



April 5, 2013

ENGROSSED HOUSE BILL No. 1427

DIGEST OF HB 1427 (Updated April 3, 2013 7:45 pm - DI 71)

Citations Affected: IC 4-12; IC 4-13; IC 5-3; IC 5-22; IC 6-3.1; IC 9-18; IC 12-17; IC 20-18; IC 20-19; IC 20-20; IC 20-23; IC 20-26; IC 20-27; IC 20-28; IC 20-29; IC 20-30; IC 20-31; IC 20-32; IC 20-33; IC 20-40; IC 20-41; IC 20-42; IC 20-42.5; IC 20-43; IC 36-1; noncode.

Synopsis: Various education matters. Replaces a requirement that a school corporation must publish an annual financial report in a newspaper by requiring the report to be published on the school corporation's Internet web site. Eliminates references to the "buddy system project" in provisions relating to an income tax credit for computer equipment donations. Changes the registration deadline for school bus owners that are not school corporations from July 29 to September 28. Provides that the state board of education (state board), after June 30, 2013, may not continue to implement the common core standards or require the use of the Partnership for Assessment of Readiness for College and Careers assessment or the Smarter Balanced assessment by schools until the state board receives and considers a
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Effective: Upon passage; July 1, 2011 (retroactive); January 1, 2013 (retroactive); July 1, 2013.

Rhoads, Behning

(SENATE SPONSORS — KRUSE, BANKS, SCHNEIDER)

January 22, 2013, read first time and referred to Committee on Education.
February 7, 2013, amended, reported — Do Pass.
February 11, 2013, read second time, amended, ordered engrossed.
February 12, 2013, engrossed. Read third time, passed. Yeas 66, nays 30.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Education and Career Development.
April 4, 2013, amended, reported favorably — Do Pass.

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report from a legislative committee and a report from the office of management and budget (OMB) concerning the costs of implementing common core standards. Provides that after receiving the final report from the legislative study committee and upon obtaining the report from OMB, the state board will implement educational standards that would qualify for a flexibility waiver because the educational standards meet flexibility waiver requirements that ensure college and career readiness of students. Provides that the geographic boundary of an educational service center's region must, to the extent possible, be aligned with the boundary of a regional works council's region. Replaces the definition of "textbook" with a definition of "curricular materials". Provides that the Indiana department of education (department) shall determine the process for evaluating the curricular materials' alignment to academic standards and the appropriateness of the reading level of the curricular materials. Requires the department to describe the method used to evaluate curricular materials. Makes changes to the type of curricular subject matter that the department must review to show that the curricular material is aligned to academic standards. Repeals the requirement that a superintendent of a school corporation forward a list of the curricular materials selected by the superintendent. Abolishes the following programs and entities concerning various education matters: (1) Technology apprenticeship grant program. (2) Education consultant for health and physical education. (3) Corporation for educational technology. (4) Principal leadership academy. (5) School grant writing and fund raising assistance program. (6) School intervention and career counseling development program advisory board. (7) Technology Preparation Task Force. (8) Research and development program concerning various studies and evaluations. (9) Department of education review of professional development programs. (10) Readiness testing. (11) Student services programs. (12) Teacher quality and professional improvement program. (13) Projects on Innovative Education. (14) Committee on educational attitudes, motivation, and parental involvement. (15) ISTEP program citizens' review committee. (16) Twenty-first century schools pilot program. (17) Anti-gang counseling pilot program and fund. Requires the state board to provide for reviews to ensure the validity and reliability of the ISTEP program. Replaces the ambassador for education program with provisions that allow a teacher of the year to serve one year of professional leave with the department of education or a postsecondary educational institution. Requires school bus inspectors to attach to the bus a certificate of inspection and document the certification in the school bus inspection data base. Resolves conflict in IC 20-28-9-1, which was amended in P.L.229-2011, SEC. 175 (HEA 1001-2011) and repealed by P.L.48-2011, SEC. 39 (SEA 575-2011). Repeals a provision that requires a school corporation to compile class size data for kindergarten through grade 3 and report the data to the department for purposes of maintaining the primetime program. Requires a school corporation to annually compile class size data for kindergarten through grade 3 and report the data to the department by a date established by the department. Repeals the innovative testing methods pilot program. Provides that the department may not establish criteria for a nonpublic school to be eligible for recognition for the school's performance that are different from criteria used for a public school of the same grade levels. Provides that academic standards are adopted in a six year cycle, beginning in 2013. Adds parent members to an academic standards committee. (Currently, the committee is made up of educators in the subject area that is being revised.) Voids the administrative rule that establishes the current A through F designations of school performance. Requires the state board to establish new designations of school improvement that include: (1) a letter score (A through F) to measure absolute individual student academic achievement in each

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school, aggregated at the school level; and (2) a second letter score (A through F) to measure individual academic growth, aggregated at the school level. Provides that a school's reading plan must include an emphasis on a growth model measure and must include two or more assessments throughout the school year. Provides that a school's reading plan must include an emphasis on a home and school reading initiative with appropriate consultation with parents to accelerate the reading improvement of the student. Provides that a charter school may request a waiver from the reading plan requirements if the state board of education approves an alternative reading plan. Provides that a parent may request a rescoring of a student's responses on any statewide assessment that the student is required to complete. Provides that the state board may require assessments in addition to ISTEP assessments for secondary students. Makes conforming changes. Makes technical corrections.

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April 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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ENGROSSED HOUSE BILL No. 1427

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, 2013]: 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

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- 1 education.
- 2 ~~(9)~~ **(8)** The coal technology research fund under IC 21-47-4-5.
- 3 SECTION 2. IC 4-13-1.6-3, AS AMENDED BY P.L.73-2011,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2013]: Sec. 3. (a) As used in this chapter, "major equipment
6 item" refers to any item that a school corporation considers:
7 (1) a significant equipment purchase; and
8 (2) reasonably likely to be purchased by several school
9 corporations.
- 10 (b) The term does not include the following:
11 (1) ~~A textbook (as defined in IC 20-18-2-23)~~ **Curricular**
12 **materials (as defined in IC 20-18-2-2.7).**
13 (2) A special purpose bus (as defined in IC 20-27-2-10).
14 (3) A school bus (as defined in IC 20-27-2-8).
- 15 SECTION 3. IC 5-3-1-3, AS AMENDED BY P.L.1-2005,
16 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2013]: Sec. 3. (a) Within sixty (60) days after the expiration
18 of each calendar year, the fiscal officer of each civil city and town in
19 Indiana shall publish an annual report of the receipts and expenditures
20 of the city or town during the preceding calendar year.
21 (b) ~~Not earlier than August 1 or later than August 15 of each year;~~
22 ~~the secretary of each school corporation in Indiana shall publish an~~
23 ~~annual financial report.~~
24 (c) ~~In the annual financial report the school corporation shall~~
25 ~~include the following:~~
26 (1) ~~Actual receipts and expenditures by major accounts as~~
27 ~~compared to the budget advertised under IC 6-1.1-17-3 for the~~
28 ~~prior calendar year.~~
29 (2) ~~The salary schedule for all certificated employees (as defined~~
30 ~~in IC 20-29-2-4) as of June 30; with the number of employees at~~
31 ~~each salary increment. However, the listing of salaries of~~
32 ~~individual teachers is not required.~~
33 (3) ~~The extracurricular salary schedule as of June 30.~~
34 (4) ~~The range of rates of pay for all noncertificated employees by~~
35 ~~specific classification.~~
36 (5) ~~The number of employees who are full-time certificated;~~
37 ~~part-time certificated; full-time noncertificated; and part-time~~
38 ~~noncertificated.~~
39 (6) ~~The lowest, highest, and average salary for the administrative~~
40 ~~staff and the number of administrators without a listing of the~~
41 ~~names of particular administrators.~~
42 (7) ~~The number of students enrolled at each grade level and the~~

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- 1 total enrollment.
- 2 (8) The assessed valuation of the school corporation for the prior
- 3 and current calendar year.
- 4 (9) The tax rate for each fund for the prior and current calendar
- 5 year.
- 6 (10) In the general fund; capital projects fund; and transportation
- 7 fund; a report of the total payment made to each vendor for the
- 8 specific fund in excess of two thousand five hundred dollars
- 9 (\$2,500) during the prior calendar year. However, a school
- 10 corporation is not required to include more than two hundred
- 11 (200) vendors whose total payment to each vendor was in excess
- 12 of two thousand five hundred dollars (\$2,500). A school
- 13 corporation shall list the vendors in descending order from the
- 14 vendor with the highest total payment to the vendor with the
- 15 lowest total payment above the minimum listed in this
- 16 subdivision.
- 17 (11) A statement providing that the contracts, vouchers, and bills
- 18 for all payments made by the school corporation are in its
- 19 possession and open to public inspection.
- 20 (12) The total indebtedness as of the end of the prior calendar
- 21 year showing the total amount of notes, bonds, certificates, claims
- 22 due, total amount due from such corporation for public
- 23 improvement assessments or intersections of streets, and any and
- 24 all other evidences of indebtedness outstanding and unpaid at the
- 25 close of the prior calendar year.
- 26 (d) The school corporation may provide an interpretation or
- 27 explanation of the information included in the financial report.
- 28 (e) The department of education shall do the following:
- 29 (1) Develop guidelines for the preparation and form of the
- 30 financial report.
- 31 (2) Provide information to assist school corporations in the
- 32 preparation of the financial report.
- 33 (f) (b) The annual reports required by this section and IC 36-2-2-19
- 34 and the abstract required by IC 36-6-4-13 shall each be published one
- 35 (1) time only, in accordance with this chapter.
- 36 (g) Each school corporation shall submit to the department of
- 37 education a copy of the financial report required under this section. The
- 38 department of education shall make the financial reports available for
- 39 public inspection.
- 40 SECTION 4. IC 5-22-22-1, AS AMENDED BY P.L.188-2007,
- 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2013]: Sec. 1. (a) This chapter applies only to personal

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- 1 property owned by a governmental body.
 2 (b) This chapter does not apply to dispositions of property described
 3 in any of the following:
 4 (1) IC 5-22-21-1(b).
 5 (2) IC 36-1-11-5.5.
 6 (3) IC 36-1-11-5.7.
 7 (c) This chapter does not apply to any of the following:
 8 (1) The disposal of property under an urban homesteading
 9 program under IC 36-7-17.
 10 (2) The lease of school buildings under IC 20-47.
 11 (3) The sale of land to a lessor in a lease-purchase contract under
 12 IC 36-1-10.
 13 (4) The disposal of property by a redevelopment commission
 14 established under IC 36-7.
 15 (5) The leasing of property by a board of aviation commissioners
 16 established under IC 8-22-2 or an airport authority established
 17 under IC 8-22-3.
 18 (6) The disposal of a municipally owned utility under IC 8-1.5.
 19 (7) The sale or lease of property by a unit (as defined in
 20 IC 36-1-2-23) to an Indiana nonprofit corporation organized for
 21 educational, literary, scientific, religious, or charitable purposes
 22 that is exempt from federal income taxation under Section 501 of
 23 the Internal Revenue Code or the sale or reletting of that property
 24 by the nonprofit corporation.
 25 (8) The disposal of surplus property by a hospital established and
 26 operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8,
 27 IC 16-23-1, or IC 16-24-1.
 28 (9) The sale or lease of property acquired under IC 36-7-13 for
 29 industrial development.
 30 (10) The sale, lease, or disposal of property by a local hospital
 31 authority under IC 5-1-4.
 32 (11) The sale or other disposition of property by a county or
 33 municipality to finance housing under IC 5-20-2.
 34 (12) The disposition of property by a soil and water conservation
 35 district under IC 14-32.
 36 (13) The disposal of surplus property by the health and hospital
 37 corporation established and operated under IC 16-22-8.
 38 (14) The disposal of personal property by a library board under
 39 IC 36-12-3-5(c).
 40 (15) The sale or disposal of property by the historic preservation
 41 commission under IC 36-7-11.1.
 42 (16) The disposal of an interest in property by a housing authority

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- 1 under IC 36-7-18.
- 2 (17) The disposal of property under IC 36-9-37-26.
- 3 (18) The disposal of property used for park purposes under
- 4 IC 36-10-7-8.
- 5 (19) The disposal of ~~textbooks~~ **curricular materials** that will no
- 6 longer be used by school corporations under IC 20-26-12.
- 7 (20) The disposal of residential structures or improvements by a
- 8 municipal corporation without consideration to:
- 9 (A) a governmental body; or
- 10 (B) a nonprofit corporation that is organized to expand the
- 11 supply or sustain the existing supply of good quality,
- 12 affordable housing for residents of Indiana having low or
- 13 moderate incomes.
- 14 (21) The disposal of historic property without consideration to a
- 15 nonprofit corporation whose charter or articles of incorporation
- 16 allows the corporation to take action for the preservation of
- 17 historic property. As used in this subdivision, "historic property"
- 18 means property that is:
- 19 (A) listed on the National Register of Historic Places; or
- 20 (B) eligible for listing on the National Register of Historic
- 21 Places, as determined by the division of historic preservation
- 22 and archeology of the department of natural resources.
- 23 (22) The disposal of real property without consideration to:
- 24 (A) a governmental body; or
- 25 (B) a nonprofit corporation that exists for the primary purpose
- 26 of enhancing the environment;
- 27 when the property is to be used for compliance with a permit or
- 28 an order issued by a federal or state regulatory agency to mitigate
- 29 an adverse environmental impact.
- 30 (23) The disposal of property to a person under an agreement
- 31 between the person and a governmental body under IC 5-23.
- 32 SECTION 5. IC 6-3.1-15-1 IS REPEALED [EFFECTIVE
- 33 JANUARY 1, 2013 (RETROACTIVE)]. ~~Sec. 1. As used in this~~
- 34 ~~chapter, "buddy system project" means a statewide computer project~~
- 35 ~~placing computers in homes of public school students (commonly~~
- 36 ~~referred to as the "buddy system project") and any other educational~~
- 37 ~~technology program or project jointly authorized by the state~~
- 38 ~~superintendent of public instruction and the governor.~~
- 39 SECTION 6. IC 6-3.1-15-12 IS AMENDED TO READ AS
- 40 FOLLOWS [EFFECTIVE JANUARY 1, 2013 (RETROACTIVE)]:
- 41 Sec. 12. (a) A service center may sell qualified computer equipment
- 42 received by taxpayers under this chapter only to the following:

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1 (1) Public or private elementary or secondary schools.

2 (2) The parent or guardian of a student enrolled in grade 1
3 through 12 that is a ~~participant in a buddy system project~~ or
4 enrolled in a school's computer education program.

5 (b) A service center may sell qualified computer equipment under
6 this chapter to schools, parents, or guardians located outside the service
7 center's normal service area, but not outside Indiana.

8 (c) Before a public or private elementary school may purchase
9 qualified computer equipment from a service center, the school must
10 submit a statement to the service center detailing the following:

11 (1) The school's computer education program or planned
12 computer education program.

13 (2) The school's planned use of the qualified computer equipment,
14 including the goals of the plan, the implementation of the plan,
15 and the number of students that will be served with the qualified
16 computer equipment.

17 (d) A school that purchases qualified computer equipment from a
18 service center may sell the qualified computer equipment to a parent or
19 guardian of a child who is enrolled in the school's computer education
20 program. ~~including a buddy system project.~~

21 (e) Before a parent or guardian of a student may purchase qualified
22 computer equipment from a service center, the parent or guardian must
23 present proof, in the form approved by the service center, that:

24 (1) the child of the parent or guardian is a participant in a ~~buddy~~
25 ~~system project~~ or ~~enrolled~~ in a school's computer education
26 program; and

27 (2) the qualified computer equipment will be used by the child for
28 an educational purpose.

