportunities to

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1 students that attend remediation programs under IC 20-32-8 (if  
 2 the school corporation is required to do so) or any other  
 3 additional summer programs.  
 4 (E) That the school corporation, either through its own or the  
 5 school's initiative, ~~or through donations made to the~~  
 6 ~~corporation for educational technology under IC 20-20-15 on~~  
 7 ~~behalf of the school corporation,~~ is able to provide a part of the  
 8 costs attributable to purchasing the necessary technology  
 9 equipment.  
 10 (3) The school corporation must include in the application the  
 11 sources of and the amount of money secured under subdivision  
 12 (2)(E).  
 13 (4) The school corporation or the school must:  
 14 (A) provide teacher training services; or  
 15 (B) use vendor provided teacher training services.  
 16 (5) The school corporation must give primary consideration to the  
 17 purchase of technology equipment that includes teacher training  
 18 services.  
 19 (6) The teachers who will be using the technology equipment  
 20 must support the initiative described in this chapter.  
 21 (d) Upon review of the applications by the department, the  
 22 satisfaction of the requirements set forth in subsection (c), and subject  
 23 to the availability of funds for this purpose, the department shall award  
 24 to each eligible school corporation a grant to purchase technology  
 25 equipment under section 6(a)(1) of this chapter.  
 26 (e) The department shall monitor the compliance by the school  
 27 corporations receiving grants of the matters cited in subsection (c).  
 28 SECTION 32. IC 20-20-13-15, AS ADDED BY P.L.1-2005,  
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 15. A school corporation qualifies for a  
 31 technology plan grant under sections 13 through 24 of this chapter  
 32 when the technology plan of the school corporation developed under  
 33 section 7 of this chapter is approved by the department. For purposes  
 34 of determining whether a school corporation qualifies for a grant under  
 35 sections 13 through 24 of this chapter, the department shall:  
 36 (1) review;  
 37 (2) suggest changes;  
 38 (3) approve; or  
 39 (4) reject;  
 40 a school corporation's technology plan. ~~However, before the~~  
 41 ~~department may approve a technology plan, the department must~~  
 42 ~~consult with the corporation for educational technology established by~~

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1 ~~IC 20-20-15-3~~ on the contents of the technology plan.  
2 SECTION 33. IC 20-20-13-17, AS ADDED BY P.L.1-2005,  
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 17. The total technology plan grant amount to a  
5 qualifying school corporation is the amount determined by the  
6 department ~~with advice from the educational technology council~~  
7 ~~established by IC 20-20-14-2~~, multiplied by the school corporation's  
8 ADM. The amount is one hundred dollars (\$100). However, for the  
9 purposes of determining the ADM of a school corporation, students  
10 who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted  
11 as students having legal settlement in the transferee corporation and not  
12 having legal settlement in the transferor corporation.  
13 SECTION 34. IC 20-20-14 IS REPEALED [EFFECTIVE JULY 1,  
14 2012]. (Educational Technology Council).  
15 SECTION 35. IC 20-20-15 IS REPEALED [EFFECTIVE JULY 1,  
16 2012]. (Corporation for Educational Technology).  
17 SECTION 36. IC 20-20-17-6, AS ADDED BY P.L.1-2005,  
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 6. The department may award grants to school  
20 corporations:  
21 (1) upon review of the applications received under section 5 of  
22 this chapter;  
23 ~~(2) upon receipt of the recommendations from the advisory~~  
24 ~~committee under section 10 of this chapter;~~  
25 ~~(3)~~ (2) subject to available money; and  
26 ~~(4)~~ (3) in accordance with the following priorities:  
27 (A) To the extent possible, to achieve geographic balance  
28 throughout Indiana and to include urban, suburban, and rural  
29 school corporations.  
30 (B) To address a documented need for new or expanded school  
31 intervention or career counseling programs, including  
32 considering the percentage of students within the school  
33 corporation who are designated as at risk students.  
34 (C) To promote innovative methods for initiating or expanding  
35 school intervention or career counseling programs.  
36 (D) To reward school corporations that propose school  
37 intervention or career counseling programs that demonstrate  
38 the greatest potential for replication and implementation in  
39 Indiana.  
40 (E) To lower school counselor/student ratios where the ratios  
41 are excessively high.  
42 SECTION 37. IC 20-20-17-10 IS REPEALED [EFFECTIVE JULY

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- 1 1, 2012]. Sec. 10: (a) An advisory committee composed of five (5)
- 2 members is established:
- 3 (b) The state superintendent shall appoint the members of the
- 4 advisory committee:
- 5 (c) The state superintendent shall:
- 6 (1) convene the advisory committee; and
- 7 (2) act as chair of the advisory committee.
- 8 The state superintendent may not be a member of the advisory
- 9 committee:
- 10 (d) An employee of:
- 11 (1) the governor; or
- 12 (2) the department of education;
- 13 is eligible for appointment to the advisory committee:
- 14 (e) A member of the advisory committee serves at the pleasure of
- 15 the appointing authority:
- 16 (f) A member of the advisory committee is not entitled to the
- 17 following:
- 18 (1) The minimum salary per diem provided in IC 4-10-11-2.1(b).
- 19 (2) Reimbursement for traveling expenses and other expenses
- 20 actually incurred in connection with the member's duties:
- 21 (g) The advisory committee shall do the following:
- 22 (1) Assist the department in developing the guidelines described
- 23 in section 9 of this chapter.
- 24 (2) Establish standards for qualifying for a grant under this
- 25 chapter:
- 26 (3) Review grant applications and make recommendations to the
- 27 state superintendent concerning the awarding of grants.
- 28 (4) Evaluate the impact and results of the various school
- 29 intervention and career counseling programs receiving grants
- 30 under this chapter:
- 31 SECTION 38. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,
- 32 2012]. (Teacher Quality and Professional Improvement Program).
- 33 SECTION 39. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,
- 34 2012]. (Projects for Innovative Education).
- 35 SECTION 40. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,
- 36 2012]. (Committee on Educational Attitudes, Motivation, and Parental
- 37 Involvement).
- 38 SECTION 41. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,
- 39 2012]. (Readiness Testing).
- 40 SECTION 42. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,
- 41 2012]. (Student Services Programs).
- 42 SECTION 43. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,

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1 2012]. (Twenty-First Century Schools Pilot Program).

2 SECTION 44. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,  
3 2012]. (Anti-Gang Counseling Pilot Program and Fund).

4 SECTION 45. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY  
5 1, 2012]. Sec: 6: A school committee shall submit the school's program  
6 to the state superintendent for the superintendent's review. The state  
7 superintendent:

8 (1) shall review the plan to ensure that the program aligns with  
9 the school corporation's objectives, goals, and expectations;

10 (2) may make written recommendations of modifications to the  
11 program to ensure alignment; and

12 (3) shall return the program and any recommendations to the  
13 school committee.

14 SECTION 46. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY  
15 1, 2012]. Sec: 7: A school committee may modify the program to  
16 comply with recommendations made by the state superintendent under  
17 section 6 of this chapter.

18 SECTION 47. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY  
19 1, 2012]. Sec: 8: A school committee shall submit the program as part  
20 of its plan to the governing body. The governing body shall:

21 (1) approve or reject the program as part of the plan; and

22 (2) submit the program to the state board as part of the plan for  
23 the school.

