

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1324 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 through 8.
- 3 Page 9, delete lines 1 through 33.
- 4 Page 10, delete lines 19 through 36.
- 5 Page 11, strike lines 11 through 15, begin a new line block indented
- 6 and insert:
- 7 **"(3) Applying for additional funds under the students in need**
- 8 **grant program established under IC 20-40-18 to implement**
- 9 **student focused programs specifically targeted to improved**
- 10 **student performance."**
- 11 Page 11, line 21, after "applies" insert **"in"**.
- 12 Page 11, line 21, delete "and second".
- 13 Page 11, line 22, delete "either of".
- 14 Page 11, line 22, delete "two (2)".
- 15 Page 11, line 22, delete "categories or designations" and insert
- 16 **"category"**.
- 17 Page 11, line 25, delete "one (1) of the two (2)" and insert **"the"**.
- 18 Page 11, line 26, delete "categories or designations" and insert
- 19 **"category"**.
- 20 Page 11, delete lines 39 through 42, begin a new line block indented
- 21 and insert:
- 22 **"(3) Applying for additional funds under the students in need**
- 23 **grant program established under IC 20-40-18 to implement**
- 24 **student focused programs specifically targeted to improved**

- 1 **student performance."**
- 2 Page 12, delete line 1.
- 3 Page 12, line 6, delete "or third".
- 4 Page 12, line 7, delete "either of the two (2) lowest categories or
5 designations" and insert "**the lowest category**".
- 6 Page 12, line 9, delete "may petition the state board for" and insert
7 "**may, if the governing body determines it is in the best interest of**
8 **the students, elect to:**".
- 9 Page 12, delete line 10.
- 10 Page 12, line 16, delete "The state board may grant".
- 11 Page 12, delete lines 17 through 18.
- 12 Page 12, line 20, delete "petition the state board to immediately
13 restructure the school" and insert "**apply for additional funds under**
14 **the students in need grant program established under IC 20-40-18**
15 **to implement student focused programs specifically targeted to**
16 **improved student performance."**
- 17 Page 12, delete lines 21 through 36.
- 18 Page 13, line 10, strike "plan;" and insert "**plan and in applying for**
19 **funds under the students in need grant program established under**
20 **IC 20-40-18 to implement student focused programs specifically**
21 **targeted to improved student performance;**".
- 22 Page 13, line 12, after "of" insert "**existing**".
- 23 Page 13, strike lines 14 through 22.
- 24 Page 13, line 23, delete "(e)" and insert "**(d)**".
- 25 Page 13, line 28, delete "either" and insert "**the lowest category**".
- 26 Page 13, line 29, delete "of the two (2) lowest categories or
27 designations".
- 28 Page 13, line 30, delete "either of the two (2) lowest" and insert "**the**
29 **lowest category."**
- 30 Page 13, delete line 31.
- 31 Page 13, line 42, delete "plan; and insert "**plan and in applying for**
32 **funds under the students in need grant program established under**
33 **IC 20-40-18 to implement student focused programs specifically**
34 **targeted to improved student performance;**".
- 35 Page 14, line 2, after "the" insert "**allocation of additional**
36 **resources under the students in need grant program established**
37 **under IC 20-40-18 to implement student focused programs**
38 **specifically targeted to improved student performance,"**.
- 39 Page 14, line 2, after "of" insert "**existing**".
- 40 Page 14, line 2, delete "resources" and insert "**resources,"**".
- 41 Page 14, delete lines 4 through 12, begin a new paragraph and
42 insert:
- 43 "**(d) In addition to the interventions authorized under this**
44 **section, the governing body of a school to which this section applies**
45 **may also waive the following statutes in a documented effort to**
46 **maximize student learning and improvement:**