29 SECTION 7. IC 6-3.1-15-17 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JANUARY 1, 2013 (RETROACTIVE)]:
31 Sec. 17. The state board shall perform an annual review of the program
32 implemented by this chapter and before September 1 of each year file
33 an annual report with the budget committee for review by the budget
34 committee and approval of the budget agency. The report must include
35 the following:

36 (1) A listing of the schools that participated in the program
37 including the school's location, whether the school is a private or
38 public school, ~~whether the school participates in a buddy system~~
39 ~~project~~, and a description of the demographics of the students of
40 each school.

41 (2) The board's opinion regarding the success of the program.

42 (3) The amount of tax credits granted to donors.

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1 SECTION 8. IC 9-18-2-8.5, AS ADDED BY P.L.31-2008,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 8.5. (a) Notwithstanding section 8 of this chapter,
 4 a school bus owned by a person other than a school corporation shall
 5 be registered before ~~July 29~~ **September 28** of each year.

6 (b) Registration and reregistration for a school bus under this
 7 section is for one (1) year.

8 (c) A certificate of inspection as ~~required under IC 20-27-7-16~~
 9 **described under IC 20-27-7-3** must accompany a registration and
 10 reregistration application of a school bus under this section.

11 (d) A person registering a school bus under this section shall pay the
 12 annual registration fee required under IC 9-29-5-8 and any fees and
 13 service charges required of a vehicle registered under this chapter.

14 (e) Upon registration of a school bus under this section, the bureau
 15 shall issue a license plate under section 30 of this chapter, including:

- 16 (1) an annual renewal tag; or
 17 (2) other indicia;

18 to be attached on the semipermanent plate.

19 (f) A license plate with a renewal tag or other indicia of registration
 20 issued under this section may be displayed during:

- 21 (1) the calendar year for which the school bus is registered; and
 22 (2) the period:

23 (A) after the calendar year; and

24 (B) before ~~July 29~~ **September 28** of the subsequent year.

25 SECTION 9. IC 12-17-19-24, AS ADDED BY P.L.1-2005,
 26 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2013]: Sec. 24. (a) To evaluate the effectiveness of step ahead
 28 as the program relates to the step ahead goals listed in section 13 of this
 29 chapter, the panel shall employ the following assessment mechanisms:

30 (1) The step ahead county coordinator shall annually report to the
 31 panel on the development, quality, and appropriateness of the
 32 individual family service plans for children whose parents qualify
 33 under the income eligibility guidelines.

34 (2) The step ahead county coordinator shall annually report to the
 35 panel on the number of children who:

36 (A) are using step ahead services; and

37 (B) do not qualify under the income eligibility guidelines.

38 (3) The panel shall annually assess the results of any readiness
 39 program ~~under IC 20-20-26~~ **established by the department of**
 40 **education** for students in kindergarten and grade 1 to determine
 41 whether children enrolling in school after benefiting from step
 42 ahead demonstrate greater readiness for learning. The department

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1 of education shall cooperate with the panel in this regard by
 2 assisting in defining the term "readiness" and supporting the
 3 evaluation based on knowledge and training in early childhood.

4 (4) Any other valid assessment technique or method approved by
 5 the panel.

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

9 SECTION 10. IC 20-18-2-2.7 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2013]: **Sec. 2.7. "Curricular materials"**
 12 **means systematically organized material designed to provide a**
 13 **specific level of instruction in a subject matter category, including:**

14 (1) books;

15 (2) hardware that will be consumed, accessed, or used by a
 16 single student during a semester or school year;

17 (3) computer software; and

18 (4) digital content.

19 SECTION 11. IC 20-18-2-23 IS REPEALED [EFFECTIVE JULY
 20 1, 2013]. ~~Sec. 23. "Textbook" means systematically organized material~~
 21 ~~designed to provide a specific level of instruction in a subject matter~~
 22 ~~category, including:~~

23 ~~(1) books;~~

24 ~~(2) hardware that will be consumed, accessed, or used by a single~~
 25 ~~student during a semester or school year;~~

26 ~~(3) computer software; and~~

27 ~~(4) digital content.~~

28 SECTION 12. IC 20-19-2-8, AS AMENDED BY SEA 85-2013,
 29 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2013]: Sec. 8. (a) In addition to any other powers and duties
 31 prescribed by law, the state board shall adopt rules under IC 4-22-2
 32 concerning, but not limited to, the following matters:

33 (1) The designation and employment of the employees and
 34 consultants necessary for the department. The state board shall fix
 35 the compensation of employees of the department, subject to the
 36 approval of the budget committee and the governor under
 37 IC 4-12-2.

38 (2) The establishment and maintenance of standards and
 39 guidelines for media centers, libraries, instructional materials
 40 centers, or any other area or system of areas in a school where a
 41 full range of information sources, associated equipment, and
 42 services from professional media staff are accessible to the school

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1 community. With regard to library automation systems, the state
 2 board may only adopt rules that meet the standards established by
 3 the state library board for library automation systems under
 4 IC 4-23-7.1-11(b).

5 (3) The establishment and maintenance of standards for student
 6 personnel and guidance services.

7 (4) The inspection of all public schools in Indiana to determine
 8 the condition of the schools. The state board shall establish
 9 standards governing the accreditation of public schools.

10 Observance of:

11 (A) IC 20-31-4;

12 (B) IC 20-28-5-2;

13 (C) IC 20-28-6-3 through IC 20-28-6-7;

14 (D) IC 20-28-11.5; and

15 (E) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, and
 16 IC 20-32-8;

17 is a prerequisite to the accreditation of a school. Local public
 18 school officials shall make the reports required of them and
 19 otherwise cooperate with the state board regarding required
 20 inspections. Nonpublic schools may also request the inspection
 21 for classification purposes. Compliance with the building and site
 22 guidelines adopted by the state board is not a prerequisite of
 23 accreditation.

24 (5) The distribution of funds and revenues appropriated for the
 25 support of schools in the state.

26 (6) The state board may not establish an accreditation system for
 27 nonpublic schools that is less stringent than the accreditation
 28 system for public schools.

29 (7) A separate system for recognizing nonpublic schools under
 30 IC 20-19-2-10. Recognition of nonpublic schools under this
 31 subdivision constitutes the system of regulatory standards that
 32 apply to nonpublic schools that seek to qualify for the system of
 33 recognition.

34 (8) The establishment and enforcement of standards and
 35 guidelines concerning the safety of students participating in
 36 cheerleading activities.

37 (9) Subject to IC 20-28-2, the preparation and licensing of
 38 teachers.

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

42 SECTION 13. IC 20-19-2-14, AS AMENDED BY P.L.172-2011,

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1 SECTION 120, IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2013]: Sec. 14. The state board shall do the
3 following:

4 (1) Establish the educational goals of the state, developing
5 standards and objectives for local school corporations.

6 (2) Assess the attainment of the established goals.

7 (3) Assure compliance with established standards and objectives.

8 (4) Coordinate with the commission for higher education
9 (IC 21-18-1) and the department of workforce development
10 (IC 22-4.1-2) to develop entrepreneurship education programs for
11 elementary and secondary education, higher education, and
12 individuals in the work force.

13 (5) Make recommendations to the governor and general assembly
14 concerning the educational needs of the state, including financial
15 needs.

16 **(6) Provide for reviews to ensure the validity and reliability of
17 the ISTEP program.**

18 SECTION 14. IC 20-19-2-14.5 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2013]: Sec. 14.5. (a) As used in this section:

21 **(1) "common core standards" refers to educational standards
22 developed for kindergarten through grade 12 by the Common
23 Core State Standards Initiative; and**

24 **(2) "cut scores" means the scores that define a student's
25 performance on an assessment, including passing, failing, or
26 falling into a performance category.**

27 **(b) Notwithstanding section 14 of this chapter and except as in
28 the manner provided in subsection (d), after June 30, 2013, the
29 state board may not:**

30 **(1) continue to implement as standards for the state or direct
31 the department to implement any common core standards
32 developed by the Common Core State Standards Initiative;
33 and**

34 **(2) require the use of the Partnership for Assessment of
35 Readiness for College and Careers assessment or the Smarter
36 Balanced assessment by schools;**

37 **until the state board receives and considers the reports received
38 under subsections (c) and (e). This section does not remove
39 academic standards developed or implemented by the state board
40 before July 1, 2013.**

41 **(c) The legislative council shall establish a legislative study
42 committee to study issues relating to common core standards or**

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1 other standards and the assessments described in subsection (b)(2).
2 Not later than November 1, 2013, the legislative committee shall
3 submit the committee's final report to the legislative council and to
4 the state board. The legislative study committee shall operate
5 under the policies governing study committees adopted by the
6 legislative council.

7 (d) After the state board has received and considered the final
8 report of the legislative study committee established under
9 subsection (c) and the report of the office of management and
10 budget concerning the costs of implementing the common core
11 standards in Indiana under subsection (e), the state board shall
12 implement, with respect to English and language arts and
13 mathematics, the highest quality educational standards that ensure
14 college and career readiness for students, as specified in Principle
15 1, Option B of the United States Department of Education's
16 Elementary and Secondary Education Act Flexibility Plan
17 announced in September, 2011.

18 (e) Before the state board may implement academic standards
19 under subsection (d), the state board shall secure an opinion from
20 the office of management and budget established by IC 4-3-22-3
21 concerning the implementation costs to the state and school
22 corporations for the first three (3) years after the common core
23 standards or other standards recommended by the state board or
24 legislative committee are adopted.

25 (f) Notwithstanding subsection (b), after June 30, 2013, any
26 academic standard that was in effect on June 30, 2013, may
27 continue to be implemented, and academic standards for grade 2
28 may be adopted, amended, or revised.

29 (g) After June 30, 2013, the state, or the state board on behalf of
30 the state, may not enter into or renew an agreement with any
31 organization, entity, group, or consortium that requires the state
32 to cede any measure of autonomy or control of education standards
33 and assessments, including cut scores.

34 SECTION 15. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,
35 2013]. Sec. 6: (a) The department shall:

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

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1 physical education; and

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

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

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

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

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

10 (1) Local school program development.

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

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

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

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

20 SECTION 16. IC 20-19-4-10, AS ADDED BY P.L.1-2005,
21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2013]: Sec. 10. The roundtable shall review and recommend
23 to the state board for the state board's approval the following:

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

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

29 (A) The graduation examination.

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

32 SECTION 17. IC 20-20-1-2, AS AMENDED BY P.L.234-2007,
33 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2013]: Sec. 2. (a) As used in this chapter, "educational service
35 center" means an extended agency of school corporations that:

36 (1) operates under rules established by the state board;

37 (2) is the administrative and operational unit that serves a
38 definitive geographical boundary, **which, to the extent possible,**
39 **must be aligned with the boundary of a regional works**
40 **council's region established under IC 20-19-6;** and

41 (3) allows school corporations to voluntarily cooperate and share
42 programs and services that the school corporations cannot

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- 1 individually provide but collectively may implement.
- 2 (b) Programs and services collectively implemented through an
3 educational service center may include, but are not limited to, the
4 following:
- 5 (1) Curriculum development.
 - 6 (2) Pupil personnel and special education services.
 - 7 (3) In-service education.
 - 8 (4) State-federal liaison services.
 - 9 (5) Instructional materials and multimedia services.
 - 10 (6) Career and technical education.
 - 11 (7) Purchasing and financial management.
 - 12 (8) Needs assessment.
 - 13 (9) Computer use.
 - 14 (10) Research and development.
- 15 SECTION 18. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,
16 2013]. (Principal Leadership Academy).
- 17 SECTION 19. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1,
18 2013]. Sec. 1: The following are the goals of the ambassador for
19 education program:
- 20 (1) Enhance the stature of teachers and the teaching profession:
 - 21 (2) Inspire and attract talented young people to become teachers:
 - 22 (3) Promote the teaching profession within community and
23 business groups:
 - 24 (4) Support the activities of the Future Teachers of America
25 clubs:
 - 26 (5) Represent Indiana teachers at business, education, and teacher
27 leadership conferences and meetings:
 - 28 (6) Reward the teacher of the year for the teacher's outstanding
29 contributions to the teaching profession:
 - 30 (7) Reward the teacher of the year for the teacher's contributions
31 to the teacher's classroom and school:
- 32 SECTION 20. IC 20-20-4-2 IS REPEALED [EFFECTIVE JULY 1,
33 2013]. Sec. 2: As used in this chapter, "ambassador" refers to the
34 ambassador for education established by section 4 of this chapter.
- 35 SECTION 21. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1,
36 2013]. Sec. 3: As used in this chapter, "school" means a school
37 corporation or an accredited nonpublic school:
- 38 SECTION 22. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1,
39 2013]. Sec. 4: The position of ambassador for education is established
40 to act as an education liaison to Indiana schools:
- 41 SECTION 23. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1,
42 2013]. Sec. 5: A teacher in a school who:

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- 1 (1) is selected by the state superintendent as teacher of the year;
- 2 and
- 3 (2) agrees to be ambassador;
- 4 is ambassador for a one (1) year term beginning July 1 after selection
- 5 as teacher of the year and ending the following June 30.

6 SECTION 24. IC 20-20-4-5.5 IS ADDED TO THE INDIANA
 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2013]: **Sec. 5.5. A teacher of the year may be**
 9 **invited to serve one (1) year of professional leave with:**

- 10 (1) an Indiana postsecondary educational institution; or
- 11 (2) the department.

12 SECTION 25. IC 20-20-4-6, AS ADDED BY P.L.1-2005,
 13 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2013]: Sec. 6. (a) The school where **an ambassador a teacher**
 15 **of the year** is regularly employed shall do the following:

- 16 (1) Grant the **ambassador teacher** a one (1) year professional
- 17 leave to **serve as ambassador during the ambassador's term.**
- 18 **provide service as described in section 5.5 of this chapter.**
- 19 (2) Allow the **ambassador teacher** to return to the school from the
- 20 professional leave:
 - 21 (A) to the same or a comparable position as the **ambassador**
 - 22 **teacher** held before the professional leave; and
 - 23 (B) without loss of accrued benefits or seniority.
- 24 (3) Continue to provide the **ambassador teacher** all benefits of
- 25 employment with the school other than salary.
- 26 (b) The department shall reimburse a school for the cost of benefits
- 27 provided by the school to **an ambassador a teacher** under subsection
- 28 (a)(3).

29 SECTION 26. IC 20-20-4-6.5 IS ADDED TO THE INDIANA
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2013]: **Sec. 6.5. If a teacher of the year**
 32 **provides service for the department or an Indiana postsecondary**
 33 **educational institution under this chapter, the department or the**
 34 **Indiana postsecondary educational institution shall pay the**
 35 **teacher's salary for the term of the service and shall reimburse the**
 36 **teacher's regular employer for the teacher's benefits during the**
 37 **term of service.**

38 SECTION 27. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1,
 39 2013]. **Sec. 7. An ambassador may elect to serve the one (1) year**
 40 **professional leave at:**

- 41 (1) an Indiana postsecondary educational institution; or
- 42 (2) the department.