24 SECTION 48. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY  
25 1, 2012]. Sec: 9: The state board may approve a school's program only  
26 if the program meets the board's core principles for professional  
27 development and the following additional criteria:

28 (1) To ensure high quality professional development; the  
29 program:

30 (A) is school based and collaboratively designed; and  
31 encourages participants to work collaboratively;

32 (B) has a primary focus on state and local academic standards;  
33 including a focus on Core 40 subject areas;

34 (C) enables teachers to improve expertise in subject  
35 knowledge and teaching strategies; uses of technologies; and  
36 other essential elements in teaching to high standards;

37 (D) furthers the alignment of standards; curriculum; and  
38 assessments; and

39 (E) includes measurement activities to ensure the transfer of  
40 new knowledge and skills to classroom instruction.

41 (2) A variety of resources, including needs assessments; an  
42 analysis of data regarding student learning needs; professional

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1 literature, research, and school improvement programs, are used  
2 in developing the program:

3 (3) The program supports professional development for all  
4 stakeholders:

5 (4) The program includes ongoing professional growth  
6 experiences that provide adequate time and job embedded  
7 opportunities to support school improvement and student  
8 learning, including flexible time for professional development  
9 that provides professional development opportunities before,  
10 during, and after the regular school day and school year:

11 (5) Under the program, teacher time for professional development  
12 sustains instructional coherence, participant involvement, and  
13 continuity for students:

14 (6) The program includes effective, research based strategies to  
15 support ongoing developmental activities:

16 (7) The program supports experiences to increase the effective  
17 use of technology to improve teaching and learning:

18 (8) The program encourages diverse techniques, including  
19 inquiry, reflection, action research, networking, study groups,  
20 coaching, and evaluation:

21 (9) The program includes a means for evaluating the effectiveness  
22 of the program and activities under the program:

23 SECTION 49. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY  
24 1, 2012]. Sec. 10: The state board shall approve an evaluation system  
25 for professional development based on recommendations from the  
26 department. The department shall develop a means for measuring  
27 successful programs and activities in which schools participate. The  
28 measurements must include the following:

29 (1) A mechanism to identify and develop strategies to collect  
30 multiple forms of data that reflect the achievement of expectations  
31 for all students. The data may include the results of ISTEP  
32 program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and  
33 IC 20-32-6; local tests; classroom work; and teacher and  
34 administrator observations:

35 (2) A procedure for using collected data to make decisions:

36 (3) A method of evaluation in terms of educator's practice and  
37 student learning, including standards for effective teaching and  
38 effective professional development:

39 SECTION 50. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY  
40 1, 2012]. Sec. 11: A school qualifies for a grant from the department  
41 when the school's program, developed and submitted under this  
42 chapter, is approved by the state board upon recommendation of the

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1 department. For purposes of determining whether a school qualifies for  
 2 a grant under this chapter, the department shall:

- 3 (1) review;
- 4 (2) suggest changes to; and
- 5 (3) recommend approval or rejection of;

6 a school's program.

7 SECTION 51. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY  
 8 1, 2012]. Sec. 12: A school must use a grant received under this chapter  
 9 to implement all or part of the school's program by funding activities  
 10 that may include the following:

- 11 (1) Partnership programs with other entities, including  
 12 professional development schools;
- 13 (2) Teacher leadership academies, research teams, and study  
 14 groups;
- 15 (3) Workshops, seminars, and site visits;
- 16 (4) Cooperative programs with other school corporations;
- 17 (5) National board certification for teachers.

18 SECTION 52. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY  
 19 1, 2012]. Sec. 13: A school may contract with private or public sector  
 20 providers to provide professional development activities under this  
 21 chapter.

22 SECTION 53. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY  
 23 1, 2012]. Sec. 14: A grant received under this chapter:

- 24 (1) may be expended only for the conduct of activities specified  
 25 in the program; and
- 26 (2) must be coordinated with other professional development  
 27 programs and expenditures of the school and school corporation.

28 SECTION 54. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY  
 29 1, 2012]. Sec. 15: A school shall report to the department concerning  
 30 the use of grants received under this chapter. A school that fails to  
 31 make a report under this chapter is not eligible for a subsequent grant.

32 SECTION 55. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,  
 33 2012]. (Technology Apprenticeship Grant Program).

34 SECTION 56. IC 20-24-8-5, AS AMENDED BY P.L.90-2011,  
 35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2012]: Sec. 5. The following statutes and rules and guidelines  
 37 adopted under the following statutes apply to a charter school:

- 38 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 39 (2) IC 20-39-1-1 (unified accounting system).
- 40 (3) IC 20-35 (special education).
- 41 (4) IC 20-26-5-10 (criminal history).
- 42 (5) IC 20-26-5-6 (subject to laws requiring regulation by state

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- 1 agencies).
- 2 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 3 (7) IC 20-28-10-14 (teacher freedom of association).
- 4 (8) IC 20-28-10-17 (school counselor immunity).
- 5 (9) For conversion charter schools only, IC 20-28-6, IC 20-28-7.5,
- 6 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 7 (10) IC 20-33-2 (compulsory school attendance).
- 8 (11) IC 20-33-3 (limitations on employment of children).
- 9 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
- 10 due process and judicial review).
- 11 (13) IC 20-33-8-16 (firearms and deadly weapons).
- 12 (14) IC 20-34-3 (health and safety measures).
- 13 (15) IC 20-33-9 (reporting of student violations of law).
- 14 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
- 15 observances).
- 16 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, IC 20-32-8,
- 17 **and IC 20-32-8.5-2(b)**, or any other statute, rule, or guideline
- 18 **related to standardized testing (assessment programs, including**
- 19 **remediation under the assessment programs):**
- 20 (18) IC 20-33-7 (parental access to education records).
- 21 (19) IC 20-31 (accountability for school performance and
- 22 improvement).
- 23 (20) IC 20-30-5-19 (personal financial responsibility instruction).
- 24 SECTION 57. IC 20-26-2-1.5, AS ADDED BY P.L.121-2009,
- 25 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2012]: Sec. 1.5. "Expanded criminal history check" means a
- 27 criminal history background check of an individual that includes
- 28 (†) a:
- 29 (A) search of the records maintained by all counties in Indiana
- 30 in which the individual who is the subject of the background
- 31 check resided;
- 32 (B) search of the records maintained by all counties or similar
- 33 governmental units in another state, if the individual who is
- 34 the subject of the background check resided in another state;
- 35 and
- 36 (C) check of:
- 37 (i) sex offender registries in all fifty (50) states; or
- 38 (ii) the national sex offender registry maintained by the
- 39 United States Department of Justice; or
- 40 (‡) a:
- 41 (A) (1) national criminal history background check (as defined in
- 42 IC 10-13-3-12); and

