



January 23, 2012

HOUSE BILL No. 1326

DIGEST OF HB 1326 (Updated January 20, 2012 4:43 pm - DI 116)

Citations Affected: IC 4-12; IC 5-22; IC 6-3,1; IC 9-18; IC 12-17; IC 20-19; IC 20-20; IC 20-24; IC 20-26; IC 20-28; IC 20-30; IC 20-31; IC 20-32; IC 20-40.

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. 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) School intervention and career counseling development program. (4) Education consultant for health and physical education. (5) Principal leadership academy. (6) School grant writing and fund raising assistance program. (7) Technology preparation task force. (8) Research and development program concerning various studies and evaluations. (9) Educational technology council. (10) Teacher quality and professional improvement program. (11) Committee on educational attitudes, motivation, and parental involvement. (12) Readiness testing. (13) Student services programs. (14) Twenty-first century schools pilot program. (15) Anti-gang counseling pilot program and fund. (16) Department of education review of professional development programs. (17) Performance based awards. (19) ISTEP program citizens' review committee. (20) a requirement that a course
(Continued next page)

Effective: July 1, 2012.

Rhoads, Behning

January 11, 2012, read first time and referred to Committee on Education.
January 23, 2012, amended, reported — Do Pass.

HB 1326—LS 7027/DI 44+



C
o
p
y

Digest Continued

in safety education be taught to eighth graders. Deletes provisions concerning: (1) 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. Deletes obsolete provisions concerning testing schedules. Deletes obsolete provisions concerning assessments at the conclusion of certain Core 40 courses. Makes conforming changes. Deletes references to statutes repealed during the 2011 legislative session.

C
o
p
y



January 23, 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.

C
O
P
Y

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.~~

HB 1326—LS 7027/DI 44+



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

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

7 (2) has market value.

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

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

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

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

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

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

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

41 SECTION 5. IC 9-18-31-6, AS AMENDED BY P.L.1-2005,
 42 SECTION 100, IS AMENDED TO READ AS FOLLOWS



C
 o
 p
 y

1 [EFFECTIVE JULY 1, 2012]: Sec. 6. The fees collected under this
2 chapter shall be distributed as follows:

- 3 (1) ~~Twenty-five percent (25%) to the state superintendent of~~
- 4 ~~public instruction to administer the school intervention and career~~
- 5 ~~counseling development program and fund under IC 20-20-17.~~
- 6 (2) ~~Seventy-five percent (75%) as provided under section 7 of this~~
- 7 ~~chapter.~~

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

- 13 (1) The step ahead county coordinator shall annually report to the
- 14 panel on the development, quality, and appropriateness of the
- 15 individual family service plans for children whose parents qualify
- 16 under the income eligibility guidelines.
- 17 (2) The step ahead county coordinator shall annually report to the
- 18 panel on the number of children who:
 - 19 (A) are using step ahead services; and
 - 20 (B) do not qualify under the income eligibility guidelines.
- 21 (3) The panel shall annually assess the results of any readiness
- 22 program ~~under IC 20-20-26~~ **established by the department of**
- 23 **education** for students in kindergarten and grade 1 to determine
- 24 whether children enrolling in school after benefiting from step
- 25 ahead demonstrate greater readiness for learning. The department
- 26 of education shall cooperate with the panel in this regard by
- 27 assisting in defining the term "readiness" and supporting the
- 28 evaluation based on knowledge and training in early childhood.
- 29 (4) Any other valid assessment technique or method approved by
- 30 the panel.

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

34 SECTION 7. IC 20-19-2-8, AS AMENDED BY P.L.145-2011,
35 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2012]: Sec. 8. (a) In addition to any other powers and duties
37 prescribed by law, the state board shall adopt rules under IC 4-22-2
38 concerning, but not limited to, the following matters:

- 39 (1) The designation and employment of the employees and
- 40 consultants necessary for the department. The state board shall fix
- 41 the compensation of employees of the department, subject to the
- 42 approval of the budget committee and the governor under