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1 SECTION 28. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1,
2 2013]. Sec. 8: If an ambassador elects to serve a one (1) year
3 professional leave with the department, the following apply:

4 (1) The state coordinator of the ambassador for education
5 program, as designated by the state superintendent, shall establish
6 the ambassador's duties:

7 (2) The ambassador is entitled to receive from the department the
8 following:

9 (A) A salary in place of compensation from the school where
10 the ambassador is regularly employed that equals the salary
11 that the ambassador, if not serving as ambassador, would
12 receive during the school year of the ambassador's term from
13 the school where the ambassador is regularly employed:

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

16 SECTION 29. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1,
17 2013]. Sec. 9: If an ambassador elects to serve a one (1) year
18 professional leave with an Indiana postsecondary educational
19 institution, the following apply:

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

22 (2) The ambassador is entitled to receive from the institution the
23 amount of compensation that the institution offers the
24 ambassador:

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

31 SECTION 30. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY
32 1, 2013]. Sec. 10: The ambassador's duties must match the relative
33 skills and education background of the ambassador and reflect the
34 goals of the ambassador for education program. However, duties may
35 include the following:

36 (1) Providing professional development seminars and workshops
37 in the subject matter areas in which the ambassador has expertise:

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

40 SECTION 31. IC 20-20-5.5-1 IS REPEALED [EFFECTIVE JULY
41 1, 2013]. Sec. 1: As used in this chapter, "curricular materials" means:

42 (1) textbooks; and

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- 1 (2) material used to supplement or replace textbooks, including:
 2 (A) books and other printed material;
 3 (B) computer software; and
 4 (C) digital content.

5 SECTION 32. IC 20-20-5.5-2, AS AMENDED BY P.L.6-2012,
 6 SECTION 124, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) The department shall evaluate
 8 curricular materials. The evaluation must include an evaluation of:

- 9 (1) the curricular materials' alignment to the academic standards
 10 adopted ~~developed~~ by the state board ~~department~~ under
 11 ~~IC 20-31-3-1~~; **IC 20-31-3-2**; and
 12 (2) the appropriateness of the reading level of the curricular
 13 materials.

14 **(b) The department shall determine the process for evaluating
 15 curricular materials under subsection (a).**

- 16 ~~(b)~~ **(c)** The department shall publish a report that describes the
 17 method used to conduct the evaluation required under subsection (a)
 18 and that contains the results of the evaluation. The report must **do the**
 19 **following:**

- 20 (1) Provide a list of each curricular material evaluated and a
 21 summary of the evaluation for each curricular material.

- 22 ~~(2) be updated annually; and~~
 23 ~~(3)~~ **(2)** Provide a listing and summary review for the curricular
 24 materials that are aligned to the academic standards ~~adopted~~
 25 **developed** by the state board ~~department~~ under ~~IC 20-31-3-1~~
 26 **IC 20-31-3-2** for the following subjects for each grade level:

- 27 (A) English/language arts, including spelling, literature, and
 28 handwriting.
 29 (B) Reading.
 30 (C) Mathematics.
 31 (D) Science.
 32 (E) Social studies.
 33 ~~(F) Miscellaneous.~~ **Other subject areas as determined by**
 34 **the department.**
 35 ~~(G) World languages.~~

- 36 **(3) Include any clarification or response from the publisher of**
 37 **a curricular material related to the department's summary**
 38 **review provided under subdivision (2).**

- 39 ~~(e)~~ **(d)** A governing body and superintendent may use the report
 40 under subsection ~~(b)~~ **(c)** in complying with IC 20-26-12-24.

- 41 ~~(d)~~ **(e)** For a publisher's curricular materials to be included in the
 42 report under subsection ~~(b)~~; **(c)**, the publisher must provide the

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1 department a written, exact, and standard statewide price for each
2 curricular material.

3 ~~(e)~~ **(f)** A publisher may request that an update to the publisher's
4 curricular materials and corresponding prices replace the information
5 on the curricular materials set forth in the report under subsection ~~(b)~~:
6 **(c)**.

7 SECTION 33. IC 20-20-5.5-3, AS ADDED BY P.L.229-2011,
8 SECTION 167, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The state superintendent shall
10 notify the governing bodies of each school corporation, charter school,
11 and accredited nonpublic school immediately of:

12 (1) the initial publication and annual update on the department's
13 Internet web site of the report described in section ~~2(b)~~ **2(c)** of
14 this chapter, including the Internet web site address where the
15 report is published; and

16 (2) updates of the following types of information in the report
17 described in section ~~2(b)~~ **2(c)** of this chapter:

18 (A) The addition of materials.

19 (B) The removal of materials.

20 (C) Changes in the per unit price of curricular materials that
21 exceed five percent (5%).

22 (b) A notification under this section must state that:

23 (1) the reviews of curricular materials included in the report
24 described in section ~~2(b)~~ **2(c)** of this chapter are departmental
25 reviews only; and

26 (2) each governing body has authority to adopt ~~textbooks~~
27 **curricular materials** for a school corporation.

28 SECTION 34. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,
29 2013]. (School Grant Writing and Fund Raising Assistance Program).

30 SECTION 35. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,
31 2013]. (Technology Preparation Task Force).

32 SECTION 36. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,
33 2013]. (Research and Development Program).

34 SECTION 37. IC 20-20-17-6, AS ADDED BY P.L.1-2005,
35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2013]: Sec. 6. The department may award grants to school
37 corporations:

38 (1) upon review of the applications received under section 5 of
39 this chapter;

40 ~~(2) upon receipt of the recommendations from the advisory~~
41 ~~committee under section 10 of this chapter;~~

42 ~~(3)~~ **(2)** subject to available money; and

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- 1 (4) (3) in accordance with the following priorities:
- 2 (A) To the extent possible, to achieve geographic balance
- 3 throughout Indiana and to include urban, suburban, and rural
- 4 school corporations.
- 5 (B) To address a documented need for new or expanded school
- 6 intervention or career counseling programs, including
- 7 considering the percentage of students within the school
- 8 corporation who are designated as at risk students.
- 9 (C) To promote innovative methods for initiating or expanding
- 10 school intervention or career counseling programs.
- 11 (D) To reward school corporations that propose school
- 12 intervention or career counseling programs that demonstrate
- 13 the greatest potential for replication and implementation in
- 14 Indiana.
- 15 (E) To lower school counselor/student ratios where the ratios
- 16 are excessively high.
- 17 SECTION 38. IC 20-20-17-10 IS REPEALED [EFFECTIVE JULY
- 18 1, 2013]. ~~Sec. 10.~~ (a) An advisory committee composed of five (5)
- 19 members is established:
- 20 (b) The state superintendent shall appoint the members of the
- 21 advisory committee:
- 22 (c) The state superintendent shall:
- 23 (1) convene the advisory committee; and
- 24 (2) act as chair of the advisory committee.
- 25 The state superintendent may not be a member of the advisory
- 26 committee:
- 27 (d) An employee of:
- 28 (1) the governor; or
- 29 (2) the department of education;
- 30 is eligible for appointment to the advisory committee:
- 31 (e) A member of the advisory committee serves at the pleasure of
- 32 the appointing authority:
- 33 (f) A member of the advisory committee is not entitled to the
- 34 following:
- 35 (1) The minimum salary per diem provided in IC 4-10-11-2.1(b);
- 36 (2) Reimbursement for traveling expenses and other expenses
- 37 actually incurred in connection with the member's duties.
- 38 (g) The advisory committee shall do the following:
- 39 (1) Assist the department in developing the guidelines described
- 40 in section 9 of this chapter.
- 41 (2) Establish standards for qualifying for a grant under this
- 42 chapter.

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1 (3) Review grant applications and make recommendations to the
 2 state superintendent concerning the awarding of grants.
 3 (4) Evaluate the impact and results of the various school
 4 intervention and career counseling programs receiving grants
 5 under this chapter.
 6 SECTION 39. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,
 7 2013]. (Teacher Quality and Professional Improvement Program).
 8 SECTION 40. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,
 9 2013]. (Projects for Innovative Education).
 10 SECTION 41. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,
 11 2013]. (Committee on Educational Attitudes, Motivation, and Parental
 12 Involvement).
 13 SECTION 42. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,
 14 2013]. (Readiness Testing).
 15 SECTION 43. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,
 16 2013]. (Student Services Programs).
 17 SECTION 44. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,
 18 2013]. (Twenty-First Century Schools Pilot Program).
 19 SECTION 45. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,
 20 2013]. (Anti-Gang Counseling Pilot Program and Fund).
 21 SECTION 46. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY
 22 1, 2013]. Sec. 6: A school committee shall submit the school's program
 23 to the state superintendent for the superintendent's review. The state
 24 superintendent:
 25 (1) shall review the plan to ensure that the program aligns with
 26 the school corporation's objectives, goals, and expectations;
 27 (2) may make written recommendations of modifications to the
 28 program to ensure alignment; and
 29 (3) shall return the program and any recommendations to the
 30 school committee.
 31 SECTION 47. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY
 32 1, 2013]. Sec. 7: A school committee may modify the program to
 33 comply with recommendations made by the state superintendent under
 34 section 6 of this chapter.
 35 SECTION 48. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY
 36 1, 2013]. Sec. 8: A school committee shall submit the program as part
 37 of its plan to the governing body. The governing body shall:
 38 (1) approve or reject the program as part of the plan; and
 39 (2) submit the program to the state board as part of the plan for
 40 the school.
 41 SECTION 49. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY
 42 1, 2013]. Sec. 9: The state board may approve a school's program only

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- 1 if the program meets the board's core principles for professional
- 2 development and the following additional criteria:
- 3 (1) To ensure high quality professional development, the
- 4 program:
- 5 (A) is school based and collaboratively designed; and
- 6 encourages participants to work collaboratively;
- 7 (B) has a primary focus on state and local academic standards;
- 8 including a focus on Core 40 subject areas;
- 9 (C) enables teachers to improve expertise in subject
- 10 knowledge and teaching strategies; uses of technologies; and
- 11 other essential elements in teaching to high standards;
- 12 (D) furthers the alignment of standards, curriculum, and
- 13 assessments; and
- 14 (E) includes measurement activities to ensure the transfer of
- 15 new knowledge and skills to classroom instruction:
- 16 (2) A variety of resources, including needs assessments, an
- 17 analysis of data regarding student learning needs, professional
- 18 literature, research, and school improvement programs, are used
- 19 in developing the program:
- 20 (3) The program supports professional development for all
- 21 stakeholders:
- 22 (4) The program includes ongoing professional growth
- 23 experiences that provide adequate time and job embedded
- 24 opportunities to support school improvement and student
- 25 learning; including flexible time for professional development
- 26 that provides professional development opportunities before,
- 27 during, and after the regular school day and school year.
- 28 (5) Under the program, teacher time for professional development
- 29 sustains instructional coherence, participant involvement, and
- 30 continuity for students:
- 31 (6) The program includes effective, research based strategies to
- 32 support ongoing developmental activities:
- 33 (7) The program supports experiences to increase the effective
- 34 use of technology to improve teaching and learning:
- 35 (8) The program encourages diverse techniques, including
- 36 inquiry, reflection, action research, networking, study groups,
- 37 coaching, and evaluation:
- 38 (9) The program includes a means for evaluating the effectiveness
- 39 of the program and activities under the program:
- 40 SECTION 50. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY
- 41 1, 2013]. Sec. 10: The state board shall approve an evaluation system
- 42 for professional development based on recommendations from the

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1 department. The department shall develop a means for measuring
 2 successful programs and activities in which schools participate. The
 3 measurements must include the following:

4 (1) A mechanism to identify and develop strategies to collect
 5 multiple forms of data that reflect the achievement of expectations
 6 for all students. The data may include the results of ISTEP
 7 program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and
 8 IC 20-32-6, local tests, classroom work, and teacher and
 9 administrator observations.

10 (2) A procedure for using collected data to make decisions.

11 (3) A method of evaluation in terms of educator's practice and
 12 student learning, including standards for effective teaching and
 13 effective professional development.

14 SECTION 51. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY
 15 1, 2013]. Sec. 11: A school qualifies for a grant from the department
 16 when the school's program, developed and submitted under this
 17 chapter, is approved by the state board upon recommendation of the
 18 department. For purposes of determining whether a school qualifies for
 19 a grant under this chapter, the department shall:

20 (1) review;

21 (2) suggest changes to; and

22 (3) recommend approval or rejection of;

23 a school's program.

24 SECTION 52. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY
 25 1, 2013]. Sec. 12: A school must use a grant received under this chapter
 26 to implement all or part of the school's program by funding activities
 27 that may include the following:

28 (1) Partnership programs with other entities, including
 29 professional development schools.

30 (2) Teacher leadership academies, research teams, and study
 31 groups.

32 (3) Workshops, seminars, and site visits.

33 (4) Cooperative programs with other school corporations.

34 (5) National board certification for teachers.

35 SECTION 53. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY
 36 1, 2013]. Sec. 13: A school may contract with private or public sector
 37 providers to provide professional development activities under this
 38 chapter.

39 SECTION 54. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY
 40 1, 2013]. Sec. 14: A grant received under this chapter:

41 (1) may be expended only for the conduct of activities specified
 42 in the program; and

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1 (2) must be coordinated with other professional development
2 programs and expenditures of the school and school corporation.
3 SECTION 55. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY
4 1, 2013]. Sec. 15. A school shall report to the department concerning
5 the use of grants received under this chapter. A school that fails to
6 make a report under this chapter is not eligible for a subsequent grant.
7 SECTION 56. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,
8 2013]. (Technology Apprenticeship Grant Program).
9 SECTION 57. IC 20-23-2-3, AS ADDED BY P.L.1-2005,
10 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2013]: Sec. 3. (a) A county superintendent may be impeached
12 for immorality, incompetency, or general neglect of duty, or for acting
13 as agent for the sale of any ~~textbook~~, **curricular materials**, school
14 furniture, maps, charts, or other school supplies.
15 (b) Impeachment proceedings are governed by the provisions of law
16 for impeaching county officers.
17 SECTION 58. IC 20-26-5-4, AS AMENDED BY P.L.145-2012,
18 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2013]: Sec. 4. In carrying out the school purposes of a school
20 corporation, the governing body acting on the school corporation's
21 behalf has the following specific powers:
22 (1) In the name of the school corporation, to sue and be sued and
23 to enter into contracts in matters permitted by applicable law.
24 However, a governing body may not use funds received from the
25 state to bring or join in an action against the state, unless the
26 governing body is challenging an adverse decision by a state
27 agency, board, or commission.
28 (2) To take charge of, manage, and conduct the educational affairs
29 of the school corporation and to establish, locate, and provide the
30 necessary schools, school libraries, other libraries where
31 permitted by law, other buildings, facilities, property, and
32 equipment.
33 (3) To appropriate from the school corporation's general fund an
34 amount, not to exceed the greater of three thousand dollars
35 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
36 exceed twelve thousand five hundred dollars (\$12,500), based on
37 the school corporation's previous year's ADM, to promote the best
38 interests of the school corporation through:
39 (A) the purchase of meals, decorations, memorabilia, or
40 awards;
41 (B) provision for expenses incurred in interviewing job
42 applicants; or

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- (C) developing relations with other governmental units.
- (4) To:
 - (A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.
 - (B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.
 - (C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.
- (5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law

