



Reprinted
February 29, 2012

ENGROSSED HOUSE BILL No. 1326

DIGEST OF HB 1326 (Updated February 28, 2012 5:47 pm - DI 51)

Citations Affected: IC 4-12; IC 5-2; IC 5-22; IC 6-3.1; IC 9-18; IC 12-17; IC 12-32; IC 20-18; 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 20-33; IC 20-40; IC 21-14; IC 34-30; 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
(Continued next page)

Effective: Upon passage; July 1, 2012.

Rhoads, Behning

(SENATE SPONSORS — YODER, ROGERS)

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January 27, 2012, read second time; call withdrawn.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.
February 28, 2012, read second time, amended, ordered engrossed.

C
O
P
Y

EH 1326—LS 7027/DI 44+



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: (1) Technology apprenticeship grant program. (2) Corporation for educational technology, including the buddy system project. (3) Education consultant for health and physical education. (4) Principal leadership academy. (5) School grant writing and fund raising assistance program. (6) Technology preparation task force. (7) Research and development program concerning various studies and evaluations. (8) Educational technology council. (9) Teacher quality and professional improvement program. (10) Committee on educational attitudes, motivation, and parental involvement. (11) Readiness testing. (12) Student services programs. (13) Twenty-first century schools pilot program. (14) Anti-gang counseling pilot program and fund. (15) Department of education review of professional development programs. (16) Performance based awards. (17) ISTEP program citizens' review committee. (18) 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. Makes changes in the law governing the disposal of an unused school building. 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. Allows the Indiana safe schools fund to be used to provide educational outreach and training to school personnel concerning the identification and prevention of and intervention in criminal gang activity. Requires the Indiana department of education (department) to develop model educational materials and a model policy concerning criminal gang activity. Requires the department, in collaboration with the Indiana criminal justice institute, the Indiana department of child services, and any organization with expertise in criminal gang education, prevention, and intervention that the department determines to be appropriate, to identify or develop model education materials and develop a model policy to address criminal gangs and criminal gang activity in schools. Requires the governing body of each school corporation, including Indianapolis public schools and charter schools, to develop and maintain a criminal gang policy. Requires a school corporation to include a copy of its criminal gang policy: (1) on its web site; (2) in school student handbooks; and (3) in any location the school corporation determines to be appropriate.

(Continued next page)

C
O
P
Y



Digest Continued

Requires each school corporation to develop: (1) an educational criminal gang awareness program for students, school employees, and parents; and (2) a school employee development program to provide training to school employees in the implementation of the school corporation's criminal gang policy. Authorizes a school corporation to enter into a memorandum of understanding with the county prosecutor or a juvenile court to foster coordination of gang prevention, intervention, and suppression efforts. Requires, beginning in 2015 and each year thereafter, each school corporation to submit a report to the department outlining the activities undertaken by the school corporation to address criminal gang activity. Requires, beginning in 2015 and each year thereafter, the department to submit a report to the governor and the general assembly. Requires the discipline rules adopted by the governing body of a school corporation to: (1) prohibit criminal gang activity; and (2) include provisions concerning education, parental involvement, reporting, investigation, and intervention concerning criminal gang activity. Requires a school employee who has reason to believe that a student or school employee: (1) actively participates in a criminal gang; (2) commits criminal gang intimidation; or (3) solicits, recruits, entices, or intimidates another individual to join a criminal gang; to immediately notify the school or school corporation administration. Requires the principal to make an oral report to the local law enforcement agency. Provides that an individual who makes a report or causes a report to be made or who participates in any judicial proceeding resulting from or relating to the report is immune from any civil or criminal liability if the individual did not act maliciously or in bad faith. Makes a technical correction.

C
o
p
y



**с
о
р
у**

Reprinted
February 29, 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.

EH 1326—LS 7027/DI 44+



C
O
P
Y

1 SECTION 2. IC 5-2-10.1-2, AS AMENDED BY P.L.106-2005,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 2. (a) The Indiana safe schools fund is established
 4 to do the following:

5 (1) Promote school safety through the:

6 (A) purchase of equipment for the detection of firearms and
 7 other weapons;

8 (B) use of dogs trained to detect firearms, drugs, explosives,
 9 and illegal substances; and

10 (C) purchase of other equipment and materials used to
 11 enhance the safety of schools.

12 (2) Combat truancy.

13 (3) Provide matching grants to schools for school safe haven
 14 programs.

15 (4) Provide grants for school safety and safety plans.

16 (5) Provide educational outreach and training to school personnel
 17 concerning:

18 (A) the identification of;

19 (B) the prevention of; and

20 (C) intervention in;

21 bullying.

22 **(6) Provide educational outreach and training to school**
 23 **personnel concerning:**

24 **(A) the identification of;**

25 **(B) the prevention of; and**

26 **(C) intervention in;**

27 **criminal gang activity.**

28 (b) The fund consists of amounts deposited:

29 (1) under IC 33-37-9-4; and

30 (2) from any other public or private source.

31 (c) The institute shall determine grant recipients from the fund with
 32 a priority on awarding grants in the following order:

33 (1) A grant for a safety plan.

34 (2) A safe haven grant requested under section 10 of this chapter.

35 (3) A safe haven grant requested under section 7 of this chapter.

36 (d) Upon recommendation of the council, the institute shall establish
 37 a method for determining the maximum amount a grant recipient may
 38 receive under this section.

39 SECTION 3. IC 5-2-10.1-11, AS AMENDED BY P.L.106-2005,
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 11. (a) The school safety specialist training and
 42 certification program is established.

EH 1326—LS 7027/DI 44+



C
 O
 P
 Y

- 1 (b) The school safety specialist training program shall provide:
- 2 (1) annual training sessions, which may be conducted through
- 3 distance learning or at regional centers; and
- 4 (2) information concerning best practices and available resources;
- 5 for school safety specialists and county school safety commissions.
- 6 (c) The department of education shall do the following:
- 7 (1) Assemble an advisory group of school safety specialists from
- 8 around the state to make recommendations concerning the
- 9 curriculum and standards for school safety specialist training.
- 10 (2) Develop an appropriate curriculum and the standards for the
- 11 school safety specialist training and certification program. The
- 12 department of education may consult with national school safety
- 13 experts in developing the curriculum and standards. The
- 14 curriculum developed under this subdivision must include
- 15 training in:
- 16 (A) identifying, preventing, and intervening in bullying; and
- 17 (B) identifying, preventing, and intervening in criminal
- 18 gang activity.
- 19 (3) Administer the school safety specialist training program and
- 20 notify the institute of candidates for certification who have
- 21 successfully completed the training program.
- 22 (d) The institute shall do the following:
- 23 (1) Establish a school safety specialist certificate.
- 24 (2) Review the qualifications of each candidate for certification
- 25 named by the department of education.
- 26 (3) Present a certificate to each school safety specialist that the
- 27 institute determines to be eligible for certification.
- 28 SECTION 4. IC 5-2-10.1-12, AS AMENDED BY P.L.132-2007,
- 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2012]: Sec. 12. (a) Each school within a school corporation
- 31 shall establish a safe school committee. The committee may be a
- 32 subcommittee of the committee that develops the strategic and
- 33 continuous school improvement and achievement plan under
- 34 IC 20-31-5.
- 35 (b) The department of education and the school corporation's school
- 36 safety specialist shall provide materials to assist a safe school
- 37 committee in developing a plan for the school that addresses the
- 38 following issues:
- 39 (1) Unsafe conditions, crime prevention, school violence,
- 40 bullying, **criminal gang activity**, and other issues that prevent the
- 41 maintenance of a safe school.
- 42 (2) Professional development needs for faculty and staff to

COPY



1 implement methods that decrease problems identified under
2 subdivision (1).

- 3 (3) Methods to encourage:
4 (A) involvement by the community and students;
5 (B) development of relationships between students and school
6 faculty and staff; and
7 (C) use of problem solving teams.

8 (c) As a part of the plan developed under subsection (b), each safe
9 school committee shall provide a copy of the floor plans for each
10 building located on the school's property that clearly indicates each
11 exit, the interior rooms and hallways, and the location of any hazardous
12 materials located in the building to the law enforcement agency and the
13 fire department that have jurisdiction over the school.

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

- 18 (1) is not usable by a state agency as determined under section 6
19 of this chapter; and
20 (2) has market value.

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

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

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

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

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

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



C
o
p
y

1 SECTION 7. IC 6-3.1-15-10, AS AMENDED BY P.L.1-2005,
 2 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 10. The state board shall ~~in consultation with the~~
 4 ~~corporation for educational technology if the corporation is established~~
 5 ~~under IC 20-20-15-3~~; establish minimum standards for qualified
 6 computer equipment. Upon receipt of computer equipment, a service
 7 center shall promptly inspect the equipment. If the computer equipment
 8 meets the minimum standards established by the state board, the
 9 service center shall accept the computer equipment as qualified
 10 computer equipment and shall, subject to section 11(b) of this chapter,
 11 promptly send a certification to the computer equipment owner for the
 12 tax credit available under this chapter.

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

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

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

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

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

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

30 to be attached on the semipermanent plate.