C
o
p
y



- 1 IC 4-12-2.
- 2 (2) The establishment and maintenance of standards and
3 guidelines for media centers, libraries, instructional materials
4 centers, or any other area or system of areas in a school where a
5 full range of information sources, associated equipment, and
6 services from professional media staff are accessible to the school
7 community. With regard to library automation systems, the state
8 board may only adopt rules that meet the standards established by
9 the state library board for library automation systems under
10 IC 4-23-7.1-11(b).
- 11 (3) The establishment and maintenance of standards for student
12 personnel and guidance services.
- 13 (4) This subdivision expires December 31, 2011. The
14 establishment and maintenance of minimum standards for driver
15 education programs (including classroom instruction and practice
16 driving) and equipment. Classroom instruction standards
17 established under this subdivision must include instruction about:
18 (A) railroad-highway grade crossing safety; and
19 (B) the procedure for participation in the human organ donor
20 program;
21 and must provide, effective July 1, 2010, that the classroom
22 instruction may not be provided to a child less than fifteen (15)
23 years and one hundred eighty (180) days of age.
- 24 (5) The inspection of all public schools in Indiana to determine
25 the condition of the schools. The state board shall establish
26 standards governing the accreditation of public schools.
27 Observance of:
28 (A) IC 20-31-4;
29 (B) IC 20-28-5-2;
30 (C) IC 20-28-6-3 through IC 20-28-6-7;
31 (D) IC 20-28-11.5; and
32 (E) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, and
33 IC 20-32-8;
34 is a prerequisite to the accreditation of a school. Local public
35 school officials shall make the reports required of them and
36 otherwise cooperate with the state board regarding required
37 inspections. Nonpublic schools may also request the inspection
38 for classification purposes. Compliance with the building and site
39 guidelines adopted by the state board is not a prerequisite of
40 accreditation.
- 41 (6) The distribution of funds and revenues appropriated for the
42 support of schools in the state.

C
o
p
y



- 1 (7) The state board may not establish an accreditation system for
- 2 nonpublic schools that is less stringent than the accreditation
- 3 system for public schools.
- 4 (8) A separate system for recognizing nonpublic schools under
- 5 IC 20-19-2-10. Recognition of nonpublic schools under this
- 6 subdivision constitutes the system of regulatory standards that
- 7 apply to nonpublic schools that seek to qualify for the system of
- 8 recognition.
- 9 (9) The establishment and enforcement of standards and
- 10 guidelines concerning the safety of students participating in
- 11 cheerleading activities.
- 12 (10) Subject to IC 20-28-2, the preparation and licensing of
- 13 teachers.

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

17 SECTION 8. IC 20-19-2-14, AS AMENDED BY P.L.172-2011,
 18 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2012]: Sec. 14. The state board shall do the
 20 following:

- 21 (1) Establish the educational goals of the state, developing
- 22 standards and objectives for local school corporations.
- 23 (2) Assess the attainment of the established goals.
- 24 (3) Assure compliance with established standards and objectives.
- 25 (4) Coordinate with the commission for higher education
- 26 (IC 21-18-1) and the department of workforce development
- 27 (IC 22-4.1-2) to develop entrepreneurship education programs for
- 28 elementary and secondary education, higher education, and
- 29 individuals in the work force.
- 30 (5) Make recommendations to the governor and general assembly
- 31 concerning the educational needs of the state, including financial
- 32 needs.
- 33 **(6) Provide for reviews to ensure the validity and reliability of**
- 34 **the ISTEP program.**

35 SECTION 9. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,
 36 2012]. Sec. 6: (a) The department shall:

- 37 (+) establish a program in health and physical education to
- 38 encourage children in kindergarten through grade 12 to develop:
 - 39 (A) healthful living habits;
 - 40 (B) an interest in lifetime health and physical fitness; and
 - 41 (C) decision making skills in the areas of health and physical
 - 42 fitness;

C
o
p
y



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

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

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

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

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

9 (c) The program in health and physical education must include the
10 following:

11 (1) Local school program development.

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

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

15 (4) Cardiopulmonary resuscitation training using a training
16 program approved by the American Heart Association or an
17 equivalent nationally recognized training program.

18 (d) The department may give grants to or enter into contracts with
19 individuals or school corporations to carry out the purposes of the
20 program in health and physical education.

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

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

28 (2) The content and format of the ISTEP program, including the
29 following:

30 (A) The graduation examination.

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

33 SECTION 11. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,
34 2012]. (Principal Leadership Academy).

35 SECTION 12. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1,
36 2012]. Sec. 1. The following are the goals of the ambassador for
37 education program:

38 (1) Enhance the stature of teachers and the teaching profession.

39 (2) Inspire and attract talented young people to become teachers.

40 (3) Promote the teaching profession within community and
41 business groups.