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1            ~~(B)~~ (2) check of:  
2            (i) (A) sex offender registries in all fifty (50) states; or  
3            (ii) (B) the national sex offender registry maintained by the  
4            United States Department of Justice.  
5            SECTION 58. IC 20-26-7-1, AS AMENDED BY P.L.91-2011,  
6            SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7            JULY 1, 2012]:Sec. 1. (a) If a governing body of a school corporation  
8            determines that any real or personal property:  
9            (1) is no longer needed for school purposes; or  
10            (2) should, in the interests of the school corporation, be  
11            exchanged for other property;  
12            the governing body may sell or exchange the property in accordance  
13            with IC 36-1-11.  
14            (b) Money derived from the sale or exchange of property under this  
15            section shall be placed in any school fund:  
16            (1) established under applicable law; and  
17            (2) that the governing body considers appropriate.  
18            (c) A governing body may not make a covenant that prohibits the  
19            sale of real property to another educational institution.  
20            (d) This subsection does not apply to a school building that on July  
21            1, 2011, is leased or loaned by the school corporation that owns the  
22            school building to another entity. A governing body shall make  
23            available for lease or purchase to any charter school (as defined in  
24            IC 20-24-1-4) any school building owned by the school corporation  
25            that:  
26            (1) either:  
27            (A) is not used in whole or in part for classroom instruction at  
28            the time the charter school seeks to lease the building; or  
29            (B) appears on the list compiled by the department under  
30            subsection (e); and  
31            (2) was previously used for classroom instruction;  
32            in order for the charter school to conduct classroom instruction.  
33            (e) Each governing body shall inform the department whenever a  
34            school building that was previously used for classroom instruction is  
35            closed, unused, or unoccupied. The department shall maintain a list of  
36            closed, unused, or unoccupied school buildings and make the list  
37            available on the department's Internet web site. Each school  
38            corporation shall provide a list of closed, unused, or unoccupied  
39            buildings to the department by the date set by the department. The  
40            department must update the list each year before August 31.  
41            (f) A school building that appears for the first time on the  
42            department's list under subsection (e) shall be designated as

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1 "Unavailable until (a date two (2) years after the school building first  
 2 appears on the list)" if the governing body of the school corporation  
 3 that owns the school building indicates the school building may be  
 4 reclaimed during that period for classroom instruction, which must  
 5 begin not later than one (1) year after the school building is reclaimed.  
 6 If the school building remains unused for classroom instruction one (1)  
 7 year after being reclaimed, the governing body shall place the school  
 8 building on the department's list. A governing body may reclaim a  
 9 school building only one (1) time under this subsection.

10 (g) If a charter school wishes to use a school building on the list  
 11 created under subsection (e), the charter school shall send a letter of  
 12 intent to the department. The department shall notify the school  
 13 corporation of the charter school's intent, and the school corporation  
 14 that owns the school building shall lease the school building to the  
 15 charter school for one dollar (\$1) per year for as long as the charter  
 16 school uses the school building for classroom instruction or for a term  
 17 at the charter school's discretion, or sell the school building to the  
 18 charter school for one dollar (\$1). The charter school must begin to use  
 19 the school building for classroom instruction not later than two (2)  
 20 years after acquiring the school building. If the school building is not  
 21 used for classroom instruction within two (2) years after acquiring the  
 22 school building, the school building shall be placed on the department's  
 23 list under subsection (e). If during the term of the lease the charter  
 24 school closes or ceases using the school building for classroom  
 25 instruction, the school building shall be placed on the department's list  
 26 under subsection (e).

27 (h) During the term of a lease under subsection (g), the charter  
 28 school is responsible for the direct expenses related to the school  
 29 building leased, including utilities, insurance, maintenance, repairs,  
 30 and remodeling. The school corporation is responsible for any debt  
 31 incurred for or liens that attached to the school building before the  
 32 charter school leased the school building.

33 (i) If a school building appears on the department's list under  
 34 subsection (e) for at least forty-eight (48) months, the school  
 35 corporation may sell or otherwise dispose of the school building in any  
 36 manner the governing body considers appropriate.

37 **(j) This subsection and subsection (k) apply if a governing body**  
 38 **believes that there is little likelihood that a charter school is**  
 39 **interested in leasing or purchasing a school building that was**  
 40 **previously used for classroom instruction. The governing body**  
 41 **shall:**

42 (1) **inform the department; and**



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- 1           (2) send notice by certified mail to each charter school  
2           sponsor and a statewide organization representing charter  
3           schools;  
4           that the governing body wishes to dispose of a school building to  
5           which this subsection applies without placing the school building  
6           on the list maintained by the department under subsection (e).  
7           (k) Not later than thirty (30) days after sending notice under  
8           subsection (j), if a charter school sponsor or a statewide  
9           organization representing charter schools does not respond to the  
10          notice objecting to the school building's disposal, the state  
11          superintendent may grant the governing body a waiver from being  
12          placed on the department's list and the governing body may  
13          dispose of the school building in any lawful manner. If a charter  
14          school sponsor or a statewide organization representing charter  
15          schools objects to the school building's disposal, the governing  
16          body shall place the school building on the department's list under  
17          subsection (e).  
18          SECTION 59. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,  
19          SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20          JULY 1, 2012]: Sec. 5. (a) As used in this chapter, "graduation" means  
21          the successful completion by a student of:  
22                  (1) a sufficient number of academic credits, or the equivalent of  
23                  academic credits; and  
24                  (2) the graduation examination or waiver process required under  
25                  IC 20-32-3 through ~~IC 20-32-6~~; **IC 20-32-5**;  
26          resulting in the awarding of a high school diploma or an academic  
27          honors diploma.  
28          (b) The term does not include the granting of a general educational  
29          development diploma under IC 20-20-6 (before its repeal) or  
30          IC 22-4.1-18.  
31          SECTION 60. IC 20-26-15-5, AS ADDED BY P.L.1-2005,  
32          SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33          JULY 1, 2012]: Sec. 5. Notwithstanding any other law, the operation  
34          of the following is suspended for a freeway school corporation or a  
35          freeway school if the governing body of the school corporation elects  
36          to have the specific statute or rule suspended in the contract:  
37                  (1) The following statutes and rules concerning curriculum and  
38                  instructional time:  
39                          IC 20-30-2-7  
40                          ~~IC 20-30-5-8~~  
41                          IC 20-30-5-9  
42                          IC 20-30-5-11



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- 1           511 IAC 6-7-6
- 2           ~~511 IAC 6.1-3-4~~
- 3           511 IAC 6.1-5-0.5
- 4           511 IAC 6.1-5-1
- 5           511 IAC 6.1-5-2.5
- 6           511 IAC 6.1-5-3.5
- 7           511 IAC 6.1-5-4.
- 8           (2) The following rule concerning pupil/teacher ratios:
- 9           511 IAC 6.1-4-1.
- 10          (3) The following statutes and rules concerning textbooks:
- 11          ~~IC 20-20-5-1 through IC 20-20-5-4~~
- 12          ~~IC 20-20-5-23~~
- 13          IC 20-26-12-24
- 14          IC 20-26-12-26
- 15          ~~IC 20-26-12-28~~
- 16          IC 20-26-12-1
- 17          IC 20-26-12-2
- 18          511 IAC 6.1-5-5.
- 19          (4) 511 IAC 6-7, concerning graduation requirements.
- 20          (5) IC 20-31-4, concerning the performance based accreditation
- 21          system.
- 22          (6) IC 20-32-5, concerning the ISTEP program established under
- 23          IC 20-32-5-15, if an alternative locally adopted assessment
- 24          program is adopted under section 6(7) of this chapter.
- 25          SECTION 61. IC 20-26-15-6, AS AMENDED BY P.L.2-2006,
- 26          SECTION 135, IS AMENDED TO READ AS FOLLOWS
- 27          [EFFECTIVE JULY 1, 2012]: Sec. 6. Except as provided in this
- 28          chapter and notwithstanding any other law, a freeway school
- 29          corporation or a freeway school may do the following during the
- 30          contract period:
- 31            (1) Disregard the observance of any statute or rule that is listed in
- 32            the contract.
- 33            (2) Lease school transportation equipment to others for nonschool
- 34            use when the equipment is not in use for a school corporation
- 35            purpose, if the lessee has not received a bid from a private entity
- 36            to provide transportation equipment or services for the same
- 37            purpose.
- 38            (3) Replace the budget and accounting system that is required by
- 39            law with a budget or accounting system that is frequently used in
- 40            the private business community. The state board of accounts may
- 41            not go beyond the requirements imposed upon the state board of
- 42            accounts by statute in reviewing the budget and accounting

