



January 27, 2012

## SENATE BILL No. 236

DIGEST OF SB 236 (Updated January 25, 2012 8:27 pm - DI 71)

**Citations Affected:** IC 20-30; IC 20-31.

**Synopsis:** Various education matters. Provides that a school placed in the highest category or designation of academic performance is not required to conduct a school year of at least 180 student instructional days if the school conducts at least an equivalent number of hours of student instructional time. Prohibits public schools, except charter schools, from beginning student instructional days for the school year before the fourth Monday in August and from ending after June 10 of the following year, beginning with the 2014-2015 school year. Provides that a governing body may establish a beginning date before Labor Day or an end date for a school year that is later than June 10 for year-round schools, schools with balanced calendars, schools that coordinate calendars with a postsecondary educational institution, and schools that coordinate calendars with a large employer in the school corporation following public hearings and a majority vote of the governing body. Provides that a governing body may establish an end date for a school year that is later than June 10 for any school following public hearings and a majority vote of the governing body. Creates a designation of "high performing school corporation", and provides that certain statutes and rules are waived for a high performing school corporation.

**Effective:** July 1, 2012.

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### Delph, Kruse, Schneider

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

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SB 236—LS 6665/DI 71+



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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.

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## SENATE BILL No. 236

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 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION  
2 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3 2012]: Sec. 3. **Except as provided in section 3.5 of this chapter**, for  
4 each school year, a school corporation shall conduct at least one  
5 hundred eighty (180) student instructional days. Not later than June 15  
6 of each school year, the superintendent of each school corporation shall  
7 certify to the department the number of student instructional days  
8 conducted during that school year.

9 SECTION 2. IC 20-30-2-3.5 IS ADDED TO THE INDIANA CODE  
10 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2012]: Sec. 3.5. (a) **This section applies only to a school that has  
12 been placed in the highest performance category or designation  
13 established under IC 20-31-8-3.**

14 (b) **A school to which this section applies is not required to  
15 conduct one hundred eighty (180) student instructional days in a  
16 school year if the governing body establishes a calendar for the  
17 school that consists of at least:**

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1 (1) nine hundred (900) hours of instructional time, for grades  
2 1 through 6; or

3 (2) one thousand eighty (1,080) hours of instructional time, for  
4 grades 7 through 12.

5 (c) If a school to which this section applies ceases to be placed in  
6 the highest category or designation established under IC 20-31-8-3,  
7 the governing body shall establish a calendar for the school for the  
8 following school year that consists of at least one hundred eighty  
9 (180) student instructional days.

10 SECTION 3. IC 20-30-2-9 IS ADDED TO THE INDIANA CODE  
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
12 1, 2012]: Sec. 9. (a) This section applies only to a collective  
13 bargaining agreement, entered into after June 30, 2014, between a  
14 school employer (as defined in IC 20-29-2-15) and an exclusive  
15 representative.

16 (b) This section applies only to a contract entered into or  
17 renewed by a governing body after June 30, 2014.

18 (c) This section does not apply to a charter school or a nonpublic  
19 school.

20 (d) Beginning with the 2014-2015 school year, the student  
21 instructional days that make up a school year may not:

22 (1) begin before the fourth Monday in August; and

23 (2) end after June 10 of the following year.

24 (e) This subsection applies to a year-round school that has a  
25 calendar in which a break between instructional days does not  
26 exceed six (6) weeks, a school that has a balanced calendar of  
27 quarters, a school that coordinates the school's calendar with that  
28 of a postsecondary educational institution, and a school that  
29 coordinates the school's calendar with that of a large employer  
30 within the school corporation. Notwithstanding subsection (d), a  
31 governing body may begin a school year before the fourth Monday  
32 in August or end a school year after June 10 at a school if:

33 (1) the governing body gives notice and holds at least two (2)  
34 public hearings at which public testimony must be allowed on  
35 the issue; and

36 (2) at a third public hearing, a majority of the members of the  
37 governing body vote to establish a beginning date for the  
38 school year that is before the fourth Monday in August or an  
39 ending date for the school year that is after June 10, or both.