42 (4) Support the activities of the Future Teachers of America

C
o
p
y



- 1 clubs:
- 2 (5) Represent Indiana teachers at business, education, and teacher
- 3 leadership conferences and meetings:
- 4 (6) Reward the teacher of the year for the teacher's outstanding
- 5 contributions to the teaching profession:
- 6 (7) Reward the teacher of the year for the teacher's contributions
- 7 to the teacher's classroom and school:
- 8 SECTION 13. IC 20-20-4-2 IS REPEALED [EFFECTIVE JULY 1,
- 9 2012]. Sec. 2: As used in this chapter, "ambassador" refers to the
- 10 ambassador for education established by section 4 of this chapter:
- 11 SECTION 14. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1,
- 12 2012]. Sec. 3: As used in this chapter, "school" means a school
- 13 corporation or an accredited nonpublic school:
- 14 SECTION 15. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1,
- 15 2012]. Sec. 4: The position of ambassador for education is established
- 16 to act as an education liaison to Indiana schools:
- 17 SECTION 16. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1,
- 18 2012]. Sec. 5: A teacher in a school who:
- 19 (1) is selected by the state superintendent as teacher of the year;
- 20 and
- 21 (2) agrees to be ambassador;
- 22 is ambassador for a one (1) year term beginning July 1 after selection
- 23 as teacher of the year and ending the following June 30:
- 24 SECTION 17. IC 20-20-4-5.5 IS ADDED TO THE INDIANA
- 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 26 [EFFECTIVE JULY 1, 2012]: **Sec. 5.5. A teacher of the year may be**
- 27 **invited to serve one (1) year of professional leave with:**
- 28 **(1) an Indiana postsecondary educational institution; or**
- 29 **(2) the department.**
- 30 SECTION 18. IC 20-20-4-6, AS ADDED BY P.L.1-2005,
- 31 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2012]: Sec. 6. (a) The school where **an ambassador a teacher**
- 33 **of the year** is regularly employed shall do the following:
- 34 (1) Grant the **ambassador teacher** a one (1) year professional
- 35 leave to **serve as ambassador during the ambassador's term:**
- 36 **provide service as described in section 5.5 of this chapter.**
- 37 (2) Allow the **ambassador teacher** to return to the school from the
- 38 professional leave:
- 39 (A) to the same or a comparable position as the **ambassador**
- 40 **teacher** held before the professional leave; and
- 41 (B) without loss of accrued benefits or seniority.
- 42 (3) Continue to provide the **ambassador teacher** all benefits of

C
o
p
y



1 employment with the school other than salary.

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

5 SECTION 19. IC 20-20-4-6.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2012]: **Sec. 6.5. If a teacher of the year**
8 **provides service for the department or an Indiana postsecondary**
9 **educational institution under this chapter, the department or the**
10 **Indiana postsecondary educational institution shall pay the**
11 **teacher's salary for the term of the service and shall reimburse the**
12 **teacher's regular employer for the teacher's benefits during the**
13 **term of service.**

14 SECTION 20. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1,
15 2012]. **Sec. 7. An ambassador may elect to serve the one (1) year**
16 **professional leave at:**

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

19 SECTION 21. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1,
20 2012]. **Sec. 8. If an ambassador elects to serve a one (1) year**
21 **professional leave with the department, the following apply:**

22 (1) The state coordinator of the ambassador for education
23 program, as designated by the state superintendent, shall establish
24 the ambassador's duties:

25 (2) The ambassador is entitled to receive from the department the
26 following:

27 (A) A salary in place of compensation from the school where
28 the ambassador is regularly employed that equals the salary
29 that the ambassador, if not serving as ambassador, would
30 receive during the school year of the ambassador's term from
31 the school where the ambassador is regularly employed.

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

34 SECTION 22. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1,
35 2012]. **Sec. 9. If an ambassador elects to serve a one (1) year**
36 **professional leave with an Indiana postsecondary educational**
37 **institution, the following apply:**

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

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

C
o
p
y



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

7 SECTION 23. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY
8 1, 2012]. Sec. 10: The ambassador's duties must match the relative
9 skills and education background of the ambassador and reflect the
10 goals of the ambassador for education program. However, duties may
11 include the following:

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

14 (2) Accompanying the state superintendent in the exercise of the
15 state superintendent's duties throughout Indiana:

16 SECTION 24. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,
17 2012]. (School Grant Writing and Fund Raising Assistance Program).

18 SECTION 25. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,
19 2012]. (Technology Preparation Task Force).

20 SECTION 26. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,
21 2012]. (Research and Development Program).

22 SECTION 27. IC 20-20-13-6, AS AMENDED BY
23 P.L.182-2009(ss), SECTION 305, IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The Senator
25 David C. Ford educational technology fund is established to extend
26 educational technologies to elementary and secondary schools. The
27 fund may be used for:

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

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

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

35 (C) for students in kindergarten through grade 3 who have
36 been identified as needing remediation, to offer daily
37 remediation opportunities using technology to prevent those
38 students from failing to make appropriate progress at the
39 particular grade level;

40 (2) a school technology program developed by the department.
41 The program may include grants to school corporations for the
42 purchase of:

C
o
p
y



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

C
o
p
y



1 educational technology program under IC 20-49-4;
2 unless the school corporation develops a three (3) year technology plan.