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1 relating to purchases and contracting by municipal corporations
 2 in general and to the supervisory control of state agencies as
 3 provided in section 6 of this chapter.
 4 (6) To sell or exchange real or personal property or interest in real
 5 or personal property that, in the opinion of the governing body, is
 6 not necessary for school purposes, in accordance with IC 20-26-7,
 7 to demolish or otherwise dispose of the property if, in the opinion
 8 of the governing body, the property is not necessary for school
 9 purposes and is worthless, and to pay the expenses for the
 10 demolition or disposition.
 11 (7) To lease any school property for a rental that the governing
 12 body considers reasonable or to permit the free use of school
 13 property for:
 14 (A) civic or public purposes; or
 15 (B) the operation of a school age child care program for
 16 children who are at least five (5) years of age and less than
 17 fifteen (15) years of age that operates before or after the school
 18 day, or both, and during periods when school is not in session;
 19 if the property is not needed for school purposes. Under this
 20 subdivision, the governing body may enter into a long term lease
 21 with a nonprofit corporation, community service organization, or
 22 other governmental entity, if the corporation, organization, or
 23 other governmental entity will use the property to be leased for
 24 civic or public purposes or for a school age child care program.
 25 However, if payment for the property subject to a long term lease
 26 is made from money in the school corporation's debt service fund,
 27 all proceeds from the long term lease must be deposited in the
 28 school corporation's debt service fund so long as payment for the
 29 property has not been made. The governing body may, at the
 30 governing body's option, use the procedure specified in
 31 IC 36-1-11-10 in leasing property under this subdivision.
 32 (8) To:
 33 (A) Employ, contract for, and discharge superintendents,
 34 supervisors, principals, teachers, librarians, athletic coaches
 35 (whether or not they are otherwise employed by the school
 36 corporation and whether or not they are licensed under
 37 IC 20-28-5), business managers, superintendents of buildings
 38 and grounds, janitors, engineers, architects, physicians,
 39 dentists, nurses, accountants, teacher aides performing
 40 noninstructional duties, educational and other professional
 41 consultants, data processing and computer service for school
 42 purposes, including the making of schedules, the keeping and

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- 1 analyzing of grades and other student data, the keeping and
- 2 preparing of warrants, payroll, and similar data where
- 3 approved by the state board of accounts as provided below,
- 4 and other personnel or services as the governing body
- 5 considers necessary for school purposes.
- 6 (B) Fix and pay the salaries and compensation of persons and
- 7 services described in this subdivision that are consistent with
- 8 ~~IC 20-28-9-1.~~ **IC 20-28-9-1.5.**
- 9 (C) Classify persons or services described in this subdivision
- 10 and to adopt schedules of salaries or compensation that are
- 11 consistent with ~~IC 20-28-9-1.~~ **IC 20-28-9-1.5.**
- 12 (D) Determine the number of the persons or the amount of the
- 13 services employed or contracted for as provided in this
- 14 subdivision.
- 15 (E) Determine the nature and extent of the duties of the
- 16 persons described in this subdivision.
- 17 The compensation, terms of employment, and discharge of
- 18 teachers are, however, subject to and governed by the laws
- 19 relating to employment, contracting, compensation, and discharge
- 20 of teachers. The compensation, terms of employment, and
- 21 discharge of bus drivers are subject to and governed by laws
- 22 relating to employment, contracting, compensation, and discharge
- 23 of bus drivers. The forms and procedures relating to the use of
- 24 computer and data processing equipment in handling the financial
- 25 affairs of the school corporation must be submitted to the state
- 26 board of accounts for approval so that the services are used by the
- 27 school corporation when the governing body determines that it is
- 28 in the best interest of the school corporation while at the same
- 29 time providing reasonable accountability for the funds expended.
- 30 (9) Notwithstanding the appropriation limitation in subdivision
- 31 (3), when the governing body by resolution considers a trip by an
- 32 employee of the school corporation or by a member of the
- 33 governing body to be in the interest of the school corporation,
- 34 including attending meetings, conferences, or examining
- 35 equipment, buildings, and installation in other areas, to permit the
- 36 employee to be absent in connection with the trip without any loss
- 37 in pay and to reimburse the employee or the member the
- 38 employee's or member's reasonable lodging and meal expenses
- 39 and necessary transportation expenses. To pay teaching personnel
- 40 for time spent in sponsoring and working with school related trips
- 41 or activities.
- 42 (10) Subject to IC 20-27-13, to transport children to and from

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- 1 school, when in the opinion of the governing body the
 2 transportation is necessary, including considerations for the safety
 3 of the children and without regard to the distance the children live
 4 from the school. The transportation must be otherwise in
 5 accordance with applicable law.
- 6 (11) To provide a lunch program for a part or all of the students
 7 attending the schools of the school corporation, including the
 8 establishment of kitchens, kitchen facilities, kitchen equipment,
 9 lunch rooms, the hiring of the necessary personnel to operate the
 10 lunch program, and the purchase of material and supplies for the
 11 lunch program, charging students for the operational costs of the
 12 lunch program, fixing the price per meal or per food item. To
 13 operate the lunch program as an extracurricular activity, subject
 14 to the supervision of the governing body. To participate in a
 15 surplus commodity or lunch aid program.
- 16 (12) To purchase ~~textbooks~~, **curricular materials**, to furnish
 17 ~~textbooks~~ **curricular materials** without cost or to rent ~~textbooks~~
 18 **curricular materials** to students, to participate in a ~~textbook~~
 19 **curricular materials** aid program, all in accordance with
 20 applicable law.
- 21 (13) To accept students transferred from other school corporations
 22 and to transfer students to other school corporations in accordance
 23 with applicable law.
- 24 (14) To make budgets, to appropriate funds, and to disburse the
 25 money of the school corporation in accordance with applicable
 26 law. To borrow money against current tax collections and
 27 otherwise to borrow money, in accordance with IC 20-48-1.
- 28 (15) To purchase insurance or to establish and maintain a
 29 program of self-insurance relating to the liability of the school
 30 corporation or the school corporation's employees in connection
 31 with motor vehicles or property and for additional coverage to the
 32 extent permitted and in accordance with IC 34-13-3-20. To
 33 purchase additional insurance or to establish and maintain a
 34 program of self-insurance protecting the school corporation and
 35 members of the governing body, employees, contractors, or agents
 36 of the school corporation from liability, risk, accident, or loss
 37 related to school property, school contract, school or school
 38 related activity, including the purchase of insurance or the
 39 establishment and maintenance of a self-insurance program
 40 protecting persons described in this subdivision against false
 41 imprisonment, false arrest, libel, or slander for acts committed in
 42 the course of the persons' employment, protecting the school

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1 corporation for fire and extended coverage and other casualty
 2 risks to the extent of replacement cost, loss of use, and other
 3 insurable risks relating to property owned, leased, or held by the
 4 school corporation. In accordance with IC 20-26-17, to:

5 (A) participate in a state employee health plan under
 6 IC 5-10-8-6.6 or IC 5-10-8-6.7;

7 (B) purchase insurance; or

8 (C) establish and maintain a program of self-insurance;

9 to benefit school corporation employees, including accident,
 10 sickness, health, or dental coverage, provided that a plan of
 11 self-insurance must include an aggregate stop-loss provision.

12 (16) To make all applications, to enter into all contracts, and to
 13 sign all documents necessary for the receipt of aid, money, or
 14 property from the state, the federal government, or from any other
 15 source.

16 (17) To defend a member of the governing body or any employee
 17 of the school corporation in any suit arising out of the
 18 performance of the member's or employee's duties for or
 19 employment with, the school corporation, if the governing body
 20 by resolution determined that the action was taken in good faith.
 21 To save any member or employee harmless from any liability,
 22 cost, or damage in connection with the performance, including the
 23 payment of legal fees, except where the liability, cost, or damage
 24 is predicated on or arises out of the bad faith of the member or
 25 employee, or is a claim or judgment based on the member's or
 26 employee's malfeasance in office or employment.

27 (18) To prepare, make, enforce, amend, or repeal rules,
 28 regulations, and procedures:

29 (A) for the government and management of the schools,
 30 property, facilities, and activities of the school corporation, the
 31 school corporation's agents, employees, and pupils and for the
 32 operation of the governing body; and

33 (B) that may be designated by an appropriate title such as
 34 "policy handbook", "bylaws", or "rules and regulations".

35 (19) To ratify and approve any action taken by a member of the
 36 governing body, an officer of the governing body, or an employee
 37 of the school corporation after the action is taken, if the action
 38 could have been approved in advance, and in connection with the
 39 action to pay the expense or compensation permitted under
 40 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and
 41 IC 20-48-1 or any other law.

42 (20) To exercise any other power and make any expenditure in

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1 carrying out the governing body's general powers and purposes
 2 provided in this chapter or in carrying out the powers delineated
 3 in this section which is reasonable from a business or educational
 4 standpoint in carrying out school purposes of the school
 5 corporation, including the acquisition of property or the
 6 employment or contracting for services, even though the power or
 7 expenditure is not specifically set out in this chapter. The specific
 8 powers set out in this section do not limit the general grant of
 9 powers provided in this chapter except where a limitation is set
 10 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 11 and IC 20-48-1 by specific language or by reference to other law.

12 SECTION 59. IC 20-26-5-34 IS ADDED TO THE INDIANA
 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2013]: **Sec. 34. (a) Not earlier than August 1**
 15 **or later than August 15 of each year, the secretary of each school**
 16 **corporation in Indiana shall publish an annual financial report on**
 17 **the school corporation's Internet web site. In addition, the school**
 18 **corporation shall maintain a copy of the annual report available**
 19 **for inspection by the public at the school corporation's**
 20 **administrative office.**

21 **(b) In the annual financial report, the school corporation shall**
 22 **include the following:**

23 **(1) Actual receipts and expenditures by major accounts as**
 24 **compared to the budget advertised under IC 6-1.1-17-3 for**
 25 **the prior calendar year.**

26 **(2) The salary schedule for all certificated employees (as**
 27 **defined in IC 20-29-2-4) as of June 30, with the number of**
 28 **employees at each salary increment. However, the listing of**
 29 **salaries of individual teachers is not required.**

30 **(3) The extracurricular salary schedule as of June 30.**

31 **(4) The range of rates of pay for all noncertificated employees**
 32 **(as defined in IC 20-29-2-11) by specific classification.**

33 **(5) The number of employees who are full-time certificated,**
 34 **part-time certificated, full-time noncertificated, and part-time**
 35 **noncertificated.**

36 **(6) The lowest, highest, and average salary for the**
 37 **administrative staff and the number of administrators**
 38 **without a listing of the names of particular administrators.**

39 **(7) The number of students enrolled at each grade level and**
 40 **the total enrollment.**

41 **(8) The assessed valuation of the school corporation for the**
 42 **prior and current calendar year.**

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1 (9) The tax rate for each fund for the prior and current
2 calendar year.
3 (10) In the general fund, capital projects fund, and
4 transportation fund, a report of the total payment made to
5 each vendor for the specific fund exceeding two thousand five
6 hundred dollars (\$2,500) during the prior calendar year.
7 However, a school corporation is not required to include more
8 than two hundred (200) vendors whose total payment to each
9 vendor exceeded two thousand five hundred dollars (\$2,500).
10 A school corporation shall list the vendors in descending
11 order from the vendor with the highest total payment to the
12 vendor with the lowest total payment above the minimum
13 listed in this subdivision.
14 (11) A statement providing that the contracts, vouchers, and
15 bills for all payments made by the school corporation are in
16 its possession and open to public inspection.
17 (12) The total indebtedness as of the end of the prior calendar
18 year showing the total amount of notes, bonds, certificates,
19 claims due, total amount due from the corporation for public
20 improvement assessments or intersections of streets, and any
21 other evidences of indebtedness outstanding and unpaid at the
22 close of the prior calendar year.
23 (c) The school corporation may provide an interpretation or
24 explanation of the information included in the financial report.
25 (d) The department shall do the following:
26 (1) Develop guidelines for the preparation and form of the
27 financial report.
28 (2) Provide information to assist school corporations in the
29 preparation of the financial report.
30 (e) Each school corporation shall submit to the department a
31 copy of the financial report required under this section. The
32 department shall make the financial reports available for public
33 inspection.
34 SECTION 60. IC 20-26-5-35 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2013]: **Sec. 35. A school corporation shall**
37 **annually compile class size data for kindergarten through grade 3**
38 **and report the data to the department by a date established by the**
39 **department.**
40 SECTION 61. IC 20-26-11-22, AS ADDED BY P.L.1-2005,
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2013]: Sec. 22. (a) The transferee corporation is entitled to

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1 receive from the transferor corporation transfer tuition for each
2 transferred student for each school year calculated in two (2) parts:

- 3 (1) operating cost; and
4 (2) capital cost.

5 These costs must be allocated on a per student basis separately for each
6 class of school.

7 (b) The operating cost for each class of school must be based on the
8 total expenditures of the transferee corporation for the class from its
9 general fund expenditures as set out on the classified budget forms
10 prescribed by the state board of accounts, excluding from the
11 calculation capital outlay, debt service, costs of transportation, salaries
12 of board members, contracted service for legal expenses and any
13 expenditure that is made out of the general fund from extracurricular
14 account receipts, for the school year.

15 (c) The capital cost for each class of school must consist of the
16 lesser of the following alternatives:

- 17 (1) The capital cost must be based on an amount equal to five
18 percent (5%) of the cost of transferee corporation's physical plant,
19 equipment, and all items connected to the physical plant or
20 equipment, including:

21 (A) buildings, additions, and remodeling to the buildings,
22 excluding ordinary maintenance; and

23 (B) on-site and off-site improvements such as walks, sewers,
24 waterlines, drives, and playgrounds;

25 that have been paid or are obligated to be paid in the future out of
26 the general fund, capital projects fund, or debt service fund,
27 including principal and interest, lease rental payments, and funds
28 that were legal predecessors to these funds. If an item of the
29 physical plant, equipment, appurtenances, or part of the item is
30 more than twenty (20) years old at the beginning of the school
31 year, the capital cost of the item shall be disregarded in making
32 the capital cost computation.

33 (2) The capital cost must be based on the amount budgeted from
34 the general fund for capital outlay for physical plant, equipment,
35 and appurtenances and the amounts levied for the debt service
36 fund and the capital projects fund for the calendar year in which
37 the school year ends.

38 (d) If an item of expense or cost cannot be allocated to a class of
39 school, the item shall be prorated to all classes of schools on the basis
40 of the ADM of each class in the transferee corporation compared to the
41 total ADM therein.

42 (e) The transfer tuition for each student transferred for each school

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1 year shall be calculated by dividing the transferee school corporation's
 2 total operating costs and the total capital costs for the class of school
 3 in which the student is enrolled by the ADM of students therein. If a
 4 transferred student is enrolled in a transferee corporation for less than
 5 the full school year, the transfer tuition shall be calculated by the
 6 proportion of such school year for which the transferred student is
 7 enrolled. A school year for this purpose consists of the number of days
 8 school is in session for student attendance. A student shall be enrolled
 9 in a transferee school, whether or not the student is in attendance,
 10 unless the:

- 11 (1) student's residence is outside the area of students transferred
- 12 to the transferee corporation;
- 13 (2) student has been excluded or expelled from school; or
- 14 (3) student has been confirmed as a school dropout.

15 The transferor and transferee corporations may enter into written
 16 agreements concerning the amount of transfer tuition. If an agreement
 17 cannot be reached, the amount shall be determined by the state
 18 superintendent, with costs to be established, where in dispute, by the
 19 state board of accounts.

20 (f) The transferor corporation shall pay the transferee corporation,
 21 when billed, the amount of ~~book~~ **curricular material** rental due from
 22 transferred students who are unable to pay the ~~book~~ **curricular**
 23 **material** rental amount. The transferor corporation is entitled to collect
 24 the amount of the ~~book~~ **curricular material** rental from the
 25 appropriate township trustee, from its own funds, or from any other
 26 source, in the amounts and manner provided by law.