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- 1 system used by a freeway school corporation or a freeway school.
- 2 (4) Establish a professional development and technology fund to
- 3 be used for:
- 4 (A) professional development; or
- 5 (B) technology, including video distance learning.
- 6 However, any money deposited in the professional development
- 7 and technology fund for technology purposes must be transferred
- 8 to the school technology fund.
- 9 (5) Subject to subdivision (4), transfer funds obtained from
- 10 sources other than state or local government taxation among any
- 11 accounts of the school corporation, including a professional
- 12 development and technology fund established under subdivision
- 13 (4).
- 14 (6) Transfer funds obtained from property taxation and from state
- 15 distributions among the general fund and the school
- 16 transportation fund, subject to the following:
- 17 (A) The sum of the property tax rates for the general fund and
- 18 the school transportation fund after a transfer occurs under this
- 19 subdivision may not exceed the sum of the property tax rates
- 20 for the general fund and the school transportation fund before
- 21 a transfer occurs under this subdivision.
- 22 (B) This subdivision does not allow a school corporation to
- 23 transfer to any other fund money from the:
- 24 (i) capital projects fund; or
- 25 (ii) debt service fund.
- 26 (7) Establish a locally adopted assessment program to replace the
- 27 assessment of students under the ISTEP program established
- 28 under IC 20-32-5-15, subject to the following:
- 29 (A) A locally adopted assessment program must be established
- 30 by the governing body and approved by the department.
- 31 (B) A locally adopted assessment program may use a locally
- 32 developed test or a nationally developed test.
- 33 (C) Results of assessments under a locally adopted assessment
- 34 program are subject to the same reporting requirements as
- 35 results under the ISTEP program.
- 36 (D) Each student who completes a locally adopted assessment
- 37 program and the student's parent have the same rights to
- 38 **inspection and rescoring test scores** as set forth in
- 39 IC 20-32-5-9.

40 SECTION 62. IC 20-27-7-3, AS ADDED BY P.L.1-2005,  
 41 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2012]: Sec. 3. If the inspection required under section 1 of this

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1 chapter reveals that a school bus meets all safety requirements, the  
 2 inspecting officer shall ~~issue to the owner of the school bus a certificate~~  
 3 ~~that the school bus has been inspected and that it complies with the~~  
 4 ~~safety requirements.~~ **attach to the bus a certificate of inspection and**  
 5 **document the certification in the state police department's school**  
 6 **bus inspection data base.** Except as provided in sections 5 through 7  
 7 of this chapter, a certificate of inspection issued under this section is  
 8 valid until September 30 of the school year following the school year  
 9 for which the certificate is issued.

10 SECTION 63. IC 20-27-7-16 IS REPEALED [EFFECTIVE JULY  
 11 1, 2012]. ~~Sec. 16. When the owner of a school bus applies for a~~  
 12 ~~registration plate under IC 9-18-2-7 or IC 9-18-2-8.5, the owner shall~~  
 13 ~~submit with the application a certificate of inspection issued under~~  
 14 ~~section 3 of this chapter. If the certificate of inspection does not~~  
 15 ~~accompany an owner's application, the bureau of motor vehicles may~~  
 16 ~~not issue a registration plate.~~

17 SECTION 64. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,  
 18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2012]: Sec. 6. (a) Subject to subsection (c) and in addition to  
 20 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state  
 21 board may adopt rules under IC 4-22-2 to do the following:

- 22 (1) Set standards for teacher licensing and for the administration  
 23 of a professional licensing and certification process by the  
 24 department.
- 25 (2) Approve or disapprove teacher preparation programs.
- 26 (3) Set fees to be charged in connection with teacher licensing.
- 27 (4) Suspend, revoke, or reinstate teacher licenses.
- 28 (5) Enter into agreements with other states to acquire reciprocal  
 29 approval of teacher preparation programs.
- 30 (6) Set standards for teacher licensing concerning new subjects of  
 31 study.
- 32 (7) Evaluate work experience and military service concerning  
 33 postsecondary education and experience equivalency.
- 34 (8) Perform any other action that:
  - 35 (A) relates to the improvement of instruction in the public  
 36 schools through teacher education and professional  
 37 development through continuing education; and
  - 38 (B) attracts qualified candidates for teacher education from  
 39 among the high school graduates of Indiana.
- 40 (9) Set standards for endorsement of school psychologists as  
 41 independent practice school psychologists under IC 20-28-12.
- 42 (10) Before July 1, 2011, set standards for sign language



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1 interpreters who provide services to children with disabilities in  
 2 an educational setting and an enforcement mechanism for the  
 3 interpreter standards.

4 (b) Notwithstanding subsection (a)(1), an individual is entitled to  
 5 one (1) year of occupational experience for purposes of obtaining an  
 6 occupational specialist certificate under this article for each year the  
 7 individual holds a license under IC 25-8-6.

8 (c) The state board may adopt rules under IC 4-22-2, including  
 9 emergency rules under IC 4-22-2-37.1, to establish procedures to  
 10 expedite the issuance, renewal, or reinstatement under this article of a  
 11 license or certificate of a person whose spouse serves on active duty (as  
 12 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.

13 SECTION 65. IC 20-30-5-7, AS AMENDED BY P.L.86-2007,  
 14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 7. Each school corporation shall include in the  
 16 school corporation's curriculum the following studies:

- 17 (1) Language arts, including:  
 18 (A) English;  
 19 (B) grammar;  
 20 (C) composition;  
 21 (D) speech; ~~and~~  
 22 (E) second languages; **and**  
 23 **(F) cursive writing.**  
 24 (2) Mathematics.  
 25 (3) Social studies and citizenship, including the:  
 26 (A) constitutions;  
 27 (B) governmental systems; and  
 28 (C) histories;  
 29 of Indiana and the United States, including a study of the  
 30 Holocaust in each high school United States history course.  
 31 (4) Sciences.  
 32 (5) Fine arts, including music and art.  
 33 (6) Health education, physical fitness, safety, and the effects of  
 34 alcohol, tobacco, drugs, and other substances on the human body.  
 35 (7) Additional studies selected by each governing body, subject  
 36 to revision by the state board.