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

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

37 SECTION 9. IC 12-17-19-24, AS ADDED BY P.L.1-2005,
 38 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 24. (a) To evaluate the effectiveness of step ahead
 40 as the program relates to the step ahead goals listed in section 13 of this
 41 chapter, the panel shall employ the following assessment mechanisms:

- 42 (1) The step ahead county coordinator shall annually report to the

C
o
p
y



1 panel on the development, quality, and appropriateness of the
 2 individual family service plans for children whose parents qualify
 3 under the income eligibility guidelines.

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

6 (A) are using step ahead services; and

7 (B) do not qualify under the income eligibility guidelines.

8 (3) The panel shall annually assess the results of any readiness
 9 program ~~under IC 20-20-26~~ **established by the department of**
 10 **education** for students in kindergarten and grade 1 to determine
 11 whether children enrolling in school after benefiting from step
 12 ahead demonstrate greater readiness for learning. The department
 13 of education shall cooperate with the panel in this regard by
 14 assisting in defining the term "readiness" and supporting the
 15 evaluation based on knowledge and training in early childhood.

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

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

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

25 (b) The term includes:

26 (1) a postsecondary education award, including a scholarship, a
 27 grant, or financial aid, **except for a scholarship, a grant, or**
 28 **financial aid that is awarded to an international student with**
 29 **bona fide legal status who is enrolled in a state educational**
 30 **institution;** and

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

34 SECTION 11. IC 20-18-2-2.7 IS ADDED TO THE INDIANA
 35 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 36 [EFFECTIVE JULY 1, 2012]: **Sec. 2.7. "Criminal gang" has the**
 37 **meaning set forth in IC 35-45-9-1.**

38 SECTION 12. IC 20-18-2-16, AS AMENDED BY P.L.90-2011,
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 16. (a) "School corporation", for purposes of this
 41 title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7,
 42 **IC 20-28-11.5,** IC 20-30-8, and IC 20-43), means a public school

C
o
p
y



1 corporation established by Indiana law. The term includes a:

- 2 (1) school city;
 3 (2) school town;
 4 (3) school township;
 5 (4) consolidated school corporation;
 6 (5) metropolitan school district;
 7 (6) township school corporation;
 8 (7) county school corporation;
 9 (8) united school corporation; or
 10 (9) community school corporation.

11 (b) "School corporation", for purposes of IC 20-26-1 through
 12 IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

13 (c) "School corporation", for purposes of IC 20-20-33, **IC 20-26-18**,
 14 and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

15 (d) "School corporation", for purposes of IC 20-43, has the meaning
 16 set forth in IC 20-43-1-23.

17 (e) "School corporation", for purposes of IC 20-28-11.5, has the
 18 meaning set forth in IC 20-28-11.5-3.

19 SECTION 13. IC 20-19-2-8, AS AMENDED BY P.L.145-2011,
 20 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2012]: Sec. 8. (a) In addition to any other powers and duties
 22 prescribed by law, the state board shall adopt rules under IC 4-22-2
 23 concerning, but not limited to, the following matters:

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

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

38 (3) The establishment and maintenance of standards for student
 39 personnel and guidance services.

40 (4) This subdivision expires December 31, 2011. The
 41 establishment and maintenance of minimum standards for driver
 42 education programs (including classroom instruction and practice

C
o
p
y



1 driving) and equipment. Classroom instruction standards
 2 established under this subdivision must include instruction about:

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

4 (B) the procedure for participation in the human organ donor
 5 program;

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

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

12 Observance of:

13 (A) IC 20-31-4;

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

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

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

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

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

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

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

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

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

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

41 (b) Before final adoption of any rule, the state board shall make a
 42 finding on the estimated fiscal impact that the rule will have on school

C
O
P
Y



1 corporations.

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

6 (1) Establish the educational goals of the state, developing
7 standards and objectives for local school corporations.

8 (2) Assess the attainment of the established goals.

9 (3) Assure compliance with established standards and objectives.

10 (4) Coordinate with the commission for higher education
11 (IC 21-18-1) and the department of workforce development
12 (IC 22-4.1-2) to develop entrepreneurship education programs for
13 elementary and secondary education, higher education, and
14 individuals in the work force.

15 (5) Make recommendations to the governor and general assembly
16 concerning the educational needs of the state, including financial
17 needs.

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

20 SECTION 15. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,
21 2012]. Sec. 6: (a) The department shall:

22 (1) establish a program in health and physical education to
23 encourage children in kindergarten through grade 12 to develop:

24 (A) healthful living habits;

25 (B) an interest in lifetime health and physical fitness; and

26 (C) decision making skills in the areas of health and physical
27 fitness;

28 (2) establish the position of education consultant for health and
29 physical education; and

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

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

33 (1) plan and develop curricula for health and physical education
34 for grades kindergarten through 12; and

35 (2) perform other duties designated by the department.

36 (c) The program in health and physical education must include the
37 following:

38 (1) Local school program development.

39 (2) Technical and inservice training assistance for local schools.

40 (3) Local school initiatives in writing curricula in the areas of
41 health and physical education.

42 (4) Cardiopulmonary resuscitation training using a training

C
o
p
y



1 program approved by the American Heart Association or an
 2 equivalent nationally recognized training program.
 3 (d) The department may give grants to or enter into contracts with
 4 individuals or school corporations to carry out the purposes of the
 5 program in health and physical education.
 6 SECTION 16. IC 20-19-3-11 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2012]: **Sec. 11. (a) The department, in**
 9 **collaboration with the Indiana criminal justice institute, the**
 10 **department of child services, and any organization that has**
 11 **expertise in providing criminal gang education, prevention, or**
 12 **intervention that the department determines to be appropriate,**
 13 **shall:**
 14 (1) identify or develop model educational materials on
 15 criminal gang activity; and
 16 (2) develop and maintain a model policy to address criminal
 17 gangs and criminal gang activity in schools.
 18 (b) Not later than July 1, 2013, the department shall make the
 19 model policy developed under subsection (a)(2) available to assist
 20 schools in the development and implementation of a criminal gang
 21 policy for the schools' school corporations under IC 20-26-18.
 22 (c) The model educational materials on criminal gang activity
 23 identified or developed under subsection (a)(1) must include
 24 information:
 25 (1) to educate students and parents on the extent to which
 26 criminal gang activity exists;
 27 (2) regarding the negative societal impact that criminal gangs
 28 have on the community;
 29 (3) on methods to discourage participation in criminal gangs;
 30 and
 31 (4) on methods of providing intervention to a child suspected
 32 of participating in criminal gang activity.
 33 (d) The model criminal gang policy developed under subsection
 34 (a)(2) must include:
 35 (1) a statement prohibiting criminal gang activity in schools;
 36 (2) a statement prohibiting reprisal or retaliation against an
 37 individual who reports suspected criminal gang activity;
 38 (3) a definition of "criminal gang" and "criminal gang
 39 activity" that is consistent with the definition in IC 35-45-9-1.
 40 (4) a statement of standard consequences and remedial
 41 actions for:
 42 (A) individuals engaged in criminal gang activity; and

COPY



- 1 **(B) individuals found to have made false accusations**
- 2 **concerning criminal gang activity;**
- 3 **(5) model procedures for:**
- 4 **(A) reporting suspected criminal gang activity; and**
- 5 **(B) the prompt investigation of suspected criminal gang**
- 6 **activity;**
- 7 **(6) information about the types of support services, including**
- 8 **family support services, available for a student suspected of**
- 9 **participating in criminal gang activity; and**
- 10 **(7) recommendations concerning criminal gang prevention**
- 11 **and intervention services and programs for students that**
- 12 **maximize community participation and the use of federal**
- 13 **funding.**

14 SECTION 17. IC 20-19-4-10, AS ADDED BY P.L.1-2005,
 15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 10. The roundtable shall review and recommend
 17 to the state board for the state board's approval the following:

- 18 (1) The academic standards under IC 20-31-3, IC 20-32-4, **and**
- 19 IC 20-32-5 ~~and IC 20-32-6~~ for all grade levels from kindergarten
- 20 through grade 12.
- 21 (2) The content and format of the ISTEP program, including the
- 22 following:
- 23 (A) The graduation examination.
- 24 (B) The passing scores required at the various grade levels
- 25 tested under the ISTEP program.

26 SECTION 18. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,
 27 2012]. (Principal Leadership Academy).

28 SECTION 19. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1,
 29 2012]. Sec. 1. The following are the goals of the ambassador for
 30 education program:

- 31 (1) Enhance the stature of teachers and the teaching profession.
- 32 (2) Inspire and attract talented young people to become teachers.
- 33 (3) Promote the teaching profession within community and
- 34 business groups.
- 35 (4) Support the activities of the Future Teachers of America
- 36 clubs.
- 37 (5) Represent Indiana teachers at business, education, and teacher
- 38 leadership conferences and meetings.
- 39 (6) Reward the teacher of the year for the teacher's outstanding
- 40 contributions to the teaching profession.
- 41 (7) Reward the teacher of the year for the teacher's contributions
- 42 to the teacher's classroom and school.

C
O
P
Y



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

4 SECTION 21. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1,
5 2012]. Sec. 3: As used in this chapter, "school" means a school
6 corporation or an accredited nonpublic school.

7 SECTION 22. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1,
8 2012]. Sec. 4: The position of ambassador for education is established
9 to act as an education liaison to Indiana schools.

