January 27, 2012

SENATE BILL No. 179

DIGEST OF SB 179 (Updated January 25, 2012 8:35 pm - DI 71)

Citations Affected: IC 20-32.

Synopsis: Virtual instruction course requirement. Requires a student pursuing a Core 40 high school diploma to complete one virtual instruction course.

Effective: July 1, 2012.

Banks, Kruse, Schneider

January 4, 2012, read first time and referred to Committee on Education and Career Development.
January 26, 2012, amended, reported favorably — Do Pass.

C o p y

January 27, 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

SENATE BILL No. 179

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-32-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 4.5. Virtual Courses

Sec. 1. As used in this chapter, "provider" means a provider that offers virtual instruction courses consistent with Indiana academic standards for Core 40 courses and whose teachers have completed and submitted to the provider an expanded criminal history check (as defined in IC 20-26-2-1.5).

Sec. 2. As used in this chapter, "school corporation" means the following:

(1) A school corporation (as defined in IC 20-26-2-4).

(2) A charter school established under IC 20-24.

Sec. 3. As used in this chapter, "student" means a student attending an Indiana public school and pursuing a Core 40 diploma.

Sec. 4. As used in this chapter, "virtual instruction course"

means a Core 40 course or credit requirement adopted by the state board under IC 20-30-10 and provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both. The term includes courses taken by students in grades 6 through 12.

Sec. 5. (a) Beginning with the cohort (as defined in IC 20-26-13-2) of students who enter grade 9 for the first time in the school year beginning in 2013, a student must complete at least one (1) course or credit requirement toward a Core 40 diploma through a virtual instruction course before the student may be awarded a Core 40 diploma.

(b) Each school corporation shall provide at least three (3) virtual instruction courses in which a student may choose to enroll. The school corporation shall decide what courses to offer based upon the local needs of the school corporation's students and may align its offerings with a strategic and continuous school improvement and achievement plan developed under IC 20-31-5.

(c) A school corporation may not charge a student or a student's parent or guardian a fee for the sole purpose of defraying the cost of complying with this chapter.

(d) A school corporation is not required to pay any costs associated with a virtual instruction course taken by the student enrolled in the school corporation if the virtual instruction course is not provided by the school corporation under subsection (b). If the virtual instruction course is provided by the school corporation under subsection (b), the school corporation must fund the virtual instruction course through the school corporation's resources, and the school corporation is not entitled to any additional funding because the school corporation provides the virtual instruction course.

(e) A student or the student's parent or guardian may choose to enroll the student in a virtual instruction course that is not offered by a school corporation under subsection (b) but otherwise meets the other requirements established under this chapter. If the virtual instruction course meets the requirement established under this chapter, the course counts toward the virtual instruction course requirement established in subsection (a).

(f) A student's transcript at the school in which the student is enrolled must include the credits earned and grades received for any virtual instruction courses the student has taken under this section.

Sec. 6. (a) The department may request to review an individual

C o p y

school corporation's virtual instruction course offerings and may determine whether the courses meet the requirements established under this chapter.

(b) The department shall work with each school corporation to assist the school corporation in meeting the requirements of this chapter without additional cost to the school corporation.

Sec. 6.5. If a state educational institution (as defined in IC 21-7-13-32) provides a virtual instruction course under this chapter that is a dual enrollment course or a dual credit course, that course may not be counted for purposes of any component of the higher education funding formula (as established by the commission for higher education) that is determined by or based on the increase in dual enrollment courses or dual credit courses.

Sec. 7. The state board shall adopt rules under IC 4-22-2 to administer this chapter. The rules adopted under this section must address the following:

(1) Enrollment in virtual instruction courses.

(2) Alignment of virtual instruction courses with the teacher evaluation requirements established under IC 20-28-11.5.

(3) Transfer of student performance data between the school corporation of residence and a virtual instruction course provider, to the extent that the data may be transferred under the education records privacy provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

(4) Evaluating this chapter's impact on student growth and performance.

(5) Teacher certification requirements.

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 179, 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 24, after "(b)." insert "**If the virtual instruction course is provided by the school corporation under subsection (b), the school corporation must fund the virtual instruction course through the school corporation's resources, and the school corporation is not entitled to any additional funding because the school corporation provides the virtual instruction course.**".

Page 2, after line 42, begin a new paragraph and insert:

"**Sec. 6.5. If a state educational institution (as defined in IC 21-7-13-32) provides a virtual instruction course under this chapter that is a dual enrollment course or a dual credit course, that course may not be counted for purposes of any component of the higher education funding formula (as established by the commission for higher education) that is determined by or based on the increase in dual enrollment courses or dual credit courses.**".

Page 3, line 9, delete "provider." and insert "**provider, to the extent that the data may be transferred under the education records privacy provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g).**".

and when so amended that said bill do pass.

(Reference is to SB 179 as introduced.)

YODER, Acting Chairperson

Committee Vote: Yeas 8, Nays 2.

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