27 SECTION 62. IC 20-26-12-1, AS AMENDED BY P.L.73-2011,
 28 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsections (b) and
 30 (c) and notwithstanding any other law, each governing body shall
 31 purchase from a publisher, either individually or through a purchasing
 32 cooperative of school corporations, the ~~textbooks~~ **curricular materials**
 33 selected by the proper local officials, and shall rent ~~these textbooks~~ **the**
 34 **curricular materials** to each student enrolled in a public school that
 35 is:

- 36 (1) in compliance with the minimum certification standards of the
- 37 state board; and
- 38 (2) located within the attendance unit served by the governing
- 39 body.

40 (b) This section does not prohibit the purchase of ~~textbooks~~
 41 **curricular materials** at the option of a student or the providing of free
 42 ~~textbooks~~ **curricular materials** by the governing body under sections

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1 6 through 21 of this chapter.

2 (c) This section does not prohibit a governing body from suspending
3 the operation of this section under a contract entered into under
4 IC 20-26-15.

5 SECTION 63. IC 20-26-12-2, AS AMENDED BY P.L.73-2011,
6 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2013]: Sec. 2. (a) A governing body may purchase from a
8 publisher any ~~textbook~~ **curricular material** selected by the proper
9 local officials. The governing body may rent ~~these textbooks~~ **the**
10 **curricular materials** to students enrolled in any public or nonpublic
11 school that is:

12 (1) in compliance with the minimum certification standards of the
13 state board; and

14 (2) located within the attendance unit served by the governing
15 body.

16 The annual rental rate may not exceed twenty-five percent (25%) of the
17 retail price of the ~~textbooks~~ **curricular materials**.

18 (b) Notwithstanding subsection (a), the governing body may not
19 assess a rental fee of more than fifteen percent (15%) of the retail price
20 of a ~~textbook~~ **curricular materials** that ~~has~~ **have** been:

21 (1) extended for usage by students under section 24(e) of this
22 chapter; and

23 (2) paid for through rental fees previously collected.

24 (c) This section does not limit other laws.

25 SECTION 64. IC 20-26-12-3, AS ADDED BY P.L.1-2005,
26 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2013]: Sec. 3. (a) Upon a written determination by the
28 governing body of a school corporation that a ~~textbook~~ **curricular**
29 **materials is are** no longer scheduled for use in the school corporation,
30 the governing body may sell, exchange, transfer, or otherwise convey
31 the ~~textbook~~ **curricular materials**. However, before a governing body
32 may mutilate or otherwise destroy a ~~textbook~~, **the curricular**
33 **materials**, the governing body must first comply with the following
34 provisions:

35 (1) Subsection (b).

36 (2) Subsection (c).

37 (3) Section 4 of this chapter.

38 (4) Section 5 of this chapter.

39 (b) Before a governing body may mutilate or otherwise destroy a
40 ~~textbook~~, **curricular materials**, the governing body shall provide at no
41 cost and subject to availability one (1) copy of ~~each textbook~~ **any**
42 **curricular material** that is no longer scheduled for use in the school

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1 corporation to:

2 (1) the parent of each student who is enrolled in the school
3 corporation and who wishes to receive a copy of the ~~textbook~~;
4 **curricular material**; and

5 (2) if any ~~textbooks~~ **curricular materials** remain after
6 distribution under subdivision (1), to any resident of the school
7 corporation who wishes to receive a copy of the ~~textbook~~;
8 **curricular material**.

9 (c) If a governing body does not sell, exchange, transfer, or
10 otherwise convey unused ~~textbooks~~ **curricular materials** under
11 subsection (a) or (b), each public elementary and secondary school in
12 the governing body's school corporation shall provide storage for at
13 least three (3) months for the ~~textbooks~~ **curricular materials** in the
14 school corporation. A school corporation may sell or otherwise convey
15 the ~~textbooks~~ **curricular materials** to another school corporation at
16 any time during the period of storage.

17 SECTION 65. IC 20-26-12-4, AS ADDED BY P.L.1-2005,
18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2013]: Sec. 4. (a) A school corporation shall compile a list of
20 ~~textbooks~~ **curricular materials** in storage under section 3 of this
21 chapter. The list must include the names of the publishers and the
22 number of volumes being stored. The list must be mailed to the
23 department. The department shall maintain a master list of all
24 ~~textbooks~~ **curricular materials** being stored by school corporations.

25 (b) Upon request, the state superintendent shall mail to a nonprofit
26 corporation or institution located in Indiana a list of ~~textbooks~~
27 **curricular materials** available for access. A nonprofit corporation or
28 institution may acquire the ~~textbooks~~ **curricular materials** from the
29 appropriate school corporation by paying only the cost of shipping and
30 mailing.

31 SECTION 66. IC 20-26-12-5, AS ADDED BY P.L.1-2005,
32 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2013]: Sec. 5. ~~Textbooks~~ **Curricular materials** stored for at
34 least three (3) months under section 3 of this chapter may not be
35 mutilated or destroyed and must be maintained and stored according to
36 regulations prescribed by local and state health authorities. ~~Textbooks~~
37 **Curricular materials** that have not been requested after at least three
38 (3) months may be mutilated, destroyed, or otherwise disposed of by
39 the school corporation.

40 SECTION 67. IC 20-26-12-6, AS AMENDED BY P.L.73-2011,
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2013]: Sec. 6. (a) Sections 7 through 21 of this chapter apply

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1 to school libraries that contain free ~~textbooks~~ **curricular materials**.
2 The ~~textbooks~~ **curricular materials** must be selected by the proper
3 local officials.

4 (b) As used in sections 6 7 through 21 of this chapter, "resident
5 student" means a student enrolled in any of the grades in any school
6 located in a school corporation, whether the student resides there or is
7 transferred there for school purposes.

8 SECTION 68. IC 20-26-12-7, AS ADDED BY P.L.1-2005,
9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2013]: Sec. 7. (a) If a petition requesting the establishment of
11 an elementary school library is filed with a governing body, the
12 governing body shall provide a library containing ~~textbooks~~ **curricular**
13 **materials** in sufficient numbers to meet the needs of every resident
14 student in each of the eight (8) grades of each elementary school. The
15 petition must be signed by at least fifty-one percent (51%) of the
16 registered voters of the governing body's school corporation.

17 (b) This subsection applies to a governing body that has established
18 an elementary school library under subsection (a). If a petition
19 requesting establishment of a high school library is filed with the
20 governing body, the governing body shall provide a library containing
21 ~~textbooks~~ **curricular materials** in sufficient numbers to meet the
22 needs of every resident student in each of the four (4) grades of each
23 high school. The petition must be signed by at least twenty percent
24 (20%) of the voters of the school corporation as determined by the total
25 vote cast at the last general election for the trustee of the township,
26 clerk of the town, or mayor of the city.

27 SECTION 69. IC 20-26-12-8, AS ADDED BY P.L.1-2005,
28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2013]: Sec. 8. A petition for an elementary or a high school
30 library under section 7 of this chapter must be in substantially the
31 following form:

32 To the governing body of the school corporation of _____
33 We, the undersigned voters of the school corporation of _____
34 respectfully petition the governing body of the school corporation of
35 _____ to establish an elementary school (or high school, as
36 appropriate) library and to lend its school ~~textbooks~~ **curricular**
37 **materials** free of charge to the resident students of the school
38 corporation of _____, under IC 20-26-12.

39 NAME ADDRESS DATE
40 _____
41 _____
42 STATE OF INDIANA) _____

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1) SS:
2 _____ COUNTY)
3 _____ being duly sworn, deposes and says that he or she is
4 the circulator of this petition paper and that the appended signatures
5 were made in his or her presence and are the genuine signatures of the
6 persons whose names they purport to be.

7 Signed _____ Subscribed and sworn to before me this ____
8 day of _____, 20 __. _____ Notary Public

9 SECTION 70. IC 20-26-12-13, AS ADDED BY P.L.1-2005,
10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2013]: Sec. 13. If a sufficient petition is filed under section 11
12 of this chapter, a governing body shall note on the records of the
13 governing body's school corporation that by filing the petition the
14 school corporation must maintain:

- 15 (1) an elementary school library containing ~~textbooks~~ **curricular**
16 **materials** in sufficient numbers to meet the needs of every
17 resident student in each of the first eight (8) grades of each
18 elementary school located within the school corporation; or
- 19 (2) a high school library containing ~~textbooks~~ **curricular**
20 **materials** in sufficient numbers to meet the needs of every
21 resident student in each of the four (4) grades of each high school
22 located within the school corporation;

23 as applicable.

24 SECTION 71. IC 20-26-12-14, AS ADDED BY P.L.1-2005,
25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2013]: Sec. 14. (a) This subsection applies to a school
27 corporation described in section 13(1) of this chapter. The governing
28 body shall make the first appropriation from the school corporation's
29 general fund in August following the petition's filing. Not later than the
30 school term following the first appropriation, the library must be
31 established and ~~textbooks~~ **curricular materials** must be loaned to
32 resident students enrolled in the first five (5) grades of the elementary
33 school. Not later than the second school term following the first
34 appropriation, ~~textbooks~~ **curricular materials** must be procured and
35 loaned to resident students enrolled in the eight (8) grades of the
36 elementary school.

37 (b) This subsection applies to a school corporation described in
38 section 13(2) of this chapter. The governing body shall make the first
39 appropriation from the school corporation's general fund in September
40 following the petition's filing. Not later than the second school term
41 following the first appropriation, the library must be established and
42 ~~textbooks~~ **curricular materials** of the library must be loaned to

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1 resident students enrolled in grade nine of the high school. During each
 2 following school term, ~~textbooks~~ **curricular materials** must be
 3 procured and loaned to resident students for an additional high school
 4 grade, in addition to the earlier high school grades.

5 SECTION 72. IC 20-26-12-15, AS AMENDED BY P.L.73-2011,
 6 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2013]: Sec. 15. (a) A governing body shall purchase the
 8 necessary ~~textbooks~~ **curricular materials** from publishers. The
 9 publisher shall ship the ~~textbooks~~ **curricular materials** to the
 10 governing body not more than ninety (90) days after the requisition. On
 11 receipt of the ~~textbooks~~, **curricular materials**, the governing body's
 12 school corporation has custody of the ~~textbooks~~. **curricular materials**.
 13 The governing body shall provide a receipt to the contracting publisher
 14 and reimburse the contracting publisher the amount owed by the school
 15 corporation from the school corporation's general fund.

16 (b) A governing body shall purchase ~~textbooks~~: **curricular**
 17 **materials**:

- 18 (1) from a resident student who presents the ~~textbooks~~ **curricular**
 19 **materials** for sale on or before the beginning of the school term
 20 in which the ~~books~~ **curricular materials** are to be used;
- 21 (2) with money from the school corporation's general fund; and
- 22 (3) at a price based on the original price to the school corporation
 23 minus a reasonable reduction for damage from usage.

24 SECTION 73. IC 20-26-12-16, AS ADDED BY P.L.1-2005,
 25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 16. Upon receipt of the ~~textbooks~~, **curricular**
 27 **materials**, a governing body shall loan the ~~textbooks~~ **curricular**
 28 **materials** at no charge to each resident student. Library ~~textbooks~~
 29 **curricular materials** are available to each resident student under this
 30 chapter and under regulations prescribed by the superintendent and
 31 governing body of the school corporation.

32 SECTION 74. IC 20-26-12-17, AS ADDED BY P.L.1-2005,
 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2013]: Sec. 17. (a) If a student transfers to a school
 35 corporation other than the one in which the student resides under
 36 IC 20-26-11, the governing body of the school corporation to which the
 37 student transfers shall purchase a sufficient supply of ~~books~~ **curricular**
 38 **materials** for the transferred student.

39 (b) In the annual settlement between the school corporations for
 40 tuition of transferred students, the amounts must include rental of the
 41 ~~books~~ **curricular materials** furnished to the transferred students. The
 42 state board shall determine the rental rate.



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1 SECTION 75. IC 20-26-12-18, AS ADDED BY P.L.1-2005,
 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 18. A governing body may provide a sufficient
 4 ~~number amount of textbooks~~ **curricular materials** for sale to resident
 5 students at the price stipulated in the contracts under which the
 6 ~~textbooks~~ **curricular materials** are supplied to the governing body's
 7 school corporation. Proceeds from sales under this section must be paid
 8 into the school corporation's general fund.

9 SECTION 76. IC 20-26-12-19, AS ADDED BY P.L.1-2005,
 10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2013]: Sec. 19. A governing body shall provide sufficient
 12 library facilities for the ~~textbooks~~ **curricular materials** to best
 13 accommodate the resident students.

14 SECTION 77. IC 20-26-12-20, AS ADDED BY P.L.1-2005,
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2013]: Sec. 20. A governing body shall prescribe reasonable
 17 rules and regulations for the care, custody, and return of library
 18 ~~textbooks.~~ **curricular materials.** A resident student using library
 19 ~~textbooks~~ **curricular materials** is responsible for the loss, mutilation,
 20 or defacement of the library ~~textbooks,~~ **curricular materials,** other
 21 than reasonable wear.

22 SECTION 78. IC 20-26-12-21, AS ADDED BY P.L.1-2005,
 23 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2013]: Sec. 21. A governing body shall provide for the
 25 fumigation or destruction of library ~~textbooks~~ **curricular materials** at
 26 the times and under regulations prescribed by local and state health
 27 authorities. Before a governing body may mutilate or otherwise destroy
 28 a ~~textbook,~~ **curricular materials,** the governing body shall provide at
 29 no cost and subject to availability one (1) copy of ~~each textbook~~ **any**
 30 **curricular material** that is no longer scheduled for use in the school
 31 corporation to:

- 32 (1) the parent of each child who is enrolled in the school
 33 corporation and who wishes to receive a copy of the ~~textbook;~~
 34 **curricular material;** and
 35 (2) if any ~~textbooks~~ **curricular materials** remain after
 36 distribution under subdivision (1), to any resident of the school
 37 corporation who wishes to receive a copy of the ~~textbook.~~
 38 **curricular material.**

39 SECTION 79. IC 20-26-12-22, AS ADDED BY P.L.1-2005,
 40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2013]: Sec. 22. If a school corporation purchases ~~textbooks~~
 42 **curricular materials** on a time basis:

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1 (1) the schedule for payments shall coincide with student
 2 payments to the school corporation for ~~textbook~~ **curricular**
 3 **material** rental; and
 4 (2) the schedule must not require the school corporation to
 5 assume a greater burden than payment of twenty-five percent
 6 (25%) within thirty (30) days after the beginning of the school
 7 year immediately following delivery by the contracting publisher
 8 with the school corporation's promissory note evidencing the
 9 unpaid balance.

10 SECTION 80. IC 20-26-12-23, AS AMENDED BY P.L.73-2011,
 11 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2013]: Sec. 23. (a) A school corporation may:
 13 (1) borrow money to buy ~~textbooks~~; **curricular materials**; and
 14 (2) issue notes, maturing serially in not more than six (6) years
 15 and payable from its general fund, to secure the loan.
 16 However, when an adoption is made by the proper local officials for
 17 less than six (6) years, the period for which the notes may be issued is
 18 limited to the period for which that adoption is effective.
 19 (b) Notwithstanding subsection (a), a school township may not
 20 borrow money to purchase ~~textbooks~~ **curricular materials** unless a
 21 petition requesting such an action and bearing the signatures of
 22 twenty-five percent (25%) of the resident taxpayers of the school
 23 township has been presented to and approved by the township trustee
 24 and township board.