10 SECTION 23. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1,
11 2012]. Sec. 5: A teacher in a school who:

12 (1) is selected by the state superintendent as teacher of the year;
13 and

14 (2) agrees to be ambassador;

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

17 SECTION 24. IC 20-20-4-5.5 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2012]: **Sec. 5.5. A teacher of the year may be
20 invited to serve one (1) year of professional leave with:**

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

22 **(2) the department.**

23 SECTION 25. IC 20-20-4-6, AS ADDED BY P.L.1-2005,
24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 6. (a) The school where **an ambassador a teacher
26 of the year** is regularly employed shall do the following:

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

30 (2) Allow the **ambassador teacher** to return to the school from the
31 professional leave:

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

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

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

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

40 SECTION 26. IC 20-20-4-6.5 IS ADDED TO THE INDIANA
41 CODE AS A NEW SECTION TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2012]: **Sec. 6.5. If a teacher of the year**

C
o
p
y



1 provides service for the department or an Indiana postsecondary
2 educational institution under this chapter, the department or the
3 Indiana postsecondary educational institution shall pay the
4 teacher's salary for the term of the service and shall reimburse the
5 teacher's regular employer for the teacher's benefits during the
6 term of service.

7 SECTION 27. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1,
8 2012]. Sec. 7: An ambassador may elect to serve the one (1) year
9 professional leave at:

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

12 SECTION 28. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1,
13 2012]. Sec. 8: If an ambassador elects to serve a one (1) year
14 professional leave with the department, the following apply:

15 (1) The state coordinator of the ambassador for education
16 program, as designated by the state superintendent, shall establish
17 the ambassador's duties:

18 (2) The ambassador is entitled to receive from the department the
19 following:

- 20 (A) A salary in place of compensation from the school where
21 the ambassador is regularly employed that equals the salary
22 that the ambassador, if not serving as ambassador, would
23 receive during the school year of the ambassador's term from
24 the school where the ambassador is regularly employed.
- 25 (B) Actual expenses of the ambassador incurred as a result of
26 the performance of duties under this chapter.

27 SECTION 29. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1,
28 2012]. Sec. 9: If an ambassador elects to serve a one (1) year
29 professional leave with an Indiana postsecondary educational
30 institution, the following apply:

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

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

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

42 SECTION 30. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY

C
o
p
y



1 1, 2012]. Sec. 10: The ambassador's duties must match the relative
 2 skills and education background of the ambassador and reflect the
 3 goals of the ambassador for education program. However, duties may
 4 include the following:

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

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

9 SECTION 31. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,
 10 2012]. (School Grant Writing and Fund Raising Assistance Program).

11 SECTION 32. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,
 12 2012]. (Technology Preparation Task Force).

13 SECTION 33. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,
 14 2012]. (Research and Development Program).

15 SECTION 34. IC 20-20-13-6, AS AMENDED BY
 16 P.L.182-2009(ss), SECTION 305, IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The Senator
 18 David C. Ford educational technology fund is established to extend
 19 educational technologies to elementary and secondary schools. The
 20 fund may be used for:

21 (1) the 4R's technology grant program to assist school
 22 corporations (on behalf of public schools) in purchasing
 23 technology equipment:

24 (A) for kindergarten and grade 1 students, to learn reading,
 25 writing, and arithmetic using technology;

26 (B) for students in all grades, to understand that technology is
 27 a tool for learning; and

28 (C) for students in kindergarten through grade 3 who have
 29 been identified as needing remediation, to offer daily
 30 remediation opportunities using technology to prevent those
 31 students from failing to make appropriate progress at the
 32 particular grade level;

33 (2) a school technology program developed by the department.
 34 The program may include grants to school corporations for the
 35 purchase of:

36 (A) equipment, hardware, and software;

37 (B) learning and teaching systems; and

38 (C) other materials;

39 that promote student learning, as determined by the department;
 40 (3) providing educational technologies, including computers in
 41 the homes of students;

42 (4) conducting educational technology training for teachers; and

C
o
p
y



- 1 (5) other innovative educational technology programs.
- 2 (b) The department may also use money in the fund under contracts
- 3 entered into with the office of technology established by IC 4-13.1-2-1
- 4 to study the feasibility of establishing an information
- 5 telecommunications gateway that provides access to information on
- 6 employment opportunities, career development, and instructional
- 7 services from data bases operated by the state among the following:
- 8 (1) Elementary and secondary schools.
- 9 (2) Postsecondary educational institutions.
- 10 (3) Career and technical educational centers and institutions that
- 11 are not postsecondary educational institutions.
- 12 (4) Libraries.
- 13 (5) Any other agencies offering education and training programs.
- 14 (c) The fund consists of:
- 15 (1) state appropriations;
- 16 (2) private donations to the fund; **or**
- 17 ~~(3) money directed to the fund from the corporation for~~
- 18 ~~educational technology under IC 20-20-15; or~~
- 19 ~~(4) (3) any combination of the amounts described in subdivisions~~
- 20 ~~(1) through (3). (2).~~
- 21 (d) The fund shall be administered by the department.
- 22 (e) Unexpended money appropriated to or otherwise available in the
- 23 fund at the end of a state fiscal year does not revert to the state general
- 24 fund but remains available to the department for use under this chapter.
- 25 (f) Subject to section 7 of this chapter, a school corporation may use
- 26 money from the school corporation's capital projects fund as permitted
- 27 under IC 20-40-8 for educational technology equipment.
- 28 SECTION 35. IC 20-20-13-7, AS AMENDED BY P.L.2-2006,
- 29 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2012]: Sec. 7. (a) Notwithstanding any other law, a school
- 31 corporation is not entitled to:
- 32 (1) receive any money under this chapter; ~~or IC 20-20-15;~~
- 33 (2) use money from the school corporation's capital projects fund
- 34 for educational technology equipment under IC 20-40-8; or
- 35 (3) receive an advance from the common school fund for an
- 36 educational technology program under IC 20-49-4;
- 37 unless the school corporation develops a three (3) year technology plan.
- 38 (b) Each technology plan must include at least the following
- 39 information:
- 40 (1) A description of the school corporation's intent to integrate
- 41 technology into the school corporation's curriculum.
- 42 (2) A plan for providing inservice training.

COPY



- 1 (3) A schedule for maintaining and replacing educational
- 2 technology equipment.
- 3 (4) A description of the criteria used to select the appropriate
- 4 educational technology equipment for the appropriate use.
- 5 (5) Other information requested by the department after
- 6 consulting with the budget agency.
- 7 (c) The department shall develop guidelines concerning the
- 8 development of technology plans. The guidelines developed under this
- 9 subsection are subject to the approval of the governor.
- 10 SECTION 36. IC 20-20-13-8, AS ADDED BY P.L.1-2005,
- 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2012]: Sec. 8. Upon the approval of the governor and the
- 13 budget agency, the department may use funds available under this
- 14 chapter to provide or extend education technology to any school
- 15 corporation for purposes described in this chapter. ~~The department~~
- 16 ~~(upon the approval of the governor and the budget agency) may direct~~
- 17 ~~funds under this chapter to the corporation for educational technology~~
- 18 ~~under IC 20-20-15 to further the corporation's purposes.~~
- 19 SECTION 37. IC 20-20-13-9, AS ADDED BY P.L.1-2005,
- 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2012]: Sec. 9. (a) This section applies to the 4R's technology
- 22 program described in section 6(a)(1) of this chapter.
- 23 (b) In addition to any other funds available under this chapter, if
- 24 state funds are transferred under IC 20-32-5-19 to the 4R's technology
- 25 program:
- 26 (1) those funds do not revert to the state general fund;
- 27 (2) those funds shall be made available to the 4R's technology
- 28 program under this chapter; and
- 29 (3) the department, upon approval by the governor and the budget
- 30 agency, shall use those funds to award grants under this section.
- 31 (c) To be eligible to receive a grant under the program, a school
- 32 corporation must comply with the following:
- 33 (1) The school corporation must apply to the department for a
- 34 grant on behalf of a school within the school corporation to
- 35 purchase technology equipment.
- 36 (2) The school corporation must certify the following:
- 37 (A) That the school will provide every kindergarten and grade
- 38 1 student at that school the opportunity to learn reading,
- 39 writing, and arithmetic using technology.
- 40 (B) That the school will provide daily before or after school
- 41 technology laboratories for students in grades 1 through 3 who
- 42 have been identified as needing remediation in reading,

COPY



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

C
O
P
Y



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

C
o
p
y

1 intervention or career counseling programs that demonstrate
 2 the greatest potential for replication and implementation in
 3 Indiana.
 4 (E) To lower school counselor/student ratios where the ratios
 5 are excessively high.
 6 SECTION 43. IC 20-20-17-10 IS REPEALED [EFFECTIVE JULY
 7 1, 2012]. Sec. 10: (a) An advisory committee composed of five (5)
 8 members is established:
 9 (b) The state superintendent shall appoint the members of the
 10 advisory committee:
 11 (c) The state superintendent shall:
 12 (1) convene the advisory committee; and
 13 (2) act as chair of the advisory committee.
 14 The state superintendent may not be a member of the advisory
 15 committee:
 16 (d) An employee of:
 17 (1) the governor; or
 18 (2) the department of education;
 19 is eligible for appointment to the advisory committee:
 20 (e) A member of the advisory committee serves at the pleasure of
 21 the appointing authority.
 22 (f) A member of the advisory committee is not entitled to the
 23 following:
 24 (1) The minimum salary per diem provided in IC 4-10-11-2.1(b);
 25 (2) Reimbursement for traveling expenses and other expenses
 26 actually incurred in connection with the member's duties.
 27 (g) The advisory committee shall do the following:
 28 (1) Assist the department in developing the guidelines described
 29 in section 9 of this chapter.
 30 (2) Establish standards for qualifying for a grant under this
 31 chapter.
 32 (3) Review grant applications and make recommendations to the
 33 state superintendent concerning the awarding of grants.
 34 (4) Evaluate the impact and results of the various school
 35 intervention and career counseling programs receiving grants
 36 under this chapter.
 37 SECTION 44. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,
 38 2012]. (Teacher Quality and Professional Improvement Program).
 39 SECTION 45. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,
 40 2012]. (Projects for Innovative Education).
 41 SECTION 46. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,
 42 2012]. (Committee on Educational Attitudes, Motivation, and Parental