3 (b) Each technology plan must include at least the following
4 information:

5 (1) A description of the school corporation's intent to integrate
6 technology into the school corporation's curriculum.

7 (2) A plan for providing inservice training.

8 (3) A schedule for maintaining and replacing educational
9 technology equipment.

10 (4) A description of the criteria used to select the appropriate
11 educational technology equipment for the appropriate use.

12 (5) Other information requested by the department after
13 consulting with the budget agency.

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

17 SECTION 29. IC 20-20-13-8, AS ADDED BY P.L.1-2005,
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2012]: Sec. 8. Upon the approval of the governor and the
20 budget agency, the department may use funds available under this
21 chapter to provide or extend education technology to any school
22 corporation for purposes described in this chapter. ~~The department~~
23 ~~(upon the approval of the governor and the budget agency) may direct~~
24 ~~funds under this chapter to the corporation for educational technology~~
25 ~~under IC 20-20-15 to further the corporation's purposes:~~

26 SECTION 30. IC 20-20-13-9, AS ADDED BY P.L.1-2005,
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 9. (a) This section applies to the 4R's technology
29 program described in section 6(a)(1) of this chapter.

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

33 (1) those funds do not revert to the state general fund;

34 (2) those funds shall be made available to the 4R's technology
35 program under this chapter; and

36 (3) the department, upon approval by the governor and the budget
37 agency, shall use those funds to award grants under this section.

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

40 (1) The school corporation must apply to the department for a
41 grant on behalf of a school within the school corporation to
42 purchase technology equipment.

C
o
p
y



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

COPY



1 JULY 1, 2012]: Sec. 15. A school corporation qualifies for a
 2 technology plan grant under sections 13 through 24 of this chapter
 3 when the technology plan of the school corporation developed under
 4 section 7 of this chapter is approved by the department. For purposes
 5 of determining whether a school corporation qualifies for a grant under
 6 sections 13 through 24 of this chapter, the department shall:

- 7 (1) review;
 8 (2) suggest changes;
 9 (3) approve; or
 10 (4) reject;

11 a school corporation's technology plan. ~~However, before the~~
 12 ~~department may approve a technology plan, the department must~~
 13 ~~consult with the corporation for educational technology established by~~
 14 ~~IC 20-20-15-3 on the contents of the technology plan.~~

15 SECTION 32. IC 20-20-13-17, AS ADDED BY P.L.1-2005,
 16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 17. The total technology plan grant amount to a
 18 qualifying school corporation is the amount determined by the
 19 department ~~with advice from the educational technology council~~
 20 ~~established by IC 20-20-14-2~~, multiplied by the school corporation's
 21 ADM. The amount is one hundred dollars (\$100). However, for the
 22 purposes of determining the ADM of a school corporation, students
 23 who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted
 24 as students having legal settlement in the transferee corporation and not
 25 having legal settlement in the transferor corporation.

26 SECTION 33. IC 20-20-14 IS REPEALED [EFFECTIVE JULY 1,
 27 2012]. (Educational Technology Council).

28 SECTION 34. IC 20-20-15 IS REPEALED [EFFECTIVE JULY 1,
 29 2012]. (Corporation for Educational Technology).

30 SECTION 35. IC 20-20-17 IS REPEALED [EFFECTIVE JULY 1,
 31 2012]. (School Intervention and Career Counseling Development
 32 Program and Fund).

33 SECTION 36. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,
 34 2012]. (Teacher Quality and Professional Improvement Program).

35 SECTION 37. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,
 36 2012]. (Projects for Innovative Education).

37 SECTION 38. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,
 38 2012]. (Committee on Educational Attitudes, Motivation, and Parental
 39 Involvement).

40 SECTION 39. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,
 41 2012]. (Readiness Testing).

42 SECTION 40. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,

C
o
p
y



1 2012]. (Student Services Programs).
 2 SECTION 41. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,
 3 2012]. (Twenty-First Century Schools Pilot Program).
 4 SECTION 42. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,
 5 2012]. (Anti-Gang Counseling Pilot Program and Fund).
 6 SECTION 43. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY
 7 1, 2012]. Sec. 6: A school committee shall submit the school's program
 8 to the state superintendent for the superintendent's review. The state
 9 superintendent:
 10 (1) shall review the plan to ensure that the program aligns with
 11 the school corporation's objectives, goals, and expectations;
 12 (2) may make written recommendations of modifications to the
 13 program to ensure alignment; and
 14 (3) shall return the program and any recommendations to the
 15 school committee.
 16 SECTION 44. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY
 17 1, 2012]. Sec. 7: A school committee may modify the program to
 18 comply with recommendations made by the state superintendent under
 19 section 6 of this chapter.
 20 SECTION 45. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY
 21 1, 2012]. Sec. 8: A school committee shall submit the program as part
 22 of its plan to the governing body. The governing body shall:
 23 (1) approve or reject the program as part of the plan; and
 24 (2) submit the program to the state board as part of the plan for
 25 the school.
 26 SECTION 46. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY
 27 1, 2012]. Sec. 9: The state board may approve a school's program only
 28 if the program meets the board's core principles for professional
 29 development and the following additional criteria:
 30 (1) To ensure high quality professional development, the
 31 program:
 32 (A) is school based and collaboratively designed; and
 33 encourages participants to work collaboratively;
 34 (B) has a primary focus on state and local academic standards;
 35 including a focus on Core 40 subject areas;
 36 (C) enables teachers to improve expertise in subject
 37 knowledge and teaching strategies; uses of technologies; and
 38 other essential elements in teaching to high standards;
 39 (D) furthers the alignment of standards; curriculum; and
 40 assessments; and
 41 (E) includes measurement activities to ensure the transfer of
 42 new knowledge and skills to classroom instruction.