25 SECTION 81. IC 20-26-12-24, AS AMENDED BY P.L.229-2011,
 26 SECTION 174, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2013]: Sec. 24. (a) The superintendent shall
 28 establish procedures for ~~textbook~~ adoption of **curricular materials**.
 29 (b) The governing body, upon receiving these recommendations
 30 from the superintendent, shall adopt a ~~textbook~~ **curricular materials**
 31 for use in teaching each subject in the school corporation.
 32 (c) A special committee of teachers and parents may also be
 33 appointed to review books, magazines, and audiovisual material used
 34 or proposed for use in the classroom to supplement state adopted
 35 ~~textbooks~~ **curricular materials** and may make recommendations to the
 36 superintendent and the governing body concerning the use of ~~this~~
 37 ~~material:~~ **these materials**.
 38 (d) A ~~textbook~~ **Curricular materials** selected shall be used for the
 39 lesser of:
 40 (1) six (6) years; or
 41 (2) the effective period of the academic standards adopted by the
 42 state board to which ~~that textbook~~ **is the curricular materials**

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1 **are aligned.**

2 (e) A selection may be extended beyond that period for up to six (6)
3 years.

4 (f) The governing body may, if the governing body considers it
5 appropriate, retain a **textbook curricular materials** adopted under this
6 section and authorize the purchase of supplemental materials to ensure
7 continued alignment with academic standards adopted by the state
8 board.

9 (g) The superintendent, advisory committee, and governing body
10 may consider using the list of curricular materials ~~(as defined in~~
11 ~~IC 20-20-5.5-1)~~ provided by the department under IC 20-20-5.5.

12 (h) Notwithstanding subsection (g) and this chapter, the
13 superintendent, advisory committee, and governing body shall adopt
14 reading **textbooks curricular materials** from the list of recommended
15 curricular materials provided by the department under IC 20-20-5.5.

16 (i) A governing body may not purchase ~~textbooks~~ **curricular**
17 **materials** from a publisher unless the publisher agrees, in accordance
18 with Sections 612(a)(23)(A) and ~~674(4)~~ **674(e)(4)** of the Individuals
19 with Disabilities Education **Improvement** Act 2004 (20 U.S.C. 1400
20 et seq.), to provide or grant a license to the school corporation to allow
21 for the reproduction of adopted ~~textbooks~~ **curricular materials** in:

- 22 (1) large type;
23 (2) Braille; and
24 (3) audio format.

25 SECTION 82. IC 20-26-12-25 IS REPEALED [EFFECTIVE JULY
26 1, 2013]. ~~Sec. 25. After a local superintendent has selected textbooks~~
27 ~~under this chapter, and not later than July 1, when new contracts~~
28 ~~become effective, the superintendent shall forward to the state board a~~
29 ~~list of those selections for all subjects and grades.~~

30 SECTION 83. IC 20-26-12-26, AS ADDED BY P.L.1-2005,
31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2013]: Sec. 26. If a family moves during the school term from
33 one (1) school corporation to another within the state, the corporation
34 from which they move shall:

- 35 (1) evaluate the affected children's ~~textbooks;~~ **curricular**
36 **materials;** and
37 (2) offer to purchase the ~~textbooks~~ **curricular materials** at a
38 reasonable price for resale to any family that moves into that
39 corporation during a school term.

40 SECTION 84. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,
41 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2013]: Sec. 5. (a) As used in this chapter, "graduation" means

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1 the successful completion by a student of:

2 (1) a sufficient number of academic credits, or the equivalent of
3 academic credits; and

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

6 resulting in the awarding of a high school diploma or an academic
7 honors diploma.

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

11 SECTION 85. IC 20-26-15-5, AS AMENDED BY P.L.6-2012,
12 SECTION 133, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2013]: Sec. 5. Notwithstanding any other law,
14 the operation of the following is suspended for a freeway school
15 corporation or a freeway school if the governing body of the school
16 corporation elects to have the specific statute or rule suspended in the
17 contract:

18 (1) The following statutes and rules concerning curriculum and
19 instructional time:

20 IC 20-30-2-7

21 IC 20-30-5-8

22 IC 20-30-5-9

23 IC 20-30-5-11

24 511 IAC 6-7-6

25 511 IAC 6.1-5-0.5

26 511 IAC 6.1-5-1

27 511 IAC 6.1-5-2.5

28 511 IAC 6.1-5-3.5

29 511 IAC 6.1-5-4.

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

31 511 IAC 6.1-4-1.

32 (3) The following statutes and rules concerning ~~textbooks~~:

33 **curricular materials:**

34 IC 20-26-12-24

35 IC 20-26-12-26

36 IC 20-26-12-1

37 IC 20-26-12-2

38 511 IAC 6.1-5-5.

39 (4) 511 IAC 6-7, concerning graduation requirements.

40 (5) IC 20-31-4, concerning the performance based accreditation
41 system.

42 (6) IC 20-32-5, concerning the ISTEP program established under

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- 1 IC 20-32-5-15, if an alternative locally adopted assessment
 2 program is adopted under section 6(7) of this chapter.
- 3 SECTION 86. IC 20-27-7-3, AS ADDED BY P.L.1-2005,
 4 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2013]: Sec. 3. If the inspection required under section 1 of this
 6 chapter reveals that a school bus meets all safety requirements, the
 7 inspecting officer shall ~~issue to the owner of the school bus a certificate~~
 8 ~~that the school bus has been inspected and that it complies with the~~
 9 ~~safety requirements.~~ **attach to the bus a certificate of inspection and**
 10 **document the certification in the state police department's school**
 11 **bus inspection data base.** Except as provided in sections 5 through 7
 12 of this chapter, a certificate of inspection issued under this section is
 13 valid until September 30 of the school year following the school year
 14 for which the certificate is issued.
- 15 SECTION 87. IC 20-27-7-16 IS REPEALED [EFFECTIVE JULY
 16 1, 2013]. ~~Sec. 16. When the owner of a school bus applies for a~~
 17 ~~registration plate under IC 9-18-2-7 or IC 9-18-2-8.5, the owner shall~~
 18 ~~submit with the application a certificate of inspection issued under~~
 19 ~~section 3 of this chapter. If the certificate of inspection does not~~
 20 ~~accompany an owner's application, the bureau of motor vehicles may~~
 21 ~~not issue a registration plate.~~
- 22 SECTION 88. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,
 23 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2013]: Sec. 6. (a) Subject to subsection (c) and in addition to
 25 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state
 26 board may adopt rules under IC 4-22-2 to do the following:
- 27 (1) Set standards for teacher licensing and for the administration
 - 28 of a professional licensing and certification process by the
 - 29 department.
 - 30 (2) Approve or disapprove teacher preparation programs.
 - 31 (3) Set fees to be charged in connection with teacher licensing.
 - 32 (4) Suspend, revoke, or reinstate teacher licenses.
 - 33 (5) Enter into agreements with other states to acquire reciprocal
 - 34 approval of teacher preparation programs.
 - 35 (6) Set standards for teacher licensing concerning new subjects of
 - 36 study.
 - 37 (7) Evaluate work experience and military service concerning
 - 38 postsecondary education and experience equivalency.
 - 39 (8) Perform any other action that:
 - 40 (A) relates to the improvement of instruction in the public
 - 41 schools through teacher education and professional
 - 42 development through continuing education; and

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- 1 (B) attracts qualified candidates for teacher education from
 2 among the high school graduates of Indiana.
- 3 (9) Set standards for endorsement of school psychologists as
 4 independent practice school psychologists under IC 20-28-12.
- 5 (10) Before July 1, 2011, set standards for sign language
 6 interpreters who provide services to children with disabilities in
 7 an educational setting and an enforcement mechanism for the
 8 interpreter standards.
- 9 (b) Notwithstanding subsection (a)(1), an individual is entitled to
 10 one (1) year of occupational experience for purposes of obtaining an
 11 occupational specialist certificate under this article for each year the
 12 individual holds a license under IC 25-8-6.
- 13 (c) The state board may adopt rules under IC 4-22-2, including
 14 emergency rules under IC 4-22-2-37.1, to establish procedures to
 15 expedite the issuance, renewal, or reinstatement under this article of a
 16 license or certificate of a person whose spouse serves on active duty (as
 17 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.
- 18 SECTION 89. IC 20-28-7.5-1, AS ADDED BY P.L.90-2011,
 19 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2011 (RETROACTIVE)]: Sec. 1. (a) This chapter applies to
 21 a teacher in a school corporation (as defined in IC 20-18-2-16(a)).
- 22 (b) A principal may decline to continue a probationary teacher's
 23 contract under sections 2 through 4 of this chapter if the probationary
 24 teacher:
- 25 (1) receives an ineffective designation on a performance
 26 evaluation under IC 20-28-11.5;
- 27 (2) receives two (2) consecutive improvement necessary ratings
 28 on a performance evaluation under IC 20-28-11.5; or
- 29 (3) is subject to a justifiable decrease in the number of teaching
 30 positions or any reason relevant to the school corporation's
 31 interest.
- 32 (c) Except as provided in subsection (e), a principal may not decline
 33 to continue a professional or established teacher's contract unless the
 34 teacher is subject to a justifiable decrease in the number of teaching
 35 positions.
- 36 (d) After June 30, 2012, the cancellation of teacher's contracts due
 37 to a justifiable decrease in the number of teaching positions shall be
 38 determined on the basis of performance rather than seniority. In cases
 39 where teachers are placed in the same performance category, any of the
 40 items in ~~IC 20-28-9-1(b)~~ **IC 20-28-9-1.5(b)** may be considered.
- 41 (e) A contract with a teacher may be canceled immediately in the
 42 manner set forth in sections 2 through 4 of this chapter for any of the

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1 following reasons:

- 2 (1) Immorality.
- 3 (2) Insubordination, which means a willful refusal to obey the
- 4 state school laws or reasonable rules adopted for the governance
- 5 of the school building or the school corporation.
- 6 (3) Justifiable decrease in the number of teaching positions.
- 7 (4) Incompetence, including receiving:
- 8 (A) an ineffective designation on two (2) consecutive
- 9 performance evaluations under IC 20-28-11.5; or
- 10 (B) an ineffective designation or improvement necessary
- 11 rating in three (3) years of any five (5) year period.
- 12 (5) Neglect of duty.
- 13 (6) A conviction for an offense listed in IC 20-28-5-8(c).
- 14 (7) Other good or just cause.

15 SECTION 90. IC 20-28-7.5-6, AS ADDED BY P.L.90-2011,
 16 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2011 (RETROACTIVE)]: Sec. 6. A contract entered into by
 18 a teacher and a school employer continues in force on the same terms
 19 and for the same wages, unless increased under ~~IC 20-28-9-1;~~
 20 **IC 20-28-9-1.5**, for the next school term following the date of the
 21 contract's termination unless one (1) of the following occurs:

- 22 (1) The school corporation refuses continuation of the contract
- 23 under this chapter.
- 24 (2) The teacher delivers in person or by registered or certified
- 25 mail to the school corporation the teacher's written resignation.
- 26 (3) The contract is replaced by another contract agreed to by the
- 27 parties.

28 SECTION 91. IC 20-28-9-1 IS REPEALED [EFFECTIVE JULY 1,
 29 2011 (RETROACTIVE)]. Sec. 1: (a) ~~This subsection takes effect July~~
 30 ~~1, 2012; or upon the expiration of a contract in existence on July 1,~~
 31 ~~2011, whichever is earlier; and governs salary increases for a teacher~~
 32 ~~employed by a school corporation on or after the date this subsection~~
 33 ~~takes effect. Compensation attributable to additional degrees or~~
 34 ~~graduate credits earned before the effective date of the local salary~~
 35 ~~schedule created under this chapter shall continue. Compensation~~
 36 ~~attributable to additional degrees for which a teacher has started course~~
 37 ~~work before July 1, 2011; and completed course work before~~
 38 ~~September 2, 2014; shall also continue.~~

39 (b) Increases or increments in a local salary scale must be based
 40 upon a combination of the following factors:

- 41 (1) A combination of the following factors taken together may
 42 account for not more than thirty-three percent (33%) of the

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1 calculation used to determine a teacher's increase or increment:

2 (A) The number of years of a teacher's experience:

3 (B) The attainment of either:

4 (i) additional content area degrees beyond the requirements
5 for employment; or

6 (ii) additional content area degrees and credit hours beyond
7 the requirements for employment, if required under an
8 agreement bargained under IC 20-29:

9 (2) The results of an evaluation conducted under IC 20-28-11.5.

10 (3) The assignment of instructional leadership roles, including the
11 responsibility for conducting evaluations under IC 20-28-11.5.

12 (4) The academic needs of students in the school corporation.

13 (c) A teacher rated ineffective or improvement necessary under
14 IC 20-28-11.5 may not receive any raise or increment for the following
15 year if the teacher's employment contract is continued. The amount that
16 would otherwise have been allocated for the salary increase of teachers
17 rated ineffective or improvement necessary shall be allocated for
18 compensation of all teachers rated effective and highly effective based
19 on the criteria in subsection (b):

20 (d) A teacher who does not receive a raise or increment under
21 subsection (c) may file a request with the superintendent or
22 superintendent's designee not later than five (5) days after receiving
23 notice that the teacher received a rating of ineffective. The teacher is
24 entitled to a private conference with the superintendent or
25 superintendent's designee.

26 (e) Not later than January 31, 2012, the department shall publish a
27 model salary schedule that a school corporation may adopt.

28 (f) Each school corporation shall submit its local salary schedule to
29 the department. The department shall publish the local salary schedules
30 on the department's Internet web site.

31 (g) The department shall report any noncompliance of this section
32 to the state board.

33 (h) The state board shall take appropriate action to ensure
34 compliance with this section.

35 (i) This chapter may not be construed to require or allow a school
36 corporation to decrease the salary of any teacher below the salary the
37 teacher was earning on or before July 1, 2012, if that decrease would
38 be made solely to conform to the new salary scale.

39 SECTION 92. IC 20-28-9-1.5 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: **Sec. 1.5. (a) This**
42 **subsection applies to a contract in effect July 1, 2012, or upon the**

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1 expiration of a contract in existence on July 1, 2011, whichever is
 2 earlier, and governs salary increases for a teacher employed by a
 3 school corporation on or after the date this subsection takes effect.
 4 Compensation attributable to additional degrees or graduate
 5 credits earned before the effective date of the local salary schedule
 6 created under this chapter shall continue. Compensation
 7 attributable to additional degrees for which a teacher has started
 8 course work before July 1, 2011, and completed course work
 9 before September 2, 2014, shall also continue.

10 (b) Increases or increments in a local salary scale must be based
 11 upon a combination of the following factors:

12 (1) A combination of the following factors taken together may
 13 account for not more than thirty-three percent (33%) of the
 14 calculation used to determine a teacher's increase or
 15 increment:

16 (A) The number of years of a teacher's experience.

17 (B) The attainment of either:

18 (i) additional content area degrees beyond the
 19 requirements for employment; or

20 (ii) additional content area degrees and credit hours
 21 beyond the requirements for employment, if required
 22 under an agreement bargained under IC 20-29.

23 (2) The results of an evaluation conducted under
 24 IC 20-28-11.5.

25 (3) The assignment of instructional leadership roles, including
 26 the responsibility for conducting evaluations under
 27 IC 20-28-11.5.

28 (4) The academic needs of students in the school corporation.

29 (c) A teacher rated ineffective or improvement necessary under
 30 IC 20-28-11.5 may not receive any raise or increment for the
 31 following year if the teacher's employment contract is continued.
 32 The amount that would otherwise have been allocated for the
 33 salary increase of teachers rated ineffective or improvement
 34 necessary shall be allocated for compensation of all teachers rated
 35 effective and highly effective based on the criteria in subsection (b).