C
o
p
y



- 1 Involvement).
- 2 SECTION 47. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,
3 2012]. (Readiness Testing).
- 4 SECTION 48. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,
5 2012]. (Student Services Programs).
- 6 SECTION 49. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,
7 2012]. (Twenty-First Century Schools Pilot Program).
- 8 SECTION 50. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,
9 2012]. (Anti-Gang Counseling Pilot Program and Fund).
- 10 SECTION 51. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY
11 1, 2012]. Sec. 6: A school committee shall submit the school's program
12 to the state superintendent for the superintendent's review. The state
13 superintendent:
- 14 (1) shall review the plan to ensure that the program aligns with
15 the school corporation's objectives, goals, and expectations;
- 16 (2) may make written recommendations of modifications to the
17 program to ensure alignment; and
- 18 (3) shall return the program and any recommendations to the
19 school committee.
- 20 SECTION 52. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY
21 1, 2012]. Sec. 7: A school committee may modify the program to
22 comply with recommendations made by the state superintendent under
23 section 6 of this chapter.
- 24 SECTION 53. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY
25 1, 2012]. Sec. 8: A school committee shall submit the program as part
26 of its plan to the governing body. The governing body shall:
- 27 (1) approve or reject the program as part of the plan; and
- 28 (2) submit the program to the state board as part of the plan for
29 the school.
- 30 SECTION 54. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY
31 1, 2012]. Sec. 9: The state board may approve a school's program only
32 if the program meets the board's core principles for professional
33 development and the following additional criteria:
- 34 (1) To ensure high quality professional development, the
35 program:
- 36 (A) is school based and collaboratively designed; and
37 encourages participants to work collaboratively;
- 38 (B) has a primary focus on state and local academic standards;
39 including a focus on Core 40 subject areas;
- 40 (C) enables teachers to improve expertise in subject
41 knowledge and teaching strategies; uses of technologies; and
42 other essential elements in teaching to high standards;

C
o
p
y

- 1 (D) furthers the alignment of standards, curriculum, and
 2 assessments; and
 3 (E) includes measurement activities to ensure the transfer of
 4 new knowledge and skills to classroom instruction.
- 5 (2) A variety of resources, including needs assessments, an
 6 analysis of data regarding student learning needs, professional
 7 literature, research, and school improvement programs, are used
 8 in developing the program.
- 9 (3) The program supports professional development for all
 10 stakeholders.
- 11 (4) The program includes ongoing professional growth
 12 experiences that provide adequate time and job embedded
 13 opportunities to support school improvement and student
 14 learning, including flexible time for professional development
 15 that provides professional development opportunities before,
 16 during, and after the regular school day and school year.
- 17 (5) Under the program, teacher time for professional development
 18 sustains instructional coherence, participant involvement, and
 19 continuity for students.
- 20 (6) The program includes effective, research based strategies to
 21 support ongoing developmental activities.
- 22 (7) The program supports experiences to increase the effective
 23 use of technology to improve teaching and learning.
- 24 (8) The program encourages diverse techniques, including
 25 inquiry, reflection, action research, networking, study groups,
 26 coaching, and evaluation.
- 27 (9) The program includes a means for evaluating the effectiveness
 28 of the program and activities under the program.
- 29 SECTION 55. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY
 30 1, 2012]. Sec. 10: The state board shall approve an evaluation system
 31 for professional development based on recommendations from the
 32 department. The department shall develop a means for measuring
 33 successful programs and activities in which schools participate. The
 34 measurements must include the following:
- 35 (1) A mechanism to identify and develop strategies to collect
 36 multiple forms of data that reflect the achievement of expectations
 37 for all students. The data may include the results of ISTEP
 38 program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and
 39 IC 20-32-6, local tests, classroom work, and teacher and
 40 administrator observations.
- 41 (2) A procedure for using collected data to make decisions.
- 42 (3) A method of evaluation in terms of educator's practice and

C
o
p
y

- 1 student learning, including standards for effective teaching and
 2 effective professional development.
- 3 SECTION 56. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY
 4 1, 2012]. Sec. 11: A school qualifies for a grant from the department
 5 when the school's program, developed and submitted under this
 6 chapter, is approved by the state board upon recommendation of the
 7 department. For purposes of determining whether a school qualifies for
 8 a grant under this chapter, the department shall:
- 9 (1) review;
 10 (2) suggest changes to; and
 11 (3) recommend approval or rejection of;
 12 a school's program.
- 13 SECTION 57. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY
 14 1, 2012]. Sec. 12: A school must use a grant received under this chapter
 15 to implement all or part of the school's program by funding activities
 16 that may include the following:
- 17 (1) Partnership programs with other entities, including
 18 professional development schools.
 19 (2) Teacher leadership academies, research teams, and study
 20 groups.
 21 (3) Workshops, seminars, and site visits.
 22 (4) Cooperative programs with other school corporations.
 23 (5) National board certification for teachers.
- 24 SECTION 58. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 13: A school may contract with private or public sector
 26 providers to provide professional development activities under this
 27 chapter.
- 28 SECTION 59. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY
 29 1, 2012]. Sec. 14: A grant received under this chapter:
- 30 (1) may be expended only for the conduct of activities specified
 31 in the program; and
 32 (2) must be coordinated with other professional development
 33 programs and expenditures of the school and school corporation.
- 34 SECTION 60. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY
 35 1, 2012]. Sec. 15: A school shall report to the department concerning
 36 the use of grants received under this chapter. A school that fails to
 37 make a report under this chapter is not eligible for a subsequent grant.
- 38 SECTION 61. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,
 39 2012]. (Technology Apprenticeship Grant Program).
- 40 SECTION 62. IC 20-24-8-5, AS AMENDED BY P.L.90-2011,
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 5. The following statutes and rules and guidelines

C
o
p
y

- 1 adopted under the following statutes apply to a charter school:
- 2 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 3 (2) IC 20-39-1-1 (unified accounting system).
- 4 (3) IC 20-35 (special education).
- 5 (4) IC 20-26-5-10 (criminal history).
- 6 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
- 7 agencies).
- 8 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 9 (7) IC 20-28-10-14 (teacher freedom of association).
- 10 (8) IC 20-28-10-17 (school counselor immunity).
- 11 (9) For conversion charter schools only, IC 20-28-6, IC 20-28-7.5,
- 12 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 13 (10) IC 20-33-2 (compulsory school attendance).
- 14 (11) IC 20-33-3 (limitations on employment of children).
- 15 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
- 16 due process and judicial review).
- 17 (13) IC 20-33-8-16 (firearms and deadly weapons).
- 18 (14) IC 20-34-3 (health and safety measures).
- 19 (15) IC 20-33-9 (reporting of student violations of law).
- 20 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
- 21 observances).
- 22 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, IC 20-32-8,
- 23 **and IC 20-32-8.5-2(b).** or any other statute, rule, or guideline
- 24 related to standardized testing (assessment programs; including
- 25 remediation under the assessment programs).
- 26 (18) IC 20-33-7 (parental access to education records).
- 27 (19) IC 20-31 (accountability for school performance and
- 28 improvement).
- 29 (20) IC 20-30-5-19 (personal financial responsibility instruction).
- 30 **(21) IC 20-26-18 (criminal gang measures).**
- 31 SECTION 63. IC 20-26-2-1.5, AS ADDED BY P.L.121-2009,
- 32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2012]: Sec. 1.5. "Expanded criminal history check" means a
- 34 criminal history background check of an individual that includes
- 35 (†) a:
- 36 (A) search of the records maintained by all counties in Indiana
- 37 in which the individual who is the subject of the background
- 38 check resided;
- 39 (B) search of the records maintained by all counties or similar
- 40 governmental units in another state; if the individual who is
- 41 the subject of the background check resided in another state;
- 42 and

C
o
p
y



1 ~~(C)~~ check of:

2 (i) sex offender registries in all fifty (50) states; or

3 (ii) the national sex offender registry maintained by the

4 United States Department of Justice; or

5 ~~(2)~~ a:

6 ~~(A)~~ (1) national criminal history background check (as defined in

7 IC 10-13-3-12); and

8 ~~(B)~~ (2) check of:

9 (i) (A) sex offender registries in all fifty (50) states; or

10 (ii) (B) the national sex offender registry maintained by the

11 United States Department of Justice.

12 SECTION 64. IC 20-26-7-1, AS AMENDED BY P.L.91-2011,

13 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

14 JULY 1, 2012];Sec. 1. (a) If a governing body of a school corporation

15 determines that any real or personal property:

16 (1) is no longer needed for school purposes; or

17 (2) should, in the interests of the school corporation, be

18 exchanged for other property;

19 the governing body may sell or exchange the property in accordance

20 with IC 36-1-11.