37 SECTION 66. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,  
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2012]: Sec. 7.5. (a) This section does not apply to a student  
 40 who:

- 41 (1) is in half-day kindergarten; or  
 42 (2) has a medical condition that precludes participation in the

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1           daily physical activity provided under this section.  
 2           (b) Beginning in the 2006-2007 school year, the governing body of  
 3 each school corporation shall provide daily physical activity for  
 4 students in elementary school. The physical activity ~~must be consistent~~  
 5 ~~with the curriculum and programs developed under IC 20-19-3-6~~ and  
 6 may include the use of recess. On a day when there is inclement  
 7 weather or unplanned circumstances have shortened the school day, the  
 8 school corporation may provide physical activity alternatives or elect  
 9 not to provide physical activity.

10           SECTION 67. IC 20-30-5-8 IS REPEALED [EFFECTIVE JULY 1,  
 11 2012]. ~~Sec. 8: A course in safety education for at least one (1) full~~  
 12 ~~semester shall be taught in grade 8 of each public school and nonpublic~~  
 13 ~~school. The state board shall prepare a guide for this course that:~~

14           ~~(1) the teacher shall use; and~~  
 15           ~~(2) may be revised under the direction of the state board.~~

16           SECTION 68. IC 20-30-10-2, AS ADDED BY P.L.1-2005,  
 17 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2012]: Sec. 2. (a) The state board shall adopt the following:

19           (1) College/technology preparation curriculum models that may  
 20 include all or part of the following:

21           ~~(A) the college preparation curriculum models developed by~~  
 22 ~~the department under section 1 of this chapter.~~

23           ~~(B) The technology preparation curriculum models developed~~  
 24 ~~by the technology preparation task force under IC 20-20-10.~~

25           (2) Teacher and staff training to implement the  
 26 college/technology preparation curriculum models.

27           (b) The college/technology preparation curriculum models that the  
 28 state board adopts under subsection (a) must meet the conditions listed  
 29 in

30           ~~(1) section 3 of this chapter. and~~

31           ~~(2) IC 20-20-10-3.~~

32           SECTION 69. IC 20-30-12-1 IS REPEALED [EFFECTIVE JULY  
 33 1, 2012]. ~~Sec. 1: The department shall require all school corporations~~  
 34 ~~to make available to the school corporation's high school students the~~  
 35 ~~technology preparation curriculum developed under IC 20-20-10.~~

36           SECTION 70. IC 20-31-11 IS REPEALED [EFFECTIVE JULY 1,  
 37 2012]. (Performance Based Awards).

38           SECTION 71. IC 20-32-5-5, AS AMENDED BY P.L.73-2011,  
 39 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2012]: Sec. 5. The department shall make general language  
 41 arts essay scoring rubrics available to the public ~~at least four (4)~~  
 42 ~~months~~ before the administration of a test. An essay question, a scoring

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1 rubric, or an anchor paper used in the ISTEP program must not seek or  
2 compile information about a student's:

- 3 (1) personal attitudes;
- 4 (2) political views;
- 5 (3) religious beliefs;
- 6 (4) family relationships; or
- 7 (5) other matters listed in IC 20-30-5-17(b).

8 The ~~ISTEP program citizens' review committee~~ **department** shall  
9 determine whether an essay question or a scoring rubric complies with  
10 this section.

11 SECTION 72. IC 20-32-5-9, AS ADDED BY P.L.1-2005,  
12 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2012]: Sec. 9. (a) After reports of student scores are returned  
14 to a school corporation, the school corporation shall promptly ~~do the~~  
15 ~~following~~:

- 16 ~~(1)~~ give each student and the student's parent the student's ISTEP  
17 program test scores.
- 18 ~~(2) Make available for inspection to each student and the student's~~  
19 ~~parent the following:~~
  - 20 ~~(A) A copy of the essay questions and prompts used in~~  
21 ~~assessing the student.~~
  - 22 ~~(B) A copy of the student's scored essays.~~
  - 23 ~~(C) A copy of the anchor papers and scoring rubrics used to~~  
24 ~~score the student's essays.~~

25 a student's parent may request a rescoring of a student's responses to a  
26 test, including a student's essay.

27 (b) A student's ISTEP program scores may not be disclosed to the  
28 public.

29 **(c) A student's parent may request a rescoring of the student's**  
30 **responses to a test, including the student's essay. A school may**  
31 **request a rescoring only if there is evidence that the student's test**  
32 **score is not accurate.**

33 SECTION 73. IC 20-32-5-15, AS AMENDED BY P.L.229-2011,  
34 SECTION 191, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) The state superintendent  
36 shall develop an ISTEP program testing schedule. ~~in which:~~

- 37 ~~(1) each student in grades 3, 6, 8, and 10 must be tested; and~~
- 38 ~~(2) each student in grade 10 or grade 11 must take a graduation~~  
39 ~~examination.~~

40 (b) The state board shall adopt rules to establish when a student is  
41 ~~considered to be in grade 10~~ **has completed the coursework** for  
42 purposes of initially taking the graduation examination.



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1 SECTION 74. IC 20-32-5-18, AS ADDED BY P.L.1-2005,  
 2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 18. (a) The department shall establish a pilot  
 4 program to examine innovative testing methods.

5 (b) The department shall select a representative sample of school  
 6 corporations determined through an application procedure to  
 7 participate in the pilot program under this section.

8 (c) The types of methods authorized under this program include the  
 9 following:

10 (1) Recently developed techniques for measuring higher order  
 11 thinking skills.

12 (2) Performance testing of academic standards that are difficult to  
 13 measure by a written test format.

14 (3) Expanded subject area assessment using student writing  
 15 samples.

16 ~~(d) The funds necessary to implement a pilot program under this~~  
 17 ~~section shall be expended from the research and development program~~  
 18 ~~under IC 20-20-11.~~

19 SECTION 75. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,  
 20 2012]. (ISTEP Program Citizens' Review Committee).

21 SECTION 76. IC 20-32-8.5-2, AS ADDED BY P.L.109-2010,  
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 2. **(a) Except as provided in subsection (b),** the  
 24 plan required by this chapter must include the following:

25 (1) Reading skill standards for grade 1 through grade 3.

26 (2) An emphasis on a method for making determinant evaluations  
 27 by grade 3 that might require remedial action for the student,  
 28 including retention as a last resort, after other methods of  
 29 remediation have been evaluated or used, or both, if reading skills  
 30 are below the standard. Appropriate consultation with parents or  
 31 guardians must be part of the plan.

32 (3) The fiscal impact of each component of the plan, if any. In  
 33 determining whether a component has a fiscal impact,  
 34 consideration shall be given to whether the component will  
 35 increase costs to the state or a school corporation or require the  
 36 state or school corporation to reallocate resources.