36 (d) A teacher who does not receive a raise or increment under
 37 subsection (c) may file a request with the superintendent or
 38 superintendent's designee not later than five (5) days after
 39 receiving notice that the teacher received a rating of ineffective.
 40 The teacher is entitled to a private conference with the
 41 superintendent or superintendent's designee.

42 (e) Not later than January 31, 2012, the department shall

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1 publish a model salary schedule that a school corporation may
2 adopt.

3 (f) Each school corporation shall submit its local salary schedule
4 to the department. The department shall publish the local salary
5 schedules on the department's Internet web site.

6 (g) The department shall report any noncompliance with this
7 section to the state board.

8 (h) The state board shall take appropriate action to ensure
9 compliance with this section.

10 (i) This chapter may not be construed to require or allow a
11 school corporation to decrease the salary of any teacher below the
12 salary the teacher was earning on or before July 1, 2012, if that
13 decrease would be made solely to conform to the new salary scale.

14 (j) After June 30, 2011, all rights, duties, or obligations
15 established under IC 20-28-9-1 before its repeal are considered
16 rights, duties, or obligations under this section.

17 SECTION 93. IC 20-29-6-4, AS AMENDED BY P.L.48-2011,
18 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2011 (RETROACTIVE)]: Sec. 4. (a) A school employer shall
20 bargain collectively with the exclusive representative on the following:

- 21 (1) Salary.
- 22 (2) Wages.
- 23 (3) Salary and wage related fringe benefits, including accident,
24 sickness, health, dental, vision, life, disability, retirement benefits,
25 and paid time off as permitted to be bargained under
26 IC 20-28-9-11.

27 (b) Salary and wages include the amounts of pay increases available
28 to employees under the salary scale adopted under ~~IC 20-28-9-1~~,
29 **IC 20-28-9-1.5**, but do not include the teacher evaluation procedures
30 and criteria, or any components of the teacher evaluation plan, rubric,
31 or tool.

32 SECTION 94. IC 20-29-6-7, AS AMENDED BY P.L.48-2011,
33 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2013]: Sec. 7. A school employer shall discuss with the
35 exclusive representative of certificated employees the following items:

- 36 (1) Curriculum development and revision.
- 37 (2) ~~Textbook~~ Selection of **curricular materials**.
- 38 (3) Teaching methods.
- 39 (4) Hiring, evaluation, promotion, demotion, transfer, assignment,
40 and retention of certificated employees.
- 41 (5) Student discipline.
- 42 (6) Expulsion or supervision of students.

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- 1 (7) Pupil/teacher ratio.
 2 (8) Class size or budget appropriations.
 3 (9) Safety issues for students and employees in the workplace,
 4 except those items required to be kept confidential by state or
 5 federal law.
 6 (10) Hours.
- 7 SECTION 95. IC 20-30-5-2, AS ADDED BY P.L.1-2005,
 8 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2013]: Sec. 2. (a) Each public and nonpublic high school shall
 10 provide a required course that is:
 11 (1) not less than one (1) year of school work; and
 12 (2) in the:
 13 (A) historical;
 14 (B) political;
 15 (C) civic;
 16 (D) sociological;
 17 (E) economical; and
 18 (F) philosophical;
 19 aspects of the constitutions of Indiana and the United States.
 20 (b) The state board shall:
 21 (1) prescribe the course described in this section and the course's
 22 appropriate outlines; and
 23 (2) adopt the necessary ~~textbooks~~ **curricular materials** for
 24 uniform instruction.
 25 (c) A high school student may not receive a diploma unless the
 26 student has successfully completed the interdisciplinary course
 27 described in this section.
- 28 SECTION 96. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2013]: Sec. 7.5. (a) This section does not apply to a student
 31 who:
 32 (1) is in half-day kindergarten; or
 33 (2) has a medical condition that precludes participation in the
 34 daily physical activity provided under this section.
 35 (b) Beginning in the 2006-2007 school year, the governing body of
 36 each school corporation shall provide daily physical activity for
 37 students in elementary school. The physical activity ~~must be consistent~~
 38 ~~with the curriculum and programs developed under IC 20-19-3-6 and~~
 39 may include the use of recess. On a day when there is inclement
 40 weather or unplanned circumstances have shortened the school day, the
 41 school corporation may provide physical activity alternatives or elect
 42 not to provide physical activity.

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1 SECTION 97. IC 20-30-5-17, AS ADDED BY P.L.1-2005,
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 17. (a) A school corporation shall make available
 4 for inspection by the parent of a student any instructional materials,
 5 including:

- 6 (1) teachers' manuals;
- 7 (2) ~~textbooks~~; **curricular materials**;
- 8 (3) films or other video materials;
- 9 (4) tapes; and
- 10 (5) other materials;

11 used in connection with a personal analysis, an evaluation, or a survey
 12 described in subsection (b).

13 (b) A student shall not be required to participate in a personal
 14 analysis, an evaluation, or a survey that is not directly related to
 15 academic instruction and that reveals or attempts to affect the student's
 16 attitudes, habits, traits, opinions, beliefs, or feelings concerning:

- 17 (1) political affiliations;
- 18 (2) religious beliefs or practices;
- 19 (3) mental or psychological conditions that may embarrass the
 20 student or the student's family;
- 21 (4) sexual behavior or attitudes;
- 22 (5) illegal, antisocial, self-incriminating, or demeaning behavior;
- 23 (6) critical appraisals of other individuals with whom the student
 24 has a close family relationship;
- 25 (7) legally recognized privileged or confidential relationships,
 26 including a relationship with a lawyer, minister, or physician; or
- 27 (8) income (except as required by law to determine eligibility for
 28 participation in a program or for receiving financial assistance
 29 under a program);

30 without the prior consent of the student if the student is an adult or an
 31 emancipated minor or the prior written consent of the student's parent
 32 if the student is an unemancipated minor. A parental consent form for
 33 a personal analysis, an evaluation, or a survey described in this section
 34 shall accurately reflect the contents and nature of the personal analysis,
 35 evaluation, or survey.

36 (c) The department and the governing body shall give parents and
 37 students notice of their rights under this section.

38 (d) The governing body shall enforce this section.

39 SECTION 98. IC 20-30-8-7, AS AMENDED BY P.L.2-2006,
 40 SECTION 144, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2013]: Sec. 7. The program organizer may
 42 request the approval from the department for the following:

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- 1 (1) To receive the grant for alternative education programs under
 2 IC 20-20-33.
 3 (2) To be granted waivers from rules adopted by the state board
 4 that may otherwise interfere with the objectives of the alternative
 5 education program, including waivers of:
 6 (A) certain high school graduation requirements;
 7 (B) the length of the student instructional day as set forth in
 8 IC 20-30-2-2;
 9 (C) required curriculum and ~~textbooks~~; **curricular materials**;
 10 (D) teacher certification requirements; and
 11 (E) physical facility requirements.

12 SECTION 99. IC 20-30-9-7, AS AMENDED BY P.L.234-2007,
 13 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2013]: Sec. 7. The state superintendent may
 15 assist and stimulate school corporations in developing and establishing
 16 bilingual-bicultural educational services and programs specifically
 17 designed to improve educational opportunities for non-English
 18 dominant students. Funds may be used for the following:

- 19 (1) To provide educational services not available to the
 20 non-English dominant students in sufficient quantity or quality,
 21 including:
 22 (A) remedial and compensatory instruction, psychological, and
 23 other services designed to assist and encourage non-English
 24 dominant students to enter, remain in, or reenter elementary or
 25 secondary school;
 26 (B) comprehensive academic instruction and career and
 27 technical instruction;
 28 (C) instructional materials (such as library books, ~~textbooks~~;
 29 **curricular materials**, and other printed or published or
 30 audiovisual materials) and equipment;
 31 (D) comprehensive guidance, counseling, and testing services;
 32 (E) special education programs for persons with disabilities;
 33 (F) preschool programs; and
 34 (G) other services that meet the purposes of this subdivision.
 35 (2) To establish and operate exemplary and innovative
 36 educational programs and resource centers that involve new
 37 educational approaches, methods, and techniques designed to
 38 enrich programs of elementary and secondary education for
 39 non-English dominant students.

40 SECTION 100. IC 20-30-10-2, AS ADDED BY P.L.1-2005,
 41 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2013]: Sec. 2. (a) The state board shall adopt the following:

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

3 (A) ~~The~~ college preparation curriculum models developed by
4 the department under section 1 of this chapter.

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

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

9 (b) The college/technology preparation curriculum models that the
10 state board adopts under subsection (a) must meet the conditions listed
11 in

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

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

14 SECTION 101. IC 20-30-12-1, AS ADDED BY P.L.1-2005,
15 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2013]: Sec. 1. The department shall require all school
17 corporations to make available to the school corporation's high school
18 students the technology preparation curriculum developed ~~under~~
19 ~~IC 20-20-10.~~ **by the state board.**

20 SECTION 102. IC 20-31-3-3, AS AMENDED BY P.L.73-2011,
21 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2013]: Sec. 3. (a) The department shall revise and update
23 academic standards:

24 (1) for each grade level from kindergarten through grade 12; and

25 (2) in each subject area listed in section 2 of this chapter;

26 at least once every six (6) years, **beginning in 2013.** This revision must
27 occur on a cyclical basis.

28 (b) **A revision under this chapter must comply with**
29 **IC 20-19-2-14.5.**

30 SECTION 103. IC 20-31-3-4, AS ADDED BY P.L.1-2005,
31 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2013]: Sec. 4. The state superintendent shall appoint an
33 academic standards committee composed of subject area teachers **and**
34 **parents** during the period when a subject area is undergoing revision.

35 SECTION 104. IC 20-31-5-5, AS ADDED BY P.L.1-2005,
36 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2013]: Sec. 5. (a) A plan may include a request for a waiver
38 of applicability of a rule or statute to a school.

39 (b) The governing body may waive any rule adopted by the state
40 board for which a waiver is requested in a plan, except for a rule that
41 is characterized as follows:

42 (1) The rule relates to the health or safety of students or school

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- 1 personnel.
- 2 (2) The rule is a special education rule under 511 IAC 7.
- 3 (3) Suspension of the rule brings the school into noncompliance
- 4 with federal statutes or regulations.
- 5 (4) The rule concerns curriculum or ~~textbooks~~ **curricular**
- 6 **materials.**
- 7 (c) Upon request of the governing body and under a plan, the state
- 8 board may waive for a school or a school corporation any statute or rule
- 9 relating to the following:
- 10 (1) Curriculum.
- 11 (2) ~~Textbook~~ **Selection of curricular materials.**
- 12 SECTION 105. IC 20-31-8-5 IS ADDED TO THE INDIANA
- 13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 14 [EFFECTIVE UPON PASSAGE]: **Sec. 5. (a) 511 IAC 6.2-6 is void on**
- 15 **the effective date of the emergency or final rules adopted under**
- 16 **this section, whichever is earlier. The publisher of the Indiana**
- 17 **Administrative Code and Indiana Register shall remove this rule**
- 18 **from the Indiana Administrative Code.**
- 19 (b) The state board shall adopt rules to establish new categories
- 20 or designations of school improvement under the requirements of
- 21 this chapter to replace 511 IAC 6.2-6. The new standards of
- 22 assessing school improvement must use an A through F designation
- 23 of school performance as follows:
- 24 (1) A letter score (A through F) must represent absolute
- 25 individual student academic achievement in each school,
- 26 aggregated at the school level.
- 27 (2) A second letter score (A through F) must represent
- 28 individual student academic growth. As used in this
- 29 subdivision, "academic growth" refers to the change in
- 30 individual student achievement from one (1) state assessment
- 31 to the next, aggregated at the school level.
- 32 (c) Upon adoption of rules to establish new categories or
- 33 designations of school improvement, the state board shall report to
- 34 the general assembly the proposed new categories or designations
- 35 in an electronic format under IC 5-14-6.
- 36 (d) The state board shall adopt rules under IC 4-22-2 to
- 37 implement this chapter.
- 38 (e) The state board may adopt emergency rules in the manner
- 39 provided in IC 4-22-2-37.1 to implement this chapter. This
- 40 subsection expires on the earlier of:
- 41 (1) the date the state board adopts rules under subsection (d);
- 42 or

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1 (2) May 15, 2014.

2 This subsection does not abrogate the state board's responsibility
3 to begin the rulemaking process under IC 4-22-2-19 not later than
4 sixty (60) days after the effective date of this section.

5 SECTION 106. IC 20-31-12 IS ADDED TO THE INDIANA CODE
6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2013]:

8 **Chapter 12. School Recognition Programs**

9 **Sec. 1. As used in this chapter, "recognition program" refers to**
10 **a system by which a school is recognized for the school's**
11 **performance, including programs established by statute, rule, or**
12 **department policy.**

13 **Sec. 2. The department may not establish criteria for a**
14 **nonpublic school to be eligible for a recognition program that are**
15 **different from the criteria established for a public school of the**
16 **same grade levels.**

17 SECTION 107. IC 20-32-5-9, AS ADDED BY P.L.1-2005,
18 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2013]: Sec. 9. (a) **As used in this section, "ISTEP program**
20 **test" includes any statewide assessment that a student is required**
21 **to complete.**

22 ~~(a)~~ (b) After reports of student scores are returned to a school
23 corporation, the school corporation shall promptly do the following:

24 (1) Give each student and the student's parent the student's ISTEP
25 program test scores.

26 (2) Make available for inspection to each student and the student's
27 parent the following:

28 (A) A copy of ~~the essay~~ **all questions that are not multiple**
29 **choice or true and false** and prompts used in assessing the
30 student.

31 (B) A copy of the student's scored ~~essays:~~ **responses.**

32 (C) A copy of the anchor papers and scoring rubrics used to
33 score the student's ~~essays:~~ **responses.**

34 A student's parent may request a rescoring of a student's responses to
35 **a an ISTEP program** test, including a student's essay.

36 ~~(b)~~ (c) A student's ISTEP program **test** scores may not be disclosed
37 to the public.

38 SECTION 108. IC 20-32-5-18 IS REPEALED [EFFECTIVE JULY
39 1, 2013]. Sec. 18: (a) The department shall establish a pilot program to
40 examine innovative testing methods:

41 (b) The department shall select a representative sample of school
42 corporations determined through an application procedure to

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1 participate in the pilot program under this section.

2 (e) The types of methods authorized under this program include the
3 following:

4 (1) Recently developed techniques for measuring higher order
5 thinking skills.

6 (2) Performance testing of academic standards that are difficult to
7 measure by a written test format.

8 (3) Expanded subject area assessment using student writing
9 samples.

10 (d) The funds necessary to implement a pilot program under this
11 section shall be expended from the research and development program
12 under IC 20-20-11.

13 SECTION 109. IC 20-32-5-21, AS ADDED BY P.L.1-2005,
14 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2013]: Sec. 21. (a) The state board may require schools to
16 participate in national or international assessments.

17 (b) The state board may establish an assessment to be administered
18 at the conclusion of each Core 40 course in English/language arts,
19 mathematics, social studies, and science. However, participation in a
20 Core 40 assessment established under this subsection must be
21 voluntary on the part of a school corporation.

22 (c) The state board may establish a diagnostic reading assessment
23 for use in grades 1 and 2 to promote grade level reading competency by
24 grade 3. However, participation in a reading assessment established
25 under this subsection must be voluntary on the part of a school
26 corporation.

27 **(d) The state board may establish assessments to supplement**
28 **ISTEP assessments for secondary school students.**

29 SECTION 110. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,
30 2013]. (ISTEP Program Citizens' Review Committee).