21 (b) Money derived from the sale or exchange of property under this

22 section shall be placed in any school fund:

23 (1) established under applicable law; and

24 (2) that the governing body considers appropriate.

25 (c) A governing body may not make a covenant that prohibits the

26 sale of real property to another educational institution.

27 (d) This subsection does not apply to a school building that on July

28 1, 2011, is leased or loaned by the school corporation that owns the

29 school building to another entity. A governing body shall make

30 available for lease or purchase to any charter school (as defined in

31 IC 20-24-1-4) any school building owned by the school corporation

32 that:

33 (1) either:

34 (A) is not used in whole or in part for classroom instruction at

35 the time the charter school seeks to lease the building; or

36 (B) appears on the list compiled by the department under

37 subsection (e); and

38 (2) was previously used for classroom instruction;

39 in order for the charter school to conduct classroom instruction.

40 (e) Each governing body shall inform the department whenever a

41 school building that was previously used for classroom instruction is

42 closed, unused, or unoccupied. The department shall maintain a list of

C
O
P
Y



1 closed, unused, or unoccupied school buildings and make the list
 2 available on the department's Internet web site. Each school
 3 corporation shall provide a list of closed, unused, or unoccupied
 4 buildings to the department by the date set by the department. The
 5 department must update the list each year before August 31. **Except as**
 6 **provided in subsection (f), a school building remains on the**
 7 **department's list for two (2) years after the date the school**
 8 **building was placed on the list.**

9 (f) A school building that appears for the first time on the
 10 department's list under subsection (e) shall be designated as
 11 "Unavailable until (a date two (2) years after the school building first
 12 appears on the list)" if the governing body of the school corporation
 13 that owns the school building indicates the school building may be
 14 reclaimed during that period for classroom instruction, which must
 15 begin not later than one (1) year after the school building is reclaimed.
 16 If the school building remains unused for classroom instruction one (1)
 17 year after being reclaimed, the governing body shall place the school
 18 building on the department's list. A governing body may reclaim a
 19 school building only one (1) time under this subsection. **If the**
 20 **governing body does not reclaim the school building, the school**
 21 **building remains on the department's list under subsection (e) for**
 22 **two (2) years after the date on which the reclamation period under**
 23 **this subsection expires.**

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

41 (h) During the term of a lease under subsection (g), the charter
 42 school is responsible for the direct expenses related to the school

C
o
p
y



1 building leased, including utilities, insurance, maintenance, repairs,
2 and remodeling. The school corporation is responsible for any debt
3 incurred for or liens that attached to the school building before the
4 charter school leased the school building.

5 (i) If a school building appears on the department's list under
6 subsection (e) for at least forty-eight (48) months, least:

7 **(1) two (2) years, for a school building that is not subject to**
8 **subsection (f); or**

9 **(2) four (4) years, for a school building that is subject to**
10 **subsection (f);**

11 the school corporation may sell or otherwise dispose of the school
12 building in any manner the governing body considers appropriate.

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

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

19 **(2) send notice by certified mail to each charter school**
20 **sponsor and a statewide organization representing charter**
21 **schools;**

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

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

36 SECTION 65. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,
37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2012]: Sec. 5. (a) As used in this chapter, "graduation" means
39 the successful completion by a student of:

40 (1) a sufficient number of academic credits, or the equivalent of
41 academic credits; and

42 (2) the graduation examination or waiver process required under

C
o
p
y



1 IC 20-32-3 through ~~IC 20-32-6~~; **IC 20-32-5**;
 2 resulting in the awarding of a high school diploma or an academic
 3 honors diploma.

4 (b) The term does not include the granting of a general educational
 5 development diploma under IC 20-20-6 (before its repeal) or
 6 IC 22-4.1-18.

7 SECTION 66. IC 20-26-15-5, AS ADDED BY P.L.1-2005,
 8 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2012]: Sec. 5. Notwithstanding any other law, the operation
 10 of the following is suspended for a freeway school corporation or a
 11 freeway school if the governing body of the school corporation elects
 12 to have the specific statute or rule suspended in the contract:

13 (1) The following statutes and rules concerning curriculum and
 14 instructional time:

15 IC 20-30-2-7

16 ~~IC 20-30-5-8~~

17 IC 20-30-5-9

18 IC 20-30-5-11

19 511 IAC 6-7-6

20 ~~511 IAC 6.1-3-4~~

21 511 IAC 6.1-5-0.5

22 511 IAC 6.1-5-1

23 511 IAC 6.1-5-2.5

24 511 IAC 6.1-5-3.5

25 511 IAC 6.1-5-4.

26 (2) The following rule concerning pupil/teacher ratios:

27 511 IAC 6.1-4-1.

28 (3) The following statutes and rules concerning textbooks:

29 ~~IC 20-20-5-1 through IC 20-20-5-4~~

30 ~~IC 20-20-5-23~~

31 IC 20-26-12-24

32 IC 20-26-12-26

33 ~~IC 20-26-12-28~~

34 IC 20-26-12-1

35 IC 20-26-12-2

36 511 IAC 6.1-5-5.

37 (4) 511 IAC 6-7, concerning graduation requirements.

38 (5) IC 20-31-4, concerning the performance based accreditation
 39 system.

40 (6) IC 20-32-5, concerning the ISTEP program established under
 41 IC 20-32-5-15, if an alternative locally adopted assessment
 42 program is adopted under section 6(7) of this chapter.

C
o
p
y



1 SECTION 67. IC 20-26-15-6, AS AMENDED BY P.L.2-2006,
2 SECTION 135, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2012]: Sec. 6. Except as provided in this
4 chapter and notwithstanding any other law, a freeway school
5 corporation or a freeway school may do the following during the
6 contract period:

7 (1) Disregard the observance of any statute or rule that is listed in
8 the contract.

9 (2) Lease school transportation equipment to others for nonschool
10 use when the equipment is not in use for a school corporation
11 purpose, if the lessee has not received a bid from a private entity
12 to provide transportation equipment or services for the same
13 purpose.

14 (3) Replace the budget and accounting system that is required by
15 law with a budget or accounting system that is frequently used in
16 the private business community. The state board of accounts may
17 not go beyond the requirements imposed upon the state board of
18 accounts by statute in reviewing the budget and accounting
19 system used by a freeway school corporation or a freeway school.

20 (4) Establish a professional development and technology fund to
21 be used for:

22 (A) professional development; or

23 (B) technology, including video distance learning.

24 However, any money deposited in the professional development
25 and technology fund for technology purposes must be transferred
26 to the school technology fund.

27 (5) Subject to subdivision (4), transfer funds obtained from
28 sources other than state or local government taxation among any
29 accounts of the school corporation, including a professional
30 development and technology fund established under subdivision
31 (4).

32 (6) Transfer funds obtained from property taxation and from state
33 distributions among the general fund and the school
34 transportation fund, subject to the following:

35 (A) The sum of the property tax rates for the general fund and
36 the school transportation fund after a transfer occurs under this
37 subdivision may not exceed the sum of the property tax rates
38 for the general fund and the school transportation fund before
39 a transfer occurs under this subdivision.

40 (B) This subdivision does not allow a school corporation to
41 transfer to any other fund money from the:

42 (i) capital projects fund; or

C
o
p
y



- 1 (ii) debt service fund.
- 2 (7) Establish a locally adopted assessment program to replace the
- 3 assessment of students under the ISTEP program established
- 4 under IC 20-32-5-15, subject to the following:
- 5 (A) A locally adopted assessment program must be established
- 6 by the governing body and approved by the department.
- 7 (B) A locally adopted assessment program may use a locally
- 8 developed test or a nationally developed test.
- 9 (C) Results of assessments under a locally adopted assessment
- 10 program are subject to the same reporting requirements as
- 11 results under the ISTEP program.
- 12 (D) Each student who completes a locally adopted assessment
- 13 program and the student's parent have the same rights to
- 14 ~~inspection and rescoring test scores~~ as set forth in
- 15 IC 20-32-5-9.

16 SECTION 68. IC 20-26-18 IS ADDED TO THE INDIANA CODE
 17 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2012]:

19 **Chapter 18. Criminal Gang Measures**

20 **Sec. 1. This chapter applies to every school corporation,**
 21 **including a charter school (as defined in IC 20-24-1-4) and a school**
 22 **city to which IC 20-25 applies.**

23 **Sec. 2. (a) Not later than June 1, 2014, the governing body of**
 24 **each school corporation must establish a written policy to address**
 25 **criminal gangs and criminal gang activity in schools. The**
 26 **governing body of a school corporation may develop the policy in**
 27 **consultation with:**

- 28 (1) parents;
- 29 (2) school employees;
- 30 (3) local law enforcement officials;
- 31 (4) the county prosecutor;
- 32 (5) the county public defender;
- 33 (6) organizations that have expertise in criminal gang
- 34 education, prevention, or intervention; and
- 35 (7) any other person or entity the governing body of the school
- 36 corporation determines to be appropriate.

37 (b) The policy must meet all of the requirements for the
 38 department's model criminal gang policy set forth in
 39 IC 20-19-3-11(d).