37 **(b) For a charter school, a plan required by this chapter may**  
 38 **include only the following:**

39 **(1) A method for making determinant evaluations of reading**  
 40 **skills by grade 3.**

41 **(2) Retention as a last resort for students reading below grade**  
 42 **level as measured by the evaluation or assessment.**

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1 SECTION 77. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,  
 2 SECTION 231, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2012]: Sec. 20. Money in the fund may be  
 4 transferred to another fund and used as provided by law. The laws  
 5 permitting a transfer of money from the fund include the following:

6 ~~(1) IC 20-20-10-5 (implementation of technology preparation task~~  
 7 ~~force):~~

8 ~~(2) (1) IC 20-40-11-3 (repair and replacement fund).~~

9 ~~(3) (2) IC 20-40-12-6 (self-insurance fund).~~

10 ~~(4) (3) IC 20-49-4-22 (advance for educational technology~~  
 11 ~~program).~~

12 SECTION 78. IC 21-14-11-1, AS ADDED BY P.L.209-2011,  
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2012]: Sec. 1. **(a) This section does not apply to an**  
 15 **individual who was enrolled in a state educational institution on or**  
 16 **before July 1, 2011.**

17 **(b) An individual who is not lawfully present in the United States**  
 18 **is not eligible to pay the resident tuition rate that is determined by the**  
 19 **state educational institution.**

20 SECTION 79. [EFFECTIVE JULY 1, 2012] **(a) As used in this**  
 21 **SECTION, "balanced calendar" refers to a calendar for a school**  
 22 **year in which:**

23 **(1) any break between instructional days does not exceed six**

24 **(6) weeks; or**

25 **(2) the instructional days are divided into quarters.**

26 **(b) As used in this SECTION, "legislative council" refers to the**  
 27 **legislative council established by IC 2-5-1.1-1.**

28 **(c) As used in this SECTION, "study committee" means either**  
 29 **of the following:**

30 **(1) A statutory committee established under IC 2-5.**

31 **(2) An interim study committee.**

32 **(d) The legislative council is urged to assign the following topics**  
 33 **to a study committee during the 2012 legislative interim:**

34 **(1) The use of balanced calendars by school corporations.**

35 **(2) Procedures for the implementation or discontinuance of**  
 36 **the use of balanced calendars, including the use of referenda.**

37 **(e) If the topics described in subsection (d) are assigned to a**  
 38 **study committee, the study committee shall determine whether**  
 39 **legislation should be enacted to address the topics, and if so, the**  
 40 **study committee shall recommend proposed legislation.**

41 **(f) This SECTION expires December 31, 2012.**

42 SECTION 80. [EFFECTIVE UPON PASSAGE] **(a) As used in this**

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1 SECTION, "committee" refers to an interim study committee to  
 2 which the legislative council assigns the topics of study described  
 3 in subsection (c).

4 (b) As used in this SECTION, "state educational institution" has  
 5 the meaning set forth in IC 21-7-13-32.

6 (c) The general assembly urges the legislative council to assign  
 7 the following topics pertaining to state educational institution  
 8 grading practices to an appropriate committee:

9 (1) Grading practices for courses that are required to fill  
 10 general education requirements at a state educational  
 11 institution.

12 (2) Whether the grade distribution for a required course at a  
 13 state educational institution may differ depending upon  
 14 whether the course is taught by a:

15 (A) tenured faculty member;

16 (B) faculty member who is on a tenure track; or

17 (C) contract instructor.

18 (3) Whether grading practices for required courses taught at  
 19 a state educational institution have changed during the five (5)  
 20 most recent academic years.

21 (4) Any other issue pertaining to grading practices at a state  
 22 educational institution that the legislative council determines  
 23 is appropriate.

24 (d) If the topics described in subsection (c) are assigned to a  
 25 committee under subsection (c), the committee shall, not later than  
 26 November 1, 2012, issue a final report to the legislative council  
 27 concerning the findings and recommendations of the committee  
 28 concerning the topics described in subsection (c).

29 (e) This SECTION expires December 31, 2012.

30 SECTION 81. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1326, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete line 35 through 36, begin a new paragraph and insert:

"SECTION 11. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 1: The following are the goals of the ambassador for education program:

- (1) Enhance the stature of teachers and the teaching profession:
- (2) Inspire and attract talented young people to become teachers:
- (3) Promote the teaching profession within community and business groups:
- (4) Support the activities of the Future Teachers of America clubs:
- (5) Represent Indiana teachers at business, education, and teacher leadership conferences and meetings:
- (6) Reward the teacher of the year for the teacher's outstanding contributions to the teaching profession:
- (7) Reward the teacher of the year for the teacher's contributions to the teacher's classroom and school:

SECTION 12. IC 20-20-4-2 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 2: As used in this chapter, "ambassador" refers to the ambassador for education established by section 4 of this chapter:

SECTION 13. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 3: As used in this chapter, "school" means a school corporation or an accredited nonpublic school:

SECTION 14. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 4: The position of ambassador for education is established to act as an education liaison to Indiana schools:

SECTION 15. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 5: A teacher in a school who:

- (1) is selected by the state superintendent as teacher of the year; and
- (2) agrees to be ambassador;

is ambassador for a one (1) year term beginning July 1 after selection as teacher of the year and ending the following June 30:

SECTION 16. IC 20-20-4-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 5.5. A teacher of the year may be invited to serve one (1) year of professional leave with:**

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- (1) an Indiana postsecondary educational institution; or
- (2) the department.

SECTION 17. IC 20-20-4-6, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The school where **an ambassador a teacher of the year** is regularly employed shall do the following:

- (1) Grant the **ambassador teacher** a one (1) year professional leave to **serve as ambassador during the ambassador's term provide service as described in section 5.5 of this chapter.**
- (2) Allow the **ambassador teacher** to return to the school from the professional leave:
  - (A) to the same or a comparable position as the **ambassador teacher** held before the professional leave; and
  - (B) without loss of accrued benefits or seniority.
- (3) Continue to provide the **ambassador teacher** all benefits of employment with the school other than salary.

(b) The department shall reimburse a school for the cost of benefits provided by the school to **an ambassador a teacher** under subsection (a)(3).

SECTION 18. IC 20-20-4-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 6.5. If a teacher of the year provides service for the department or an Indiana postsecondary educational institution under this chapter, the department or the Indiana postsecondary educational institution shall pay the teacher's salary for the term of the service and shall reimburse the teacher's regular employer for the teacher's benefits during the term of service.**

SECTION 19. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1, 2012]. **Sec. 7. An ambassador may elect to serve the one (1) year professional leave at:**

- (1) an Indiana postsecondary educational institution; or
- (2) the department.

SECTION 20. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1, 2012]. **Sec. 8. If an ambassador elects to serve a one (1) year professional leave with the department, the following apply:**

- (1) The state coordinator of the ambassador for education program, as designated by the state superintendent, shall establish the ambassador's duties.
- (2) The ambassador is entitled to receive from the department the following:
  - (A) A salary in place of compensation from the school where

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the ambassador is regularly employed that equals the salary that the ambassador, if not serving as ambassador, would receive during the school year of the ambassador's term from the school where the ambassador is regularly employed.

(B) Actual expenses of the ambassador incurred as a result of the performance of duties under this chapter:

SECTION 21. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 9: If an ambassador elects to serve a one (1) year professional leave with an Indiana postsecondary educational institution, the following apply:

(1) The dean of the institution's school of education or the equivalent officer shall establish the ambassador's duties:

(2) The ambassador is entitled to receive from the institution the amount of compensation that the institution offers the ambassador:

(3) The ambassador is entitled to receive from the department compensation in an amount that when added to the amount provided under subdivision (2) equals the salary that the ambassador, if not serving as ambassador, would receive during the school year of the ambassador's term from the school where the ambassador is regularly employed:

SECTION 22. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 10: The ambassador's duties must match the relative skills and education background of the ambassador and reflect the goals of the ambassador for education program. However, duties may include the following:

(1) Providing professional development seminars and workshops in the subject matter areas in which the ambassador has expertise:

(2) Accompanying the state superintendent in the exercise of the state superintendent's duties throughout Indiana."