C
o
p
y



- 1 (2) A variety of resources, including needs assessments, an
- 2 analysis of data regarding student learning needs; professional
- 3 literature, research, and school improvement programs; are used
- 4 in developing the program.
- 5 (3) The program supports professional development for all
- 6 stakeholders.
- 7 (4) The program includes ongoing professional growth
- 8 experiences that provide adequate time and job embedded
- 9 opportunities to support school improvement and student
- 10 learning; including flexible time for professional development
- 11 that provides professional development opportunities before;
- 12 during; and after the regular school day and school year.
- 13 (5) Under the program; teacher time for professional development
- 14 sustains instructional coherence; participant involvement; and
- 15 continuity for students.
- 16 (6) The program includes effective; research based strategies to
- 17 support ongoing developmental activities.
- 18 (7) The program supports experiences to increase the effective
- 19 use of technology to improve teaching and learning.
- 20 (8) The program encourages diverse techniques; including
- 21 inquiry; reflection; action research; networking; study groups;
- 22 coaching; and evaluation.
- 23 (9) The program includes a means for evaluating the effectiveness
- 24 of the program and activities under the program.

25 SECTION 47. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY
 26 1, 2012]. Sec. 10: The state board shall approve an evaluation system
 27 for professional development based on recommendations from the
 28 department. The department shall develop a means for measuring
 29 successful programs and activities in which schools participate. The
 30 measurements must include the following:

- 31 (1) A mechanism to identify and develop strategies to collect
- 32 multiple forms of data that reflect the achievement of expectations
- 33 for all students. The data may include the results of ISTEP
- 34 program tests under IC 20-31-3; IC 20-32-4; IC 20-32-5; and
- 35 IC 20-32-6; local tests; classroom work; and teacher and
- 36 administrator observations.
- 37 (2) A procedure for using collected data to make decisions.
- 38 (3) A method of evaluation in terms of educator's practice and
- 39 student learning; including standards for effective teaching and
- 40 effective professional development.

41 SECTION 48. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY
 42 1, 2012]. Sec. 11: A school qualifies for a grant from the department

COPY



1 when the school's program; developed and submitted under this
 2 chapter; is approved by the state board upon recommendation of the
 3 department. For purposes of determining whether a school qualifies for
 4 a grant under this chapter; the department shall:

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

8 a school's program.

9 SECTION 49. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY
 10 1, 2012]. Sec. 12: A school must use a grant received under this chapter
 11 to implement all or part of the school's program by funding activities
 12 that may include the following:

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

20 SECTION 50. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY
 21 1, 2012]. Sec. 13: A school may contract with private or public sector
 22 providers to provide professional development activities under this
 23 chapter.

24 SECTION 51. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 14: A grant received under this chapter:

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

30 SECTION 52. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY
 31 1, 2012]. Sec. 15: A school shall report to the department concerning
 32 the use of grants received under this chapter. A school that fails to
 33 make a report under this chapter is not eligible for a subsequent grant.

34 SECTION 53. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,
 35 2012]. (Technology Apprenticeship Grant Program).

36 SECTION 54. IC 20-24-8-5, AS AMENDED BY P.L.90-2011,
 37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 5. The following statutes and rules and guidelines
 39 adopted under the following statutes apply to a charter school:

- 40 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 41 (2) IC 20-39-1-1 (unified accounting system).
- 42 (3) IC 20-35 (special education).



C
o
p
y

- 1 (4) IC 20-26-5-10 (criminal history).
- 2 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
- 3 agencies).
- 4 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 5 (7) IC 20-28-10-14 (teacher freedom of association).
- 6 (8) IC 20-28-10-17 (school counselor immunity).
- 7 (9) For conversion charter schools only, IC 20-28-6, IC 20-28-7.5,
- 8 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 9 (10) IC 20-33-2 (compulsory school attendance).
- 10 (11) IC 20-33-3 (limitations on employment of children).
- 11 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
- 12 due process and judicial review).
- 13 (13) IC 20-33-8-16 (firearms and deadly weapons).
- 14 (14) IC 20-34-3 (health and safety measures).
- 15 (15) IC 20-33-9 (reporting of student violations of law).
- 16 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
- 17 observances).
- 18 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, IC 20-32-8,
- 19 or any other statute, rule, or guideline related to standardized
- 20 testing (assessment programs, including remediation under the
- 21 assessment programs).
- 22 (18) IC 20-33-7 (parental access to education records).
- 23 (19) IC 20-31 (accountability for school performance and
- 24 improvement).
- 25 (20) IC 20-30-5-19 (personal financial responsibility instruction).
- 26 SECTION 55. IC 20-26-2-1.5, AS ADDED BY P.L.121-2009,
- 27 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2012]: Sec. 1.5. "Expanded criminal history check" means a
- 29 criminal history background check of an individual that includes
- 30 (1) a:
- 31 (A) search of the records maintained by all counties in Indiana
- 32 in which the individual who is the subject of the background
- 33 check resided;
- 34 (B) search of the records maintained by all counties or similar
- 35 governmental units in another state; if the individual who is
- 36 the subject of the background check resided in another state;
- 37 and
- 38 (C) check of:
- 39 (i) sex offender registries in all fifty (50) states; or
- 40 (ii) the national sex offender registry maintained by the
- 41 United States Department of Justice; or
- 42 (2) a:

COPY



1 (A) (1) national criminal history background check (as defined in
2 IC 10-13-3-12); and

3 (B) (2) check of:

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

5 (ii) (B) the national sex offender registry maintained by the
6 United States Department of Justice.

7 SECTION 56. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,
8 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2012]: Sec. 5. (a) As used in this chapter, "graduation" means
10 the successful completion by a student of:

11 (1) a sufficient number of academic credits, or the equivalent of
12 academic credits; and

13 (2) the graduation examination or waiver process required under
14 IC 20-32-3 through ~~IC 20-32-6~~; **IC 20-32-5**;

15 resulting in the awarding of a high school diploma or an academic
16 honors diploma.

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

20 SECTION 57. IC 20-26-15-5, AS ADDED BY P.L.1-2005,
21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 5. Notwithstanding any other law, the operation
23 of the following is suspended for a freeway school corporation or a
24 freeway school if the governing body of the school corporation elects
25 to have the specific statute or rule suspended in the contract:

26 (1) The following statutes and rules concerning curriculum and
27 instructional time:

28 IC 20-30-2-7

29 ~~IC 20-30-5-8~~

30 IC 20-30-5-9

31 IC 20-30-5-11

32 511 IAC 6-7-6

33 ~~511 IAC 6.1-3-4~~

34 511 IAC 6.1-5-0.5

35 511 IAC 6.1-5-1

36 511 IAC 6.1-5-2.5

37 511 IAC 6.1-5-3.5

38 511 IAC 6.1-5-4.

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

40 511 IAC 6.1-4-1.

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

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

C
o
p
y



- 1 ~~IC 20-20-5-23~~
- 2 IC 20-26-12-24
- 3 IC 20-26-12-26
- 4 ~~IC 20-26-12-28~~
- 5 IC 20-26-12-1
- 6 IC 20-26-12-2
- 7 511 IAC 6.1-5-5.
- 8 (4) 511 IAC 6-7, concerning graduation requirements.
- 9 (5) IC 20-31-4, concerning the performance based accreditation
- 10 system.
- 11 (6) IC 20-32-5, concerning the ISTEP program established under
- 12 IC 20-32-5-15, if an alternative locally adopted assessment
- 13 program is adopted under section 6(7) of this chapter.
- 14 SECTION 58. IC 20-26-15-6, AS AMENDED BY P.L.2-2006,
- 15 SECTION 135, IS AMENDED TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2012]: Sec. 6. Except as provided in this
- 17 chapter and notwithstanding any other law, a freeway school
- 18 corporation or a freeway school may do the following during the
- 19 contract period:
- 20 (1) Disregard the observance of any statute or rule that is listed in
- 21 the contract.
- 22 (2) Lease school transportation equipment to others for nonschool
- 23 use when the equipment is not in use for a school corporation
- 24 purpose, if the lessee has not received a bid from a private entity
- 25 to provide transportation equipment or services for the same
- 26 purpose.
- 27 (3) Replace the budget and accounting system that is required by
- 28 law with a budget or accounting system that is frequently used in
- 29 the private business community. The state board of accounts may
- 30 not go beyond the requirements imposed upon the state board of
- 31 accounts by statute in reviewing the budget and accounting
- 32 system used by a freeway school corporation or a freeway school.
- 33 (4) Establish a professional development and technology fund to
- 34 be used for:
- 35 (A) professional development; or
- 36 (B) technology, including video distance learning.
- 37 However, any money deposited in the professional development
- 38 and technology fund for technology purposes must be transferred
- 39 to the school technology fund.
- 40 (5) Subject to subdivision (4), transfer funds obtained from
- 41 sources other than state or local government taxation among any
- 42 accounts of the school corporation, including a professional

COPY



1 development and technology fund established under subdivision
 2 (4).
 3 (6) Transfer funds obtained from property taxation and from state
 4 distributions among the general fund and the school
 5 transportation fund, subject to the following:
 6 (A) The sum of the property tax rates for the general fund and
 7 the school transportation fund after a transfer occurs under this
 8 subdivision may not exceed the sum of the property tax rates
 9 for the general fund and the school transportation fund before
 10 a transfer occurs under this subdivision.
 11 (B) This subdivision does not allow a school corporation to
 12 transfer to any other fund money from the:
 13 (i) capital projects fund; or
 14 (ii) debt service fund.
 15 (7) Establish a locally adopted assessment program to replace the
 16 assessment of students under the ISTEP program established
 17 under IC 20-32-5-15, subject to the following:
 18 (A) A locally adopted assessment program must be established
 19 by the governing body and approved by the department.
 20 (B) A locally adopted assessment program may use a locally
 21 developed test or a nationally developed test.
 22 (C) Results of assessments under a locally adopted assessment
 23 program are subject to the same reporting requirements as
 24 results under the ISTEP program.
 25 (D) Each student who completes a locally adopted assessment
 26 program and the student's parent have the same rights to
 27 ~~inspection and rescore~~ **test scores** as set forth in
 28 IC 20-32-5-9.
 29 SECTION 59. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,
 30 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2012]: Sec. 6. (a) Subject to subsection (c) and in addition to
 32 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state
 33 board may adopt rules under IC 4-22-2 to do the following:
 34 (1) Set standards for teacher licensing and for the administration
 35 of a professional licensing and certification process by the
 36 department.
 37 (2) Approve or disapprove teacher preparation programs.
 38 (3) Set fees to be charged in connection with teacher licensing.
 39 (4) Suspend, revoke, or reinstate teacher licenses.
 40 (5) Enter into agreements with other states to acquire reciprocal
 41 approval of teacher preparation programs.
 42 (6) Set standards for teacher licensing concerning new subjects of

C
o
p
y



1 study.
2 (7) Evaluate work experience and military service concerning
3 postsecondary education and experience equivalency.
4 (8) Perform any other action that:
5 (A) relates to the improvement of instruction in the public
6 schools through teacher education and professional
7 development through continuing education; and
8 (B) attracts qualified candidates for teacher education from
9 among the high school graduates of Indiana.
10 (9) Set standards for endorsement of school psychologists as
11 independent practice school psychologists under IC 20-28-12.
12 (10) Before July 1, 2011, set standards for sign language
13 interpreters who provide services to children with disabilities in
14 an educational setting and an enforcement mechanism for the
15 interpreter standards.
16 (b) Notwithstanding subsection (a)(1), an individual is entitled to
17 one (1) year of occupational experience for purposes of obtaining an
18 occupational specialist certificate under this article for each year the
19 individual holds a license under IC 25-8-6.
20 (c) The state board may adopt rules under IC 4-22-2, including
21 emergency rules under IC 4-22-2-37.1, to establish procedures to
22 expedite the issuance, renewal, or reinstatement under this article of a
23 license or certificate of a person whose spouse serves on active duty (as
24 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.
25 SECTION 60. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2012]: Sec. 7.5. (a) This section does not apply to a student
28 who:
29 (1) is in half-day kindergarten; or
30 (2) has a medical condition that precludes participation in the
31 daily physical activity provided under this section.
32 (b) Beginning in the 2006-2007 school year, the governing body of
33 each school corporation shall provide daily physical activity for
34 students in elementary school. The physical activity ~~must be consistent~~
35 ~~with the curriculum and programs developed under IC 20-19-3-6 and~~
36 may include the use of recess. On a day when there is inclement
37 weather or unplanned circumstances have shortened the school day, the
38 school corporation may provide physical activity alternatives or elect
39 not to provide physical activity.
40 SECTION 61. IC 20-30-5-8 IS REPEALED [EFFECTIVE JULY 1,
41 2012]. Sec. 8. ~~A course in safety education for at least one (1) full~~
42 ~~semester shall be taught in grade 8 of each public school and nonpublic~~

COPY



1 school: The state board shall prepare a guide for this course that:

2 ~~(1) the teacher shall use; and~~

3 ~~(2) may be revised under the direction of the state board:~~

4 SECTION 62. IC 20-30-10-2, AS ADDED BY P.L.1-2005,
5 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2012]: Sec. 2. (a) The state board shall adopt the following:

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

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

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

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

15 (b) The college/technology preparation curriculum models that the
16 state board adopts under subsection (a) must meet the conditions listed
17 in

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

19 ~~(2) IC 20-20-10-3.~~

20 SECTION 63. IC 20-30-12-1 IS REPEALED [EFFECTIVE JULY
21 1, 2012]. Sec. 1: ~~The department shall require all school corporations~~
22 ~~to make available to the school corporation's high school students the~~
23 ~~technology preparation curriculum developed under IC 20-20-10.~~

24 SECTION 64. IC 20-31-11 IS REPEALED [EFFECTIVE JULY 1,
25 2012]. (Performance Based Awards).

26 SECTION 65. IC 20-32-5-5, AS AMENDED BY P.L.73-2011,
27 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 5. The department shall make general language
29 arts essay scoring rubrics available to the public at least four ~~(4)~~
30 ~~months~~ before the administration of a test. An essay question, a scoring
31 rubric, or an anchor paper used in the ISTEP program must not seek or
32 compile information about a student's:

33 (1) personal attitudes;

34 (2) political views;

35 (3) religious beliefs;

36 (4) family relationships; or

37 (5) other matters listed in IC 20-30-5-17(b).

38 The ISTEP program citizens' review committee ~~department~~ shall
39 determine whether an essay question or a scoring rubric complies with
40 this section.

41 SECTION 66. IC 20-32-5-9, AS ADDED BY P.L.1-2005,
42 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C
o
p
y



1 JULY 1, 2012]: Sec. 9. (a) After reports of student scores are returned
 2 to a school corporation, the school corporation shall promptly ~~do the~~
 3 following:

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

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

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

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

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

13 a student's parent may request a rescoring of a student's responses to a
 14 test, including a student's essay:

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

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

21 SECTION 67. IC 20-32-5-15, AS AMENDED BY P.L.229-2011,
 22 SECTION 191, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) The state superintendent
 24 shall develop an ISTEP program testing schedule. ~~in which:~~

25 (1) ~~each student in grades 3, 6, 8, and 10 must be tested; and~~

26 (2) ~~each student in grade 10 or grade 11 must take a graduation~~
 27 ~~examination.~~

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

31 SECTION 68. IC 20-32-5-18, AS ADDED BY P.L.1-2005,
 32 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 18. (a) The department shall establish a pilot
 34 program to examine innovative testing methods.

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

38 (c) The types of methods authorized under this program include the
 39 following:

40 (1) Recently developed techniques for measuring higher order
 41 thinking skills.

42 (2) Performance testing of academic standards that are difficult to

C
o
p
y



1 measure by a written test format.
 2 (3) Expanded subject area assessment using student writing
 3 samples.
 4 ~~(d)~~ The funds necessary to implement a pilot program under this
 5 section shall be expended from the research and development program
 6 under IC 20-20-11.
 7 SECTION 69. IC 20-32-5-21, AS ADDED BY P.L.1-2005,
 8 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2012]: Sec. 21. (a) The state board may require schools to
 10 participate in national or international assessments.
 11 ~~(b)~~ The state board may establish an assessment to be administered
 12 at the conclusion of each Core 40 course in English/language arts,
 13 mathematics, social studies, and science. However, participation in a
 14 Core 40 assessment established under this subsection must be
 15 voluntary on the part of a school corporation.
 16 ~~(c)~~ **(b)** The state board may establish a diagnostic reading
 17 assessment for use in grades 1 and 2 to promote grade level reading
 18 competency by grade 3. However, participation in a reading assessment
 19 established under this subsection must be voluntary on the part of a
 20 school corporation.
 21 SECTION 70. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,
 22 2012]. (ISTEP Program Citizens' Review Committee).
 23 SECTION 71. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,
 24 SECTION 231, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2012]: Sec. 20. Money in the fund may be
 26 transferred to another fund and used as provided by law. The laws
 27 permitting a transfer of money from the fund include the following:
 28 ~~(1)~~ IC 20-20-10-5 (implementation of technology preparation task
 29 force);
 30 ~~(2)~~ **(1)** IC 20-40-11-3 (repair and replacement fund).
 31 ~~(3)~~ **(2)** IC 20-40-12-6 (self-insurance fund).
 32 ~~(4)~~ **(3)** IC 20-49-4-22 (advance for educational technology
 33 program).

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.

C
O
P
Y