40 (f) This subsection applies to a school that is not described in  
41 subsection (e). Notwithstanding subsection (d), a governing body  
42 may end a school year after June 10 at a school if:

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- 1 (1) the governing body gives notice and holds at least two (2)
- 2 public hearings at which public testimony must be allowed on
- 3 the issue; and
- 4 (2) at a third public hearing, a majority of the members of the
- 5 governing body vote to establish an ending date for the school
- 6 year that is after June 10.

7 (g) This subsection applies to a governing body that begins a  
 8 school year before the fourth Monday in August under subsection  
 9 (e). The governing body may not conduct student instructional  
 10 days during the period in which the state fair is held, unless a  
 11 student who participates in the state fair receives an excused  
 12 absence for each student instructional day the student participates  
 13 in the state fair.

14 SECTION 4. IC 20-31-12 IS ADDED TO THE INDIANA CODE  
 15 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2012]:

17 **Chapter 12. High Performing School Corporations**

18 **Sec. 1. This chapter applies to a school corporation that for at**  
 19 **least two (2) consecutive school years meets or exceeds at least**  
 20 **ninety percent (90%) of benchmarks established for school**  
 21 **corporations by the department in the following areas:**

- 22 (1) ISTEP performance.
- 23 (2) Graduation rate.
- 24 (3) Postsecondary enrollment.
- 25 (4) ACT and SAT scores.
- 26 (5) College readiness data.
- 27 (6) Student attendance.
- 28 (7) Faculty proficiency.
- 29 (8) Any other benchmark the department considers
- 30 appropriate.

31 **Sec. 2. The department shall designate a school corporation to**  
 32 **which this chapter applies as a high performing school**  
 33 **corporation.**

34 **Sec. 3. The following statutes and rules are waived for a high**  
 35 **performing school corporation:**

- 36 IC 20-30-2-2 (length of student instructional days).
- 37 IC 20-30-2-3 (minimum number of student instructional
- 38 days).
- 39 IC 20-30-2-4 (penalty for failure to conduct minimum number
- 40 of student instructional days).
- 41 IC 20-30-2-7 (minimum length of school term).
- 42 IC 20-30-14-2(6) (application requirements for community or

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1           volunteer service credits).  
2           511 IAC 6-8-2 (necessity for a waiver to implement  
3           nonstandard courses and curriculum programs).  
4           **Sec. 4. If a high performing school corporation fails to meet or**  
5           **exceed the benchmarks set forth in section 1 of this chapter for a**  
6           **school year, the department shall place the school corporation on**  
7           **probation for the following school year. If the school corporation**  
8           **fails to meet or exceed the benchmarks set forth in section 1 of this**  
9           **chapter for a second consecutive school year, the department shall**  
10          **remove the school corporation's designation as a high performing**  
11          **school corporation.**

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 236, 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 1, delete lines 1 through 15.

Page 2, line 33, after "to" insert "**a charter school or**".

Page 2, line 36, delete "Tuesday after Labor Day, the first" and insert "**fourth**".

Page 2, line 37, delete "September;" and insert "**August;**".

Page 3, line 4, delete "Labor Day" and insert "**the fourth Monday in August**".

Page 3, line 11, delete "Labor Day" and insert "**the fourth Monday in August**".

Page 3, line 23, delete "Labor Day" and insert "**the fourth Monday in August**".

Page 3, delete lines 28 through 42.

Page 4, delete lines 1 through 9.

Page 4, line 15, delete "annually" and insert "**for at least two (2) consecutive school years**".

Page 4, delete line 42.

Page 5, delete lines 1 through 3.

Page 5, delete lines 12 through 42.

Delete pages 6 through 8.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 236 as introduced.)

YODER, Acting Chairperson

Committee Vote: Yeas 6, Nays 2.

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