- 1 (1) IC 20-30-2-2 (length of the student instructional day).
 2 (2) IC 20-30-2-3 (minimum number of student instructional
 3 days).
 4 (3) IC 20-30-2-4 (penalty for failure to conduct minimum
 5 number of student instructional days).
 6 (4) IC 20-30-2-7 (minimum length of the school term).".
 7 Page 14, line 15, after "in" insert "**at least**".
 8 Page 14, line 16, delete "improvement, or a higher category or
 9 designation of school" and insert "**improvement**".
 10 Page 14, line 17, delete "improvement,".
 11 Page 15, line 1, strike "closed or merged," and insert "**closed, is**
 12 **merged, or enters into a memorandum of agreement with the**
 13 **department of education for specific interventions aligned with the**
 14 **findings of a quality review,**".
 15 Page 15, delete lines 25 through 26.
 16 Page 15, delete lines 30 through 42.
 17 Page 16, delete lines 1 through 18.
 18 Page 16, line 22, after "under" insert "**section 4.5(b) of**".
 19 Page 16, line 22, delete "state board shall determine the number of"
 20 and insert "**continuation of the intervention is subject to an annual**
 21 **review conducted at a public meeting convened in the school**
 22 **corporation and by:**
 23 (1) the governing body of the particular school corporation if
 24 section 4.5(b)(1)(A), 4.5(b)(1)(C), 4.5(b)(1)(D), or 4.5(b)(1)(E)
 25 of this chapter is imposed; or
 26 (2) the governing body of the particular school corporation
 27 and the special management team, jointly, if section
 28 4.5(b)(1)(B) of this chapter is imposed."
 29 Page 16, delete lines 23 through 25.
 30 Page 16, line 26, delete "necessary. Not" and insert "**The public**
 31 **meeting must occur not**".
 32 Page 16, line 26, delete ", the state board shall" and insert "**and not**
 33 **before June 1 of that year.**".
 34 Page 16, delete lines 27 through 28 and insert "**At least two-thirds**
 35 **(2/3) of the membership of the state board must attend the public**
 36 **meeting and hear the testimony. Upon hearing the testimony, the**
 37 **state board shall, at the public hearing, determine whether it will**
 38 **continue the intervention for another year. In no event may a**
 39 **particular special management team be granted more than three**
 40 **(3) years to achieve for the school at least the middle performance**
 41 **category.**".
 42 Page 16, delete lines 29 through 42, begin a new paragraph and
 43 insert:
 44 "**(b) The goal for the special management team is to secure for**
 45 **the school a performance category that is at least in the middle**
 46 **category. The contract with the special management team is a**

- 1 **year-to-year contract with the annual review described in**
 2 **subsection (a)."**
 3 Page 17, delete lines 1 through 5.
 4 Page 17, line 15, delete "goals." and insert "goal."
 5 Page 17, delete lines 16 through 21.
 6 Page 17, line 22, delete "(c)" and insert "(b)".
 7 Page 17, line 22, after "intervention," insert "**not to exceed three (3)**
 8 **years,**".
 9 Page 17, line 23, delete "intervention" and insert "**special**
 10 **management team**".
 11 Page 17, line 23, delete "goals" and insert "**goal described in**
 12 **section 6(b) of this chapter,**".
 13 Page 17, line 24, delete "set for the turnaround academy,".
 14 Page 17, line 24, delete "may." and insert "shall return the school to
 15 the management of the government body of the school corporation."
 16 Page 17, delete lines 25 through 42.
 17 Delete pages 18 through 19.
 18 Page 20, delete lines 1 through 28.
 19 Page 20, delete line 42.
 20 Delete pages 21 through 22.
 21 Page 23, delete lines 1 through 26.
 22 Page 23, strike line 34.
 23 Page 23, line 35, delete "IC 20-31-9".
 24 Page 23, line 35, strike "to operate a school as a turnaround".
 25 Page 23, strike line 36.
 26 Page 23, line 41, strike "not".
 27 Page 23, line 42, delete "not".
 28 Page 24, line 3, delete "may exercise any authority" and insert "**shall**
 29 **comply with the same laws and rules with which governing bodies**
 30 **of school corporations must comply.**".
 31 Page 24, delete lines 4 through 42.
 32 Delete pages 25 through 27.
 33 Page 28, delete lines 1 through 22.
 34 Page 28, line 33, delete "High performing School Corporations" and
 35 insert "**Flexibility for all School Corporations**".
 36 Page 28, line 34, delete "a school corporation:" and insert "**all**
 37 **school corporations.**".
 38 Page 28, delete lines 35 through 42.
 39 Page 29, delete lines 1 through 3.
 40 Page 29, line 4, delete "(b) The" and insert "**Sec. 2. In addition to**
 41 **waivers available to schools under IC 20-31-9-3.5 to maximize**
 42 **student learning and progress, the**".
 43 Page 29, line 4, delete "a high" and insert "**all school corporations**
 44 **upon the filing of an application, which must include rationale for**
 45 **the waiver:**".
 46 Page 29, delete line 5.