40 (c) Not later than September 1, 2014, each school corporation
 41 shall submit a copy of its criminal gang policy to the department.

42 **Sec. 3. A school corporation shall put a copy of the school**

C
O
P
Y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

corporation's criminal gang policy established under section 2 of this chapter:

- (1) on its Internet web site;
- (2) in school student handbooks; and
- (3) in any location the school corporation determines to be appropriate.

Sec. 4. A school corporation shall establish the following educational programs in its efforts to address criminal gang activity:

- (1) An educational criminal gang awareness program for students, school employees, and parents.
- (2) A school employee development program to provide training to school employees in the implementation of the criminal gang policy established under section 2 of this chapter.

Sec. 5. The governing body of a school corporation may establish a program to provide criminal gang intervention services to students.

Sec. 6. A school corporation may enter into a memorandum of understanding with:

- (1) the county prosecutor of the county in which the school corporation is located; or
- (2) a juvenile court with jurisdiction in the school corporation;

to foster coordination of gang prevention, intervention, and suppression efforts.

Sec. 7. (a) Not later than June 1, 2015, and before June 2 of each year thereafter, each school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's compliance with this chapter.

(b) Not later than November 1, 2015, and before November 2 of each year thereafter, the department shall submit a comprehensive report concerning criminal gang activity in schools to the governor and the general assembly. A report submitted to the general assembly under this subsection must be in an electronic format under IC 5-14-6. The report must include the following:

- (1) A summary of the activities reported to the department under subsection (a).
- (2) Any recommendations or conclusions made by the department to assist in the prevention of, education about, and intervention in criminal gang activity in schools.

C
O
P
Y



1 SECTION 69. IC 20-27-7-3, AS ADDED BY P.L.1-2005,
 2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 3. If the inspection required under section 1 of this
 4 chapter reveals that a school bus meets all safety requirements, the
 5 inspecting officer shall issue to the owner of the school bus a certificate
 6 that the school bus has been inspected and that it complies with the
 7 safety requirements. **attach to the bus a certificate of inspection and**
 8 **document the certification in the state police department's school**
 9 **bus inspection data base.** Except as provided in sections 5 through 7
 10 of this chapter, a certificate of inspection issued under this section is
 11 valid until September 30 of the school year following the school year
 12 for which the certificate is issued.

13 SECTION 70. IC 20-27-7-16 IS REPEALED [EFFECTIVE JULY
 14 1, 2012]. Sec. 16. ~~When the owner of a school bus applies for a~~
 15 ~~registration plate under IC 9-18-2-7 or IC 9-18-2-8.5, the owner shall~~
 16 ~~submit with the application a certificate of inspection issued under~~
 17 ~~section 3 of this chapter. If the certificate of inspection does not~~
 18 ~~accompany an owner's application, the bureau of motor vehicles may~~
 19 ~~not issue a registration plate.~~

20 SECTION 71. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2012]: Sec. 6. (a) Subject to subsection (c) and in addition to
 23 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state
 24 board may adopt rules under IC 4-22-2 to do the following:

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



C
O
P
Y

1 (9) Set standards for endorsement of school psychologists as
 2 independent practice school psychologists under IC 20-28-12.

3 (10) Before July 1, 2011, set standards for sign language
 4 interpreters who provide services to children with disabilities in
 5 an educational setting and an enforcement mechanism for the
 6 interpreter standards.

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

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

16 SECTION 72. IC 20-30-5-7, AS AMENDED BY P.L.86-2007,
 17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2012]: Sec. 7. Each school corporation shall include in the
 19 school corporation's curriculum the following studies:

20 (1) Language arts, including:

- 21 (A) English;
- 22 (B) grammar;
- 23 (C) composition;
- 24 (D) speech; ~~and~~
- 25 (E) second languages; **and**
- 26 (F) **cursive writing.**

27 (2) Mathematics.

28 (3) Social studies and citizenship, including the:

- 29 (A) constitutions;
- 30 (B) governmental systems; and
- 31 (C) histories;

32 of Indiana and the United States, including a study of the
 33 Holocaust in each high school United States history course.

34 (4) Sciences.

35 (5) Fine arts, including music and art.

36 (6) Health education, physical fitness, safety, and the effects of
 37 alcohol, tobacco, drugs, and other substances on the human body.

38 (7) Additional studies selected by each governing body, subject
 39 to revision by the state board.

40 SECTION 73. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,
 41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 7.5. (a) This section does not apply to a student

C
o
p
y



- 1 who:
- 2 (1) is in half-day kindergarten; or
- 3 (2) has a medical condition that precludes participation in the
- 4 daily physical activity provided under this section.
- 5 (b) Beginning in the 2006-2007 school year, the governing body of
- 6 each school corporation shall provide daily physical activity for
- 7 students in elementary school. The physical activity ~~must be consistent~~
- 8 ~~with the curriculum and programs developed under IC 20-19-3-6 and~~
- 9 may include the use of recess. On a day when there is inclement
- 10 weather or unplanned circumstances have shortened the school day, the
- 11 school corporation may provide physical activity alternatives or elect
- 12 not to provide physical activity.
- 13 SECTION 74. IC 20-30-5-8 IS REPEALED [EFFECTIVE JULY 1,
- 14 2012]. ~~Sec. 8: A course in safety education for at least one (1) full~~
- 15 ~~semester shall be taught in grade 8 of each public school and nonpublic~~
- 16 ~~school. The state board shall prepare a guide for this course that:~~
- 17 ~~(1) the teacher shall use; and~~
- 18 ~~(2) may be revised under the direction of the state board.~~
- 19 SECTION 75. IC 20-30-10-2, AS ADDED BY P.L.1-2005,
- 20 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2012]: Sec. 2. (a) The state board shall adopt the following:
- 22 (1) College/technology preparation curriculum models that may
- 23 include all or part of the following:
- 24 (A) the college preparation curriculum models developed by
- 25 the department under section 1 of this chapter.
- 26 (B) ~~The technology preparation curriculum models developed~~
- 27 ~~by the technology preparation task force under IC 20-20-10.~~
- 28 (2) Teacher and staff training to implement the
- 29 college/technology preparation curriculum models.
- 30 (b) The college/technology preparation curriculum models that the
- 31 state board adopts under subsection (a) must meet the conditions listed
- 32 in
- 33 ~~(1) section 3 of this chapter. and~~
- 34 ~~(2) IC 20-20-10-3.~~
- 35 SECTION 76. IC 20-30-12-1 IS REPEALED [EFFECTIVE JULY
- 36 1, 2012]. ~~Sec. 1: The department shall require all school corporations~~
- 37 ~~to make available to the school corporation's high school students the~~
- 38 ~~technology preparation curriculum developed under IC 20-20-10.~~
- 39 SECTION 77. IC 20-31-11 IS REPEALED [EFFECTIVE JULY 1,
- 40 2012]. (Performance Based Awards).
- 41 SECTION 78. IC 20-32-5-5, AS AMENDED BY P.L.73-2011,
- 42 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C
o
p
y



1 JULY 1, 2012]: Sec. 5. The department shall make general language
 2 arts essay scoring rubrics available to the public ~~at least four (4)~~
 3 ~~months~~ before the administration of a test. An essay question, a scoring
 4 rubric, or an anchor paper used in the ISTEP program must not seek or
 5 compile information about a student's:

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

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

14 SECTION 79. IC 20-32-5-9, AS ADDED BY P.L.1-2005,
 15 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 9. (a) After reports of student scores are returned
 17 to a school corporation, the school corporation shall promptly ~~do the~~
 18 ~~following:~~

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

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

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

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

36 SECTION 80. IC 20-32-5-15, AS AMENDED BY P.L.229-2011,
 37 SECTION 191, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) The state superintendent
 39 shall develop an ISTEP program testing schedule. ~~in which:~~

- 40 ~~(1)~~ **(+)** ~~each student in grades 3, 6, 8, and 10 must be tested; and~~
- 41 ~~(2)~~ **(2)** ~~each student in grade 10 or grade 11 must take a graduation~~
 42 ~~examination.~~



C
O
P
Y

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

4 SECTION 81. IC 20-32-5-18, AS ADDED BY P.L.1-2005,
 5 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 18. (a) The department shall establish a pilot
 7 program to examine innovative testing methods.

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

11 (c) The types of methods authorized under this program include the
 12 following:

13 (1) Recently developed techniques for measuring higher order
 14 thinking skills.

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

17 (3) Expanded subject area assessment using student writing
 18 samples.

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

22 SECTION 82. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,
 23 2012]. (ISTEP Program Citizens' Review Committee).

24 SECTION 83. IC 20-32-8.5-2, AS ADDED BY P.L.109-2010,
 25 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2012]: Sec. 2. **(a) Except as provided in subsection (b),** the
 27 plan required by this chapter must include the following:

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

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

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

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

42 **(1) A method for making determinant evaluations of reading**

C
o
p
y



1 skills by grade 3.
 2 (2) Retention as a last resort for students reading below grade
 3 level as measured by the evaluation or assessment.
 4 SECTION 84. IC 20-33-8-13.7 IS ADDED TO THE INDIANA
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2012]: Sec. 13.7 (a) Discipline rules adopted
 7 by the governing body of a school corporation under section 12 of
 8 this chapter must:
 9 (1) prohibit criminal gang activity; and
 10 (2) include provisions concerning education about, parental
 11 involvement in preventing, reporting of, investigation of, and
 12 intervention in criminal gang activity.
 13 (b) The discipline rules adopted in compliance with subsection
 14 (a) must apply when a student is:
 15 (1) on school grounds immediately before or during school
 16 hours, immediately after school hours, or at any other time
 17 when the school is being used by a school group;
 18 (2) at a school activity, function, or event held off school
 19 grounds;
 20 (3) traveling to or from school or a school activity, function,
 21 or event; or
 22 (4) using property or equipment provided by the school.
 23 (c) This section may not be construed to give rise to a cause of
 24 action against a person or school corporation based on an
 25 allegation of noncompliance with this section. Noncompliance with
 26 this section may not be used as evidence against a school
 27 corporation in a cause of action.
 28 SECTION 85. IC 20-33-9-10.5 IS ADDED TO THE INDIANA
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2012]: Sec. 10.5. In addition to any other
 31 duty to report arising under this article, a school employee who has
 32 reason to believe that a student or school employee has committed:
 33 (1) a crime under IC 35-45-9-3 (criminal gang participation);
 34 (2) a crime under IC 35-45-9-4 (criminal gang intimidation);
 35 (3) a crime under IC 35-45-9-5 (criminal gang recruitment);
 36 or
 37 (4) a delinquent act that would be a crime under one (1) of the
 38 statutes referred to in subdivisions (1) through (3) if
 39 committed by an adult;
 40 shall report that information as required by section 11 of this
 41 chapter.
 42 SECTION 86. IC 20-33-9-11, AS AMENDED BY P.L.72-2006,

COPY



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 11. (a) If an individual who is required to make a
3 report under this chapter is a member of the staff of a school, the
4 individual shall make the report by immediately notifying the ~~principal~~
5 **of the school or school corporation administration** that:

6 (1) a school employee may have received a threat or may be the
7 victim of intimidation, battery, or harassment; **or**

8 (2) **the individual has reason to believe that a student or a**
9 **school employee has committed a crime or delinquent act**
10 **referred to in section 10.5 of this chapter.**

11 (b) An individual who receives a report under subsection (a) shall
12 immediately make a report or cause a report to be made under section
13 13 of this chapter.

14 SECTION 87. IC 20-33-9-13, AS AMENDED BY P.L.72-2006,
15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 13. An individual who has a duty under sections
17 10 through 12 of this chapter to report that:

18 (1) a school employee may have received a threat or may be the
19 victim of intimidation, battery, or harassment; **or**

20 (2) **the individual has reason to believe that a student or a**
21 **school employee has committed a crime or delinquent act**
22 **referred to in section 10.5 of this chapter;**

23 shall immediately make an oral report to the local law enforcement
24 agency.

25 SECTION 88. IC 20-33-9-14.5 IS ADDED TO THE INDIANA
26 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2012]: **Sec. 14.5. Except as provided in**
28 **section 15 of this chapter, an individual, other than a person**
29 **accused of committing a crime or delinquent act referred to in**
30 **section 10.5 of this chapter, who:**

31 (1) **makes, or causes to be made, a report under this chapter;**
32 **or**

33 (2) **participates in any judicial proceeding or other**
34 **proceeding:**

35 (A) **arising from a report made under this chapter; or**

36 (B) **relating to the subject matter of a report made under**
37 **this chapter;**

38 **is immune from any civil or criminal liability that might otherwise**
39 **be imposed because of such actions.**

40 SECTION 89. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,
41 SECTION 231, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2012]: Sec. 20. Money in the fund may be

C
o
p
y



1 transferred to another fund and used as provided by law. The laws
2 permitting a transfer of money from the fund include the following:

3 ~~(1) IC 20-20-10-5 (implementation of technology preparation task~~
4 ~~force).~~

5 ~~(2) (1) IC 20-40-11-3 (repair and replacement fund).~~

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

7 ~~(4) (3) IC 20-49-4-22 (advance for educational technology~~
8 ~~program).~~

9 SECTION 90. IC 21-14-11-1, AS ADDED BY P.L.209-2011,
10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2012]: Sec. 1. **(a) This section does not apply to an**
12 **individual who was enrolled in a state educational institution on or**
13 **before July 1, 2011.**

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

17 SECTION 91. IC 34-30-2-85.1, AS AMENDED BY P.L.1-2005,
18 SECTION 220, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2012]: Sec. 85.1. **(a) IC 20-33-9-14**
20 **(Concerning a person who reports or causes a report to be made of a**
21 **threat against, or intimidation of, a school employee).**

22 **(b) IC 20-33-9-14.5 (Concerning an individual who reports or**
23 **causes a report to be made of a crime or delinquent act involving**
24 **criminal gang activity).**

25 SECTION 92. [EFFECTIVE JULY 1, 2012] **(a) As used in this**
26 **SECTION, "balanced calendar" refers to a calendar for a school**
27 **year in which:**

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

29 **(6) weeks; or**

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

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

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

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

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

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

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

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

42 **(e) If the topics described in subsection (d) are assigned to a**

C
o
p
y



1 study committee, the study committee shall determine whether
 2 legislation should be enacted to address the topics, and if so, the
 3 study committee shall recommend proposed legislation.

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

5 SECTION 93. [EFFECTIVE UPON PASSAGE] (a) As used in this
 6 SECTION, "committee" refers to an interim study committee to
 7 which the legislative council assigns the topics of study described
 8 in subsection (c).

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

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

14 (1) Grading practices for courses that are required to fill
 15 general education requirements at a state educational
 16 institution.

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

20 (A) tenured faculty member;

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

22 (C) contract instructor.

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

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

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

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

35 SECTION 94. An emergency is declared for this act.

C
O
P
Y



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:**

C
O
P
Y



- (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

C
o
p
y



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:

C
O
P
Y



"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.

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

EH 1326—LS 7027/DI 44+



C
O
P
Y

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.)

RHOADS



C
O
P
Y

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



C
O
P
Y

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)."



C
O
P
Y

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

C
O
P
Y



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**



C
O
P
Y

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:

C
O
P
Y



"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.**



C
O
P
Y

(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.

C
O
P
Y



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.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1326 be amended to read as follows:

Page 20, line 40, after "31." insert **"Except as provided in subsection (f), a school building remains on the department's list for two (2) years after the date the school building was placed on the list."**

Page 21, line 9, after "subsection." insert **"If the governing body does not reclaim the school building, the school building remains on the department's list under subsection (e) for two (2) years after the date on which the reclamation period under this subsection expires."**

Page 21, line 34, strike "least forty-eight (48) months," and insert **"least:**

(1) two (2) years, for a school building that is not subject to subsection (f); or

(2) four (4) years, for a school building that is subject to subsection (f);"

Page 21, line 34, beginning with "the" begin a new line blocked left.

(Reference is to EHB 1326 as printed February 24, 2012.)

SCHNEIDER

SENATE MOTION

Madam President: I move that Engrossed House Bill 1326 be amended to read as follows:

Page 1, after line 17, begin a new paragraph and insert:

"SECTION 2. IC 5-2-10.1-2, AS AMENDED BY P.L.106-2005,

EH 1326—LS 7027/DI 44+



C
O
P
Y

SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The Indiana safe schools fund is established to do the following:

- (1) Promote school safety through the:
 - (A) purchase of equipment for the detection of firearms and other weapons;
 - (B) use of dogs trained to detect firearms, drugs, explosives, and illegal substances; and
 - (C) purchase of other equipment and materials used to enhance the safety of schools.
- (2) Combat truancy.
- (3) Provide matching grants to schools for school safe haven programs.
- (4) Provide grants for school safety and safety plans.
- (5) Provide educational outreach and training to school personnel concerning:
 - (A) the identification of;
 - (B) the prevention of; and
 - (C) intervention in;

bullying.

(6) Provide educational outreach and training to school personnel concerning:

- (A) the identification of;**
 - (B) the prevention of; and**
 - (C) intervention in;**
- criminal gang activity.**

(b) The fund consists of amounts deposited:

- (1) under IC 33-37-9-4; and
- (2) from any other public or private source.

(c) The institute shall determine grant recipients from the fund with a priority on awarding grants in the following order:

- (1) A grant for a safety plan.
- (2) A safe haven grant requested under section 10 of this chapter.
- (3) A safe haven grant requested under section 7 of this chapter.

(d) Upon recommendation of the council, the institute shall establish a method for determining the maximum amount a grant recipient may receive under this section.

SECTION 3. IC 5-2-10.1-11, AS AMENDED BY P.L.106-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The school safety specialist training and certification program is established.

(b) The school safety specialist training program shall provide:

C
O
P
Y



- (1) annual training sessions, which may be conducted through distance learning or at regional centers; and
- (2) information concerning best practices and available resources; for school safety specialists and county school safety commissions.

(c) The department of education shall do the following:

- (1) Assemble an advisory group of school safety specialists from around the state to make recommendations concerning the curriculum and standards for school safety specialist training.
- (2) Develop an appropriate curriculum and the standards for the school safety specialist training and certification program. The department of education may consult with national school safety experts in developing the curriculum and standards. The curriculum developed under this subdivision must include training in:

- (A) identifying, preventing, and intervening in bullying; and
- (B) identifying, preventing, and intervening in criminal gang activity.

- (3) Administer the school safety specialist training program and notify the institute of candidates for certification who have successfully completed the training program.

(d) The institute shall do the following:

- (1) Establish a school safety specialist certificate.
- (2) Review the qualifications of each candidate for certification named by the department of education.
- (3) Present a certificate to each school safety specialist that the institute determines to be eligible for certification.

SECTION 4. IC 5-2-10.1-12, AS AMENDED BY P.L.132-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Each school within a school corporation shall establish a safe school committee. The committee may be a subcommittee of the committee that develops the strategic and continuous school improvement and achievement plan under IC 20-31-5.

(b) The department of education and the school corporation's school safety specialist shall provide materials to assist a safe school committee in developing a plan for the school that addresses the following issues:

- (1) Unsafe conditions, crime prevention, school violence, bullying, **criminal gang activity**, and other issues that prevent the maintenance of a safe school.
- (2) Professional development needs for faculty and staff to implement methods that decrease problems identified under

EH 1326—LS 7027/DI 44+



C
O
P
Y

subdivision (1).

(3) Methods to encourage:

- (A) involvement by the community and students;
- (B) development of relationships between students and school faculty and staff; and
- (C) use of problem solving teams.

(c) As a part of the plan developed under subsection (b), each safe school committee shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school."

Page 4, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 12. IC 20-18-2-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 2.7. "Criminal gang" has the meaning set forth in IC 35-45-9-1.**

SECTION 13. IC 20-18-2-16, AS AMENDED BY P.L.90-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, **IC 20-28-11.5**, IC 20-30-8, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) metropolitan school district;
- (6) township school corporation;
- (7) county school corporation;
- (8) united school corporation; or
- (9) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of IC 20-20-33, **IC 20-26-18**, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3."

Page 7, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 17. IC 20-19-3-11 IS ADDED TO THE INDIANA

C
o
p
y



CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The department, in collaboration with the Indiana criminal justice institute, the department of child services, and any organization that has expertise in providing criminal gang education, prevention, or intervention that the department determines to be appropriate, shall:

- (1) identify or develop model educational materials on criminal gang activity; and
- (2) develop and maintain a model policy to address criminal gangs and criminal gang activity in schools.

(b) Not later than July 1, 2013, the department shall make the model policy developed under subsection (a)(2) available to assist schools in the development and implementation of a criminal gang policy for the schools' school corporations under IC 20-26-18.

(c) The model educational materials on criminal gang activity identified or developed under subsection (a)(1) must include information:

- (1) to educate students and parents on the extent to which criminal gang activity exists;
- (2) regarding the negative societal impact that criminal gangs have on the community;
- (3) on methods to discourage participation in criminal gangs; and
- (4) on methods of providing intervention to a child suspected of participating in criminal gang activity.

(d) The model criminal gang policy developed under subsection (a)(2) must include:

- (1) a statement prohibiting criminal gang activity in schools;
- (2) a statement prohibiting reprisal or retaliation against an individual who reports suspected criminal gang activity;
- (3) a definition of "criminal gang" and "criminal gang activity" that is consistent with the definition in IC 35-45-9-1.
- (4) a statement of standard consequences and remedial actions for:
 - (A) individuals engaged in criminal gang activity; and
 - (B) individuals found to have made false accusations concerning criminal gang activity;
- (5) model procedures for:
 - (A) reporting suspected criminal gang activity; and
 - (B) the prompt investigation of suspected criminal gang activity;

C
O
P
Y



- (6) information about the types of support services, including family support services, available for a student suspected of participating in criminal gang activity; and
- (7) recommendations concerning criminal gang prevention and intervention services and programs for students that maximize community participation and the use of federal funding."

Page 19, between lines 23 and 24, begin a new line block indented and insert:

"(21) IC 20-26-18 (criminal gang measures)."

Page 24, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 68. IC 20-26-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 18. Criminal Gang Measures

Sec. 1. This chapter applies to every school corporation, including a charter school (as defined in IC 20-24-1-4) and a school city to which IC 20-25 applies.

Sec. 2. (a) Not later than June 1, 2014, the governing body of each school corporation must establish a written policy to address criminal gangs and criminal gang activity in schools. The governing body of a school corporation may develop the policy in consultation with:

- (1) parents;
- (2) school employees;
- (3) local law enforcement officials;
- (4) the county prosecutor;
- (5) the county public defender;
- (6) organizations that have expertise in criminal gang education, prevention, or intervention; and
- (7) any other person or entity the governing body of the school corporation determines to be appropriate.

(b) The policy must meet all of the requirements for the department's model criminal gang policy set forth in IC 20-19-3-11(d).

(c) Not later than September 1, 2014, each school corporation shall submit a copy of its criminal gang policy to the department.

Sec. 3. A school corporation shall put a copy of the school corporation's criminal gang policy established under section 2 of this chapter:

- (1) on its Internet web site;
- (2) in school student handbooks; and



C
O
P
Y

(3) in any location the school corporation determines to be appropriate.

Sec. 4. A school corporation shall establish the following educational programs in its efforts to address criminal gang activity:

(1) An educational criminal gang awareness program for students, school employees, and parents.

(2) A school employee development program to provide training to school employees in the implementation of the criminal gang policy established under section 2 of this chapter.

Sec. 5. The governing body of a school corporation may establish a program to provide criminal gang intervention services to students.

Sec. 6. A school corporation may enter into a memorandum of understanding with:

(1) the county prosecutor of the county in which the school corporation is located; or

(2) a juvenile court with jurisdiction in the school corporation;

to foster coordination of gang prevention, intervention, and suppression efforts.

Sec. 7. (a) Not later than June 1, 2015, and before June 2 of each year thereafter, each school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's compliance with this chapter.

(b) Not later than November 1, 2015, and before November 2 of each year thereafter, the department shall submit a comprehensive report concerning criminal gang activity in schools to the governor and the general assembly. A report submitted to the general assembly under this subsection must be in an electronic format under IC 5-14-6. The report must include the following:

(1) A summary of the activities reported to the department under subsection (a).

(2) Any recommendations or conclusions made by the department to assist in the prevention of, education about, and intervention in criminal gang activity in schools."

Page 29, after line 42, begin a new paragraph and insert:

"SECTION 84. IC 20-33-8-13.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 13.7 (a) Discipline rules adopted**

C
O
P
Y



by the governing body of a school corporation under section 12 of this chapter must:

- (1) prohibit criminal gang activity; and
- (2) include provisions concerning education about, parental involvement in preventing, reporting of, investigation of, and intervention in criminal gang activity.

(b) The discipline rules adopted in compliance with subsection (a) must apply when a student is:

- (1) on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;
- (2) at a school activity, function, or event held off school grounds;
- (3) traveling to or from school or a school activity, function, or event; or
- (4) using property or equipment provided by the school.

(c) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.

SECTION 85. IC 20-33-9-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 10.5. In addition to any other duty to report arising under this article, a school employee who has reason to believe that a student or school employee has committed:**

- (1) a crime under IC 35-45-9-3 (criminal gang participation);
 - (2) a crime under IC 35-45-9-4 (criminal gang intimidation);
 - (3) a crime under IC 35-45-9-5 (criminal gang recruitment);
- or

- (4) a delinquent act that would be a crime under one (1) of the statutes referred to in subdivisions (1) through (3) if committed by an adult;

shall report that information as required by section 11 of this chapter.

SECTION 86. IC 20-33-9-11, AS AMENDED BY P.L.72-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 11. (a) If an individual who is required to make a report under this chapter is a member of the staff of a school, the individual shall make the report by immediately notifying the principal of the school or school corporation administration that:**

- (1) a school employee may have received a threat or may be the

C
O
P
Y



victim of intimidation, battery, or harassment; or

(2) the individual has reason to believe that a student or a school employee has committed a crime or delinquent act referred to in section 10.5 of this chapter.

(b) An individual who receives a report under subsection (a) shall immediately make a report or cause a report to be made under section 13 of this chapter.

SECTION 87. IC 20-33-9-13, AS AMENDED BY P.L.72-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. An individual who has a duty under sections 10 through 12 of this chapter to report that:

(1) a school employee may have received a threat or may be the victim of intimidation, battery, or harassment; or

(2) the individual has reason to believe that a student or a school employee has committed a crime or delinquent act referred to in section 10.5 of this chapter;

shall immediately make an oral report to the local law enforcement agency.

SECTION 88. IC 20-33-9-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14.5. **Except as provided in section 15 of this chapter, an individual, other than a person accused of committing a crime or delinquent act referred to in section 10.5 of this chapter, who:**

(1) makes, or causes to be made, a report under this chapter; or

(2) participates in any judicial proceeding or other proceeding:

(A) arising from a report made under this chapter; or

(B) relating to the subject matter of a report made under this chapter;

is immune from any civil or criminal liability that might otherwise be imposed because of such actions."

Page 30, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 90. IC 34-30-2-85.1, AS AMENDED BY P.L.1-2005, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 85.1. **(a) IC 20-33-9-14 (Concerning a person who reports or causes a report to be made of a threat against, or intimidation of, a school employee).**

(b) IC 20-33-9-14.5 (Concerning an individual who reports or

C
O
P
Y



causes a report to be made of a crime or delinquent act involving criminal gang activity)."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1326 as printed February 24, 2012.)

HERSHMAN

C
o
p
y