31 SECTION 111. IC 20-32-8.5-2, AS AMENDED BY P.L.160-2012,
32 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b), ~~or~~
34 ~~(c)~~; the plan required by this chapter must include the following:

35 (1) Reading skill standards for grade 1 through grade 3.

36 (2) An emphasis on a method for making determinant evaluations
37 by grade 3 that might require remedial action for the student **with**
38 **an emphasis on a growth measure at each grade level. The**
39 **evaluations must be based on two (2) or more assessments**
40 **made throughout the school year. The plan must require that**
41 **the student's achievement and growth be taken into account**
42 **when determining the appropriate remedial action, which**

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1 **may include** ~~including~~ retention as a last resort, after other
 2 ~~methods of remediation have been evaluated or used, or both,~~ if
 3 reading skills are below the standard. Appropriate consultation
 4 with parents or guardians must be part of the plan.

5 **(3) An emphasis on a home and school reading initiative with**
 6 **appropriate consultation with parents to accelerate the**
 7 **reading improvement of a student.**

8 ~~(3)~~ **(4)** The fiscal impact of each component of the plan, if any. In
 9 determining whether a component has a fiscal impact,
 10 consideration shall be given to whether the component will
 11 increase costs to the state or a school corporation or require the
 12 state or school corporation to reallocate resources.

13 ~~(b)~~ For a charter school, as defined in IC 20-24-1-4, a plan may
 14 include only the following:

15 (1) A method for making determinant evaluations of reading skills
 16 by grade 3.

17 (2) Retention as a last resort for students reading below grade
 18 level as measured by the evaluation or assessment.

19 ~~(c)~~ **(b)** This subsection applies to a public school, that is not
 20 **including** a charter school. A school corporation may receive a waiver
 21 of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state
 22 board approves an alternative reading plan provided by the school
 23 corporation.

24 SECTION 112. IC 20-33-5-3, AS AMENDED BY P.L.73-2011,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 3. (a) If a parent of a child or an emancipated
 27 minor who is enrolled in a public school, in kindergarten or grades 1
 28 through 12, meets the financial eligibility standard under section 2 of
 29 this chapter, the parent or the emancipated minor may not be required
 30 to pay the fees for ~~school books,~~ **curricular materials**, supplies, or
 31 other required class fees. The fees shall be paid by the school
 32 corporation that the child attends.

33 (b) The school corporation may apply for a reimbursement under
 34 section 7 of this chapter from the department of the costs incurred
 35 under subsection (a).

36 (c) To the extent the reimbursement received by the school
 37 corporation is less than the ~~textbook~~ rental fee assessed for ~~textbooks~~
 38 **curricular materials**, that have been adopted under IC 20-20-5-1
 39 through IC 20-20-5-4, the school corporation may request that the
 40 parent or emancipated minor pay the balance of this amount.

41 SECTION 113. IC 20-33-5-7, AS AMENDED BY P.L.229-2011,
 42 SECTION 192, IS AMENDED TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) If a determination is made
2 that the applicant is eligible for assistance, the school corporation shall
3 pay the cost of the student's required fees.

4 (b) A school corporation shall receive a reimbursement from the
5 department for some or all of the costs incurred by a school corporation
6 during a school year in providing ~~textbook~~ **curricular materials**
7 assistance to students who are eligible under section 2 of this chapter.

8 (c) To be guaranteed some level of reimbursement from the
9 department, the governing body of a school corporation shall request
10 the reimbursement before November 1 of a school year.

11 (d) In its request, the governing body shall certify to the department:

12 (1) the number of students who are enrolled in that school
13 corporation and who are eligible for assistance under this chapter;

14 (2) the costs incurred by the school corporation in providing:

15 (A) ~~textbooks~~ **curricular materials** (including ~~textbooks~~
16 **curricular materials** used in special education and high
17 ability classes) to these students;

18 (B) workbooks, digital content, and consumable ~~textbooks~~
19 **curricular materials** (including workbooks, consumable
20 ~~textbooks~~, **curricular materials**, and other consumable
21 instructional materials that are used in special education and
22 high ability classes) that are used by students for not more than
23 one (1) school year; **and**

24 (C) instead of the purchase of ~~textbooks~~, **curricular**
25 **materials**, developmentally appropriate material for
26 instruction in kindergarten through the grade 3 level,
27 laboratories, and children's literature programs; **and**

28 ~~(D) curricular materials; (as defined in IC 20-20-5.5-1);~~

29 (3) that ~~each textbook~~ **the curricular materials** described in
30 subdivision (2)(A) (except ~~those textbooks~~ **curricular materials**
31 used in special education classes and high ability classes) ~~has~~
32 **have** been adopted by the governing body; and

33 (4) any other information required by the department.

34 (e) Each school within a school corporation shall maintain complete
35 and accurate information concerning the number of students
36 determined to be eligible for assistance under this chapter. This
37 information shall be provided to the department upon request.

38 (f) Parents receiving other governmental assistance or aid that
39 considers educational needs in computing the entire amount of
40 assistance granted may not be denied assistance if the applicant's total
41 family income does not exceed the standards established by this
42 chapter.



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1 (g) The amount of reimbursement that a school corporation is
 2 entitled to receive shall be determined as provided in section 9.5 of this
 3 chapter.

4 SECTION 114. IC 20-33-5-9, AS AMENDED BY P.L.229-2011,
 5 SECTION 193, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) If a parent of a child or an
 7 emancipated minor who is enrolled in an accredited nonpublic school
 8 meets the financial eligibility standard under section 2 of this chapter,
 9 the parent or the emancipated minor may receive a reimbursement from
 10 the department as provided in this chapter for the costs or some of the
 11 costs incurred by the parent or emancipated minor in fees that are
 12 reimbursable under section 7 of this chapter.

13 (b) The department shall provide each accredited nonpublic school
 14 with sufficient application forms for assistance, prescribed by the state
 15 board of accounts.

16 (c) Each accredited nonpublic school shall provide the parents or
 17 emancipated minors who wish to apply for assistance with:

- 18 (1) the appropriate application forms; and
- 19 (2) any assistance needed in completing the application form.

20 (d) The parent or emancipated minor shall submit the application to
 21 the accredited nonpublic school. The accredited nonpublic school shall
 22 make a determination of financial eligibility subject to appeal by the
 23 parent or emancipated minor.

24 (e) If a determination is made that the applicant is eligible for
 25 assistance, subsection (a) applies.

26 (f) To be guaranteed some level of reimbursement from the
 27 department, the principal or other designee shall submit the
 28 reimbursement request before November 1 of a school year.

29 (g) In its request, the principal or other designee shall certify to the
 30 department:

- 31 (1) the number of students who are enrolled in the accredited
 32 nonpublic school and who are eligible for assistance under this
 33 chapter;
- 34 (2) the costs incurred in providing:
 - 35 (A) ~~textbooks~~ **curricular materials** (including ~~textbooks~~
 36 **curricular materials** used in special education and high
 37 ability classes); **and**
 - 38 (B) workbooks, digital content, and consumable ~~textbooks~~
 39 **curricular materials** (including workbooks, consumable
 40 ~~textbooks~~, **curricular materials**, and other consumable
 41 teaching materials that are used in special education and high
 42 ability classes) that are used by students for not more than one

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- 1 (1) school year; and
 2 ~~(C) curricular materials (as defined in IC 20-20-5.5-1);~~
 3 (3) that ~~each textbook~~ **the curricular materials** described in
 4 subdivision (2)(A) (except ~~those textbooks~~ **any curricular**
 5 **materials** used in special education classes and high ability
 6 classes) ~~has~~ **have** been adopted by the governing body; and
 7 (4) any other information required by the department.
- 8 (h) The amount of reimbursement that a parent or emancipated
 9 minor is entitled to receive shall be determined as provided in section
 10 9.5 of this chapter.
- 11 (i) The accredited nonpublic school shall distribute the money
 12 received under this chapter to the appropriate eligible parents or
 13 emancipated minors.
- 14 (j) Section ~~7(h)~~ **7(f)** of this chapter applies to parents or
 15 emancipated minors as described in this section.
- 16 (k) The accredited nonpublic school and the department shall
 17 maintain complete and accurate information concerning the number of
 18 applicants determined to be eligible for assistance under this section.
- 19 (l) The state board shall adopt rules under IC 4-22-2 to implement
 20 this section.
- 21 SECTION 115. IC 20-33-5-11, AS ADDED BY P.L.1-2005,
 22 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2013]: Sec. 11. (a) A school corporation may not:
 24 (1) withhold ~~school books~~ **curricular materials** and supplies;
 25 (2) require any special services from a child; or
 26 (3) deny the child any benefit or privilege;
 27 because the parent fails to pay required fees.
- 28 (b) Notwithstanding subsection (a), a school corporation may take
 29 any action authorized by law to collect unpaid fees from parents who
 30 are determined to be ineligible for assistance, including recovery of
 31 reasonable attorney's fees and court costs in addition to a judgment
 32 award against those parents.
- 33 SECTION 116. IC 20-33-5-14, AS ADDED BY P.L.1-2005,
 34 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2013]: Sec. 14. (a) The school ~~textbook~~ **curricular materials**
 36 reimbursement contingency fund is established to reimburse school
 37 corporations, eligible parents of children who attend accredited
 38 nonpublic schools, and emancipated minors who attend accredited
 39 nonpublic schools as provided in section 9 of this chapter for assistance
 40 provided under this chapter. The fund consists of money appropriated
 41 to the fund by the general assembly. The state superintendent shall
 42 administer the fund.

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1 (b) The treasurer of state shall invest the money in the school
 2 ~~textbook~~ **curricular materials** reimbursement contingency fund not
 3 currently needed to meet the obligations of the fund in the same
 4 manner as other public funds may be invested.

5 SECTION 117. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,
 6 SECTION 231, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2013]: Sec. 20. Money in the fund may be
 8 transferred to another fund and used as provided by law. The laws
 9 permitting a transfer of money from the fund include the following:

10 ~~(1) IC 20-20-10-5 (implementation of technology preparation task~~
 11 ~~force):~~

12 ~~(2) (1) IC 20-40-11-3 (repair and replacement fund).~~

13 ~~(3) (2) IC 20-40-12-6 (self-insurance fund).~~

14 ~~(4) (3) IC 20-49-4-22 (advance for educational technology~~
 15 ~~program).~~

16 SECTION 118. IC 20-40-9-7, AS ADDED BY P.L.2-2006,
 17 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Money in the fund may be
 19 used for payment of all unreimbursed costs of ~~textbooks~~ **curricular**
 20 **materials** for the school corporation's students who were eligible for
 21 free or reduced lunches in the previous school year.

22 (b) The governing body may transfer the amount levied to cover
 23 unreimbursed costs of ~~textbooks~~ **curricular materials** under this
 24 section to the ~~textbook~~ **curricular materials** rental fund or
 25 extracurricular account.

26 SECTION 119. IC 20-41-1-2, AS ADDED BY P.L.2-2006,
 27 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2013]: Sec. 2. Any self-supporting programs
 29 maintained by a school corporation, including:

30 (1) school lunch; and

31 (2) rental or sale of ~~textbooks;~~ **curricular materials;**

32 may be established as separate funds, separate and apart from the
 33 general fund, if no local tax rate is established for the programs.

34 SECTION 120. IC 20-41-2-2, AS ADDED BY P.L.2-2006,
 35 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2013]: Sec. 2. Each township trustee in
 37 operating a ~~textbook~~ **curricular materials** rental program may use
 38 either of the following accounting methods:

39 (1) The township trustee may supervise and control the program
 40 through its school corporation account by establishing a ~~textbook~~
 41 **curricular materials** rental fund.

42 (2) If ~~textbooks~~ **curricular materials** have not been purchased

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1 and financial commitments or guarantees for the purchases have
 2 not been made by the school corporation, the township trustee
 3 may have the program operated by the individual schools of the
 4 school corporation through the school corporation's
 5 extracurricular account or accounts under IC 20-41-1.

6 SECTION 121. IC 20-41-2-3, AS ADDED BY P.L.2-2006,
 7 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) If a school lunch fund is
 9 established under section 1 of this chapter or a ~~textbook~~ **curricular**
 10 **materials** rental fund is established under section 2 of this chapter, the
 11 receipts and expenditures for each program shall be made to and from
 12 the proper fund without appropriation or the application of other laws
 13 relating to the budgets of local governmental units.

14 (b) If either program or both programs under sections 1 and 2 of this
 15 chapter are operated through the extracurricular account, the township
 16 trustee shall approve the amount of the bond of the treasurer of the
 17 extracurricular account in an amount the township trustee considers
 18 necessary to protect the account for all funds coming into the hands of
 19 the treasurer.

20 SECTION 122. IC 20-41-2-5, AS ADDED BY P.L.2-2006,
 21 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) A governing body in
 23 operating a ~~textbook~~ **curricular materials** rental program under
 24 IC 20-26-5-4(12) may use either of the following accounting methods:

25 (1) The governing body may supervise and control the program
 26 through the school corporation account, establishing a ~~textbook~~
 27 **curricular materials** rental fund.

28 (2) If ~~textbooks~~ **curricular materials** have not been purchased
 29 and financial commitments or guarantees for the purchases have
 30 not been made by the school corporation, the governing body may
 31 cause the program to be operated by the individual schools of the
 32 school corporation through the school corporation's
 33 extracurricular account or accounts in accordance with
 34 IC 20-41-1.

35 (b) If the governing body determines that a hardship exists due to
 36 the inability of a student's family to purchase or rent ~~textbooks~~,
 37 **curricular materials**, taking into consideration the income of the
 38 family and the demands on the family, the governing body may furnish
 39 ~~textbooks~~ **curricular materials** to the student without charge, without
 40 reference to the application of any other statute or rule except
 41 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and
 42 IC 20-48-1.



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1 SECTION 123. IC 20-41-2-6, AS ADDED BY P.L.2-2006,
 2 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) If a school lunch fund is
 4 established under section 4 of this chapter and a ~~textbook~~ **curricular**
 5 **materials** rental fund is established under section 5 of this chapter, the
 6 receipts and expenditures from a fund for the program to which the
 7 fund relates shall be made to and from the fund without appropriation
 8 or the application of other statutes and rules relating to the budgets of
 9 municipal corporations.

10 (b) If either the lunch program or ~~textbook~~ **the curricular materials**
 11 rental program is handled through the extracurricular account, the
 12 governing body of the school corporation shall approve the amount of
 13 the bond of the treasurer of the extracurricular account in an amount
 14 the governing body considers sufficient to protect the account for all
 15 funds coming into the hands of the treasurer of the account.

16 SECTION 124. IC 20-42-3-10, AS AMENDED BY P.L.3-2008,
 17 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2013]: Sec. 10. The trustee, with the advice and
 19 consent of the township board, shall use the account for the following
 20 educational purposes:

21 (1) Each year the trustee shall pay, to the parent or legal guardian
 22 of any child whose residence is within the township, the initial
 23 cost for the rental of ~~textbooks~~ **curricular materials** used in any
 24 elementary or secondary school that has been accredited by the
 25 state. The reimbursement for the rental of ~~textbooks~~ **curricular**
 26 **materials** shall be for the initial yearly rental charge only.
 27 ~~Textbooks~~ **Curricular materials** subsequently lost or destroyed
 28 may not be paid for from this account.

29 (2) Students who are residents of the township for the last two (2)
 30 years of their secondary education and who still reside within the
 31 township are entitled to receive financial assistance in an amount
 32 not to exceed an amount determined by the trustee and the
 33 township board during an annual review of postsecondary
 34 education fees and tuition costs of education at any accredited
 35 postsecondary educational institution. Amounts to be paid to each
 36 eligible student shall be