Page 16, line 8, strike "IC 20-30-5-8".

Page 19, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 50. IC 20-30-5-8 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 8: A course in safety education for at least one (1) full semester shall be taught in grade 8 of each public school and nonpublic school. The state board shall prepare a guide for this course that:

(1) the teacher shall use; and

(2) may be revised under the direction of the state board."

Page 19, delete lines 39 through 42.

Page 20, delete lines 1 through 4.

Page 20, delete lines 22 through 39, begin a new paragraph and insert:

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"SECTION 55. IC 20-32-5-9, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) After reports of student scores are returned to a school corporation, the school corporation shall promptly ~~do the following:~~

(1) give each student and the student's parent the student's ISTEP program test scores.

(2) ~~Make available for inspection to each student and the student's parent the following:~~

(A) ~~A copy of the essay questions and prompts used in assessing the student.~~

(B) ~~A copy of the student's scored essays.~~

(C) ~~A copy of the anchor papers and scoring rubrics used to score the student's essays.~~

~~a student's parent may request a rescoring of a student's responses to a test, including a student's essay.~~

(b) A student's ISTEP program scores may not be disclosed to the public.

**(c) A student's parent may request a rescoring of the student's responses to a test, including the student's essay. A school may request a rescoring only if there is evidence that the student's test score is not accurate."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1326 as introduced.)

BEHNING, Chair

Committee Vote: yeas 8, nays 2.

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#### HOUSE MOTION

Mr. Speaker: I move that House Bill 1326 be amended to read as follows:

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 4. IC 9-18-2-8.5, AS ADDED BY P.L.31-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8.5. (a) Notwithstanding section 8 of this chapter, a school bus owned by a person other than a school corporation shall be registered before ~~July 29~~ **September 28** of each year.

(b) Registration and reregistration for a school bus under this

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section is for one (1) year.

(c) A certificate of inspection as ~~required under IC 20-27-7-16~~ **described under IC 20-27-7-3** must accompany a registration and reregistration application of a school bus under this section.

(d) A person registering a school bus under this section shall pay the annual registration fee required under IC 9-29-5-8 and any fees and service charges required of a vehicle registered under this chapter.

(e) Upon registration of a school bus under this section, the bureau shall issue a license plate under section 30 of this chapter, including:

- (1) an annual renewal tag; or
- (2) other indicia;

to be attached on the semipermanent plate.

(f) A license plate with a renewal tag or other indicia of registration issued under this section may be displayed during:

- (1) the calendar year for which the school bus is registered; and
- (2) the period:
  - (A) after the calendar year; and
  - (B) before ~~July 29~~ **September 28** of the subsequent year."

Page 20, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 60. IC 20-27-7-3, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. If the inspection required under section 1 of this chapter reveals that a school bus meets all safety requirements, the inspecting officer shall ~~issue to the owner of the school bus a certificate that the school bus has been inspected and that it complies with the safety requirements.~~ **attach to the bus a certificate of inspection and document the certification in the state police department's school bus inspection data base.** Except as provided in sections 5 through 7 of this chapter, a certificate of inspection issued under this section is valid until September 30 of the school year following the school year for which the certificate is issued.

SECTION 61. IC 20-27-7-16 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. ~~16~~. ~~When the owner of a school bus applies for a registration plate under IC 9-18-2-7 or IC 9-18-2-8.5, the owner shall submit with the application a certificate of inspection issued under section 3 of this chapter. If the certificate of inspection does not accompany an owner's application, the bureau of motor vehicles may not issue a registration plate."~~

Re-number all SECTIONS consecutively.

(Reference is to HB 1326 as printed January 23, 2012.)

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1326, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 28, after "superintendent" insert "**of public instruction**".

Page 3, delete lines 23 through 31.

Page 4, between lines 15 and 16, begin a new paragraph and insert: "SECTION 8. IC 12-32-1-3, AS ADDED BY P.L.171-2011, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) As used in this chapter, "state or local public benefit" has the meaning set forth in 8 U.S.C. 1621.

(b) The term includes:

- (1) a postsecondary education award, including a scholarship, a grant, or financial aid, **except for a scholarship, a grant, or financial aid that is awarded to an international student with bona fide legal status who is enrolled in a state educational institution;** and
- (2) **except for an individual who was enrolled in a state educational institution on or before July 1, 2011,** the resident tuition rate (as determined by the state educational institution)."

Page 14, delete lines 12 through 14, begin a new paragraph and insert:

"SECTION 36. IC 20-20-17-6, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The department may award grants to school corporations:

- (1) upon review of the applications received under section 5 of this chapter;
- (2) upon receipt of the recommendations from the advisory committee under section 10 of this chapter;
- (3) (2) subject to available money; and
- (4) (3) in accordance with the following priorities:
  - (A) To the extent possible, to achieve geographic balance throughout Indiana and to include urban, suburban, and rural school corporations.
  - (B) To address a documented need for new or expanded school intervention or career counseling programs, including considering the percentage of students within the school

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corporation who are designated as at risk students.

(C) To promote innovative methods for initiating or expanding school intervention or career counseling programs.

(D) To reward school corporations that propose school intervention or career counseling programs that demonstrate the greatest potential for replication and implementation in Indiana.

(E) To lower school counselor/student ratios where the ratios are excessively high.

SECTION 37. IC 20-20-17-10 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 10: (a) An advisory committee composed of five (5) members is established:

(b) The state superintendent shall appoint the members of the advisory committee:

(c) The state superintendent shall:

(1) convene the advisory committee; and

(2) act as chair of the advisory committee.

The state superintendent may not be a member of the advisory committee:

(d) An employee of:

(1) the governor; or

(2) the department of education;

is eligible for appointment to the advisory committee:

(e) A member of the advisory committee serves at the pleasure of the appointing authority:

(f) A member of the advisory committee is not entitled to the following:

(1) The minimum salary per diem provided in IC 4-10-11-2.1(b):

(2) Reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties:

(g) The advisory committee shall do the following:

(1) Assist the department in developing the guidelines described in section 9 of this chapter:

(2) Establish standards for qualifying for a grant under this chapter:

(3) Review grant applications and make recommendations to the state superintendent concerning the awarding of grants:

(4) Evaluate the impact and results of the various school intervention and career counseling programs receiving grants under this chapter."

Page 17, line 42, after "IC 20-32-8," insert "and IC 20-32-8.5-2(b)."



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Page 18, strike lines 1 through 3.

Page 18, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 60. IC 20-26-7-1, AS AMENDED BY P.L.91-2011, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:Sec. 1. (a) If a governing body of a school corporation determines that any real or personal property:

- (1) is no longer needed for school purposes; or
- (2) should, in the interests of the school corporation, be exchanged for other property;

the governing body may sell or exchange the property in accordance with IC 36-1-11.

(b) Money derived from the sale or exchange of property under this section shall be placed in any school fund:

- (1) established under applicable law; and
- (2) that the governing body considers appropriate.

(c) A governing body may not make a covenant that prohibits the sale of real property to another educational institution.

