

SENATE BILL No. 297

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-2-9; IC 20-32-5-15.

Synopsis: School start date. Prohibits public schools and accredited nonpublic schools from beginning student instructional days for a school year before the fourth Monday in August, beginning with the 2013-2014 school year. Excludes a year-round school. Provides that the department of education shall develop guidelines for a school corporation to request a waiver of the school start date requirement if a school within the school corporation is placed in the lowest category or designation of school improvement. Provides that the department shall develop guidelines for a school corporation to request a waiver of the school start date requirement if the school corporation averaged more than ten canceled school days over the previous five years due to inclement weather. Requires the governing body of a school corporation to approve the date when a school year may begin at a public meeting for which public notice has been provided and at which public testimony is allowed. Requires the ISTEP applied skills assessment be administered to applicable students within a window of 150 to 155 student instructional days after the school's academic school year begins.

Effective: July 1, 2012.

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January 5, 2012, read first time and referred to Committee on Education and Career Development.

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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.

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SENATE BILL No. 297



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 20-30-2-9 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2012]: **Sec. 9. (a) This section does not apply to a collective**
- 4 **bargaining agreement between a school employer (as defined in**
- 5 **IC 20-29-2-15) and an exclusive representative (as defined in**
- 6 **IC 20-29-2-9) that was entered into before July 1, 2011.**
- 7 (b) **This section does not apply to a school that is currently**
- 8 **administering a year-round school calendar in which a break**
- 9 **between instructional days does not exceed six (6) weeks.**
- 10 (c) **Except as provided in subsection (e), beginning with the**
- 11 **2013-2014 school year, student instructional days for a school year**
- 12 **may not begin before the fourth Monday in August.**
- 13 (d) **The governing body of a school corporation must approve**
- 14 **the date when student instructional days for a school year may**
- 15 **begin at a public meeting for which public notice has been provided**
- 16 **and at which public testimony is allowed.**
- 17 (e) **The department shall develop guidelines for a school**



1 corporation to request a waiver of the school start date
 2 requirement under subsection (c) if a school within the school
 3 corporation is placed in the lowest category or designation of
 4 school improvement under IC 20-31-8-4 and can show the
 5 instructional need for the waiver.

6 (f) The department shall develop guidelines for a school
 7 corporation that has averaged more than ten (10) days of canceled
 8 school over the previous five (5) school years due to inclement
 9 weather to request a waiver of the school start date requirement
 10 under subsection (c). If the department grants a waiver under this
 11 subsection, the number of student instructional days that the school
 12 corporation may be granted in a waiver under this subsection
 13 equals the average number of days of canceled school over the
 14 previous five (5) school years due to inclement weather. If the
 15 school requesting a waiver under this subsection has been
 16 identified as a school in need of improvement required to offer
 17 school choice under 20 U.S.C. 6316(b)(E), the department shall
 18 ensure that notice of the school choice is provided at least fourteen
 19 (14) days prior to the school start date requested in the waiver. The
 20 department shall deny a waiver request:

21 (1) if information relating to the assessment of improvement
 22 under IC 20-31-8 for a school corporation is not available at
 23 the time the request for waiver is submitted to the
 24 department; or

25 (2) if a school corporation is unable to verify that a school
 26 within the school corporation is considered a school in need of
 27 improvement required to offer school choice under 20 U.S.C.
 28 6316(b)(E).

29 SECTION 2. IC 20-32-5-15, AS AMENDED BY P.L.229-2011,
 30 SECTION 191, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) The state superintendent
 32 shall develop an ISTEP program testing schedule in which:

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

34 (2) each student in grade 10 or grade 11 must take a graduation
 35 examination.

36 (b) The state board shall adopt rules to establish when a student is
 37 considered to be in grade 10 for purposes of initially taking the
 38 graduation examination.

39 (c) A school that is subject to the school start date requirements
 40 under IC 20-30-2-9(c) shall administer the ISTEP applied skills
 41 assessment portion of the ISTEP program to applicable students,
 42 not earlier than one hundred fifty (150) student instructional days

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1 after the academic school year begins, and not later than one
2 hundred fifty-five (155) student instructional days after the
3 academic school year begins. The state superintendent shall
4 develop an alternative testing schedule for a year-round school
5 which requires the ISTEP applied skills assessment portion of the
6 ISTEP program to be administered to applicable students, not
7 earlier than one hundred fifty (150) student instructional days after
8 the year-round school's academic school year begins, and not later
9 than one hundred fifty-five (155) student instructional days after
10 the year-round school's academic school year begins.

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