1 Page 29, delete lines 16 through 22, begin a new paragraph and
2 insert:

3 "SECTION 20. IC 20-40-18 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]:

6 **Chapter 18. Students in Need Grant Fund**

7 **Sec. 1. As used in this chapter, "department" refers to the**
8 **department of education.**

9 **Sec. 2. As used in this chapter, "fund" refers to the students in**
10 **need grant fund established under section 3 of this chapter.**

11 **Sec. (a) The students in need grant fund is established to provide**
12 **additional assistance and helpful intervention to schools described**
13 **in IC 20-31-9 in order to promote improved student achievement**
14 **through programs created to address identified student**
15 **deficiencies. Examples of uses of these funds include:**

- 16 (1) reducing class sizes;
- 17 (2) implementing full-day kindergarten for all students;
- 18 (3) providing enhanced english language learner programs;
- 19 (4) providing additional remediation in English/language arts
- 20 and math; and
- 21 (5) providing more summer school or individualized learning
- 22 opportunities.

23 **(b) The fund consists of the following:**

- 24 (1) Transfers from the state general fund in an amount equal
- 25 to the excess state reserves as calculated under IC 4-10-22-2
- 26 not to exceed fifty million dollars (\$50,000,000) in the fund for
- 27 any fiscal year.
- 28 (2) Appropriations made by the general assembly.
- 29 (3) Gifts, grants, devises, or bequests made to the state to
- 30 achieve the purposes of the fund.

31 **(c) The fund shall be administered by the department. The funds**
32 **must be separate and distinct from other funds administered by the**
33 **department and money in the fund may not be exchanged with or**
34 **transferred to other funds.**

35 **(d) The treasurer of state shall invest the money in the fund not**
36 **currently needed to meet the obligations of the fund in the same**
37 **manner as other public funds are invested.**

38 **(e) Money in the fund at the end of a state fiscal year does not**
39 **revert to the state general fund but remains available to be used for**
40 **providing money to public schools under IC 20-31-9.**

41 **Sec. 4. The department shall develop forms to be used by eligible**
42 **schools to apply for money under the fund.**

43 **Sec 5. The state board shall do the following:**

- 44 (1) Adopt rules under IC 4-22-2 governing the administration
- 45 of the fund, including rules specifying the procedures that
- 46 schools must follow to apply for funds.
- 47 (2) The rules adopted by the state board must:

- 1 (A) be reasonable;
- 2 (B) not be cumbersome; and
- 3 (C) provide for the goals of the fund to be met.
- 4 **Sec. 6. A school is eligible for a grant under the fund if:**
- 5 (1) The school is under an intervention described in
- 6 IC 20-31-9 that permits a grant under this fund.
- 7 (2) The school details in writing how it intends to use the
- 8 additional assistance, including the goals it expects to attain.
- 9 (3) The school pledges to use the funds to directly address
- 10 identified areas targeted for improvement.
- 11 (4) The school submits a properly completed and timely
- 12 submitted application to the department.
- 13 (5) The school agrees to submit a report to the department on
- 14 an annual basis the details of the use of the fund money tied to
- 15 the results.
- 16 **Sec. 7. Grants under the fund shall be allocated on a per student**
- 17 **basis.**
- 18 **Sec. 8. A school that received a grant in a fiscal year and is**
- 19 **eligible for a subsequent grant in the following year must complete**
- 20 **a new application for funds."**
- 21 Renumber all SECTIONS consecutively.
(Reference is to HB 1324 as printed January 23, 2012.)

Representative Porter