(d) This subsection does not apply to a school building that on July 1, 2011, is leased or loaned by the school corporation that owns the school building to another entity. A governing body shall make available for lease or purchase to any charter school (as defined in IC 20-24-1-4) any school building owned by the school corporation that:

- (1) either:
  - (A) is not used in whole or in part for classroom instruction at the time the charter school seeks to lease the building; or
  - (B) appears on the list compiled by the department under subsection (e); and
- (2) was previously used for classroom instruction;

in order for the charter school to conduct classroom instruction.

(e) Each governing body shall inform the department whenever a school building that was previously used for classroom instruction is closed, unused, or unoccupied. The department shall maintain a list of closed, unused, or unoccupied school buildings and make the list available on the department's Internet web site. Each school corporation shall provide a list of closed, unused, or unoccupied buildings to the department by the date set by the department. The department must update the list each year before August 31.

(f) A school building that appears for the first time on the department's list under subsection (e) shall be designated as "Unavailable until (a date two (2) years after the school building first appears on the list)" if the governing body of the school corporation

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that owns the school building indicates the school building may be reclaimed during that period for classroom instruction, which must begin not later than one (1) year after the school building is reclaimed. If the school building remains unused for classroom instruction one (1) year after being reclaimed, the governing body shall place the school building on the department's list. A governing body may reclaim a school building only one (1) time under this subsection.

(g) If a charter school wishes to use a school building on the list created under subsection (e), the charter school shall send a letter of intent to the department. The department shall notify the school corporation of the charter school's intent, and the school corporation that owns the school building shall lease the school building to the charter school for one dollar (\$1) per year for as long as the charter school uses the school building for classroom instruction or for a term at the charter school's discretion, or sell the school building to the charter school for one dollar (\$1). The charter school must begin to use the school building for classroom instruction not later than two (2) years after acquiring the school building. If the school building is not used for classroom instruction within two (2) years after acquiring the school building, the school building shall be placed on the department's list under subsection (e). If during the term of the lease the charter school closes or ceases using the school building for classroom instruction, the school building shall be placed on the department's list under subsection (e).

(h) During the term of a lease under subsection (g), the charter school is responsible for the direct expenses related to the school building leased, including utilities, insurance, maintenance, repairs, and remodeling. The school corporation is responsible for any debt incurred for or liens that attached to the school building before the charter school leased the school building.

(i) If a school building appears on the department's list under subsection (e) for at least forty-eight (48) months, the school corporation may sell or otherwise dispose of the school building in any manner the governing body considers appropriate.

**(j) This subsection and subsection (k) apply if a governing body believes that there is little likelihood that a charter school is interested in leasing or purchasing a school building that was previously used for classroom instruction. The governing body shall:**

- (1) inform the department; and**
- (2) send notice by certified mail to each charter school sponsor and a statewide organization representing charter**



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**schools;**  
**that the governing body wishes to dispose of a school building to which this subsection applies without placing the school building on the list maintained by the department under subsection (e).**

**(k) Not later than thirty (30) days after sending notice under subsection (j), if a charter school sponsor or a statewide organization representing charter schools does not respond to the notice objecting to the school building's disposal, the state superintendent may grant the governing body a waiver from being placed on the department's list and the governing body may dispose of the school building in any lawful manner. If a charter school sponsor or a statewide organization representing charter schools objects to the school building's disposal, the governing body shall place the school building on the department's list under subsection (e)."**

Page 22, between lines 25 and 26, begin a new paragraph and insert:  
 "SECTION 67. IC 20-30-5-7, AS AMENDED BY P.L.86-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. Each school corporation shall include in the school corporation's curriculum the following studies:

- (1) Language arts, including:
  - (A) English;
  - (B) grammar;
  - (C) composition;
  - (D) speech; ~~and~~
  - (E) second languages; **and**
  - (F) cursive writing.**
- (2) Mathematics.
- (3) Social studies and citizenship, including the:
  - (A) constitutions;
  - (B) governmental systems; and
  - (C) histories;
 of Indiana and the United States, including a study of the Holocaust in each high school United States history course.
- (4) Sciences.
- (5) Fine arts, including music and art.
- (6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.
- (7) Additional studies selected by each governing body, subject to revision by the state board."

Page 25, delete lines 8 through 21.

Page 25, between lines 23 and 24, begin a new paragraph and insert:

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"SECTION 79. IC 20-32-8.5-2, AS ADDED BY P.L.109-2010, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a) Except as provided in subsection (b), the plan required by this chapter must include the following:**

- (1) Reading skill standards for grade 1 through grade 3.
- (2) An emphasis on a method for making determinant evaluations by grade 3 that might require remedial action for the student, including retention as a last resort, after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.
- (3) The fiscal impact of each component of the plan, if any. In determining whether a component has a fiscal impact, consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.

**(b) For a charter school, a plan required by this chapter may include only the following:**

- (1) A method for making determinant evaluations of reading skills by grade 3.**
- (2) Retention as a last resort for students reading below grade level as measured by the evaluation or assessment."**

Page 25, after line 34, begin a new paragraph and insert:

"SECTION 81. IC 21-14-11-1, AS ADDED BY P.L.209-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. **(a) This section does not apply to an individual who was enrolled in a state educational institution on or before July 1, 2011.**

**(b) An individual who is not lawfully present in the United States is not eligible to pay the resident tuition rate that is determined by the state educational institution.**

SECTION 82. [EFFECTIVE JULY 1, 2012] **(a) As used in this SECTION, "balanced calendar" refers to a calendar for a school year in which:**

- (1) any break between instructional days does not exceed six (6) weeks; or**
- (2) the instructional days are divided into quarters.**

**(b) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

**(c) As used in this SECTION, "study committee" means either of the following:**

- (1) A statutory committee established under IC 2-5.**



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**(2) An interim study committee.**

**(d) The legislative council is urged to assign the following topics to a study committee during the 2012 legislative interim:**

- (1) The use of balanced calendars by school corporations.**
- (2) Procedures for the implementation or discontinuance of the use of balanced calendars, including the use of referenda.**

**(e) If the topics described in subsection (d) are assigned to a study committee, the study committee shall determine whether legislation should be enacted to address the topics, and if so, the study committee shall recommend proposed legislation.**

**(f) This SECTION expires December 31, 2012.**

**SECTION 83. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to an interim study committee to which the legislative council assigns the topics of study described in subsection (c).**

**(b) As used in this SECTION, "state educational institution" has the meaning set forth in IC 21-7-13-32.**

**(c) The general assembly urges the legislative council to assign the following topics pertaining to state educational institution grading practices to an appropriate committee:**

- (1) Grading practices for courses that are required to fill general education requirements at a state educational institution.**
- (2) Whether the grade distribution for a required course at a state educational institution may differ depending upon whether the course is taught by a:
  - (A) tenured faculty member;**
  - (B) faculty member who is on a tenure track; or**
  - (C) contract instructor.****

**(3) Whether grading practices for required courses taught at a state educational institution have changed during the five (5) most recent academic years.**

**(4) Any other issue pertaining to grading practices at a state educational institution that the legislative council determines is appropriate.**

**(d) If the topics described in subsection (c) are assigned to a committee under subsection (c), the committee shall, not later than November 1, 2012, issue a final report to the legislative council concerning the findings and recommendations of the committee concerning the topics described in subsection (c).**

**(e) This SECTION expires December 31, 2012.**

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**SECTION 84. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1326 as reprinted January 31, 2012.)

KRUSE, Chairperson

Committee Vote: Yeas 5, Nays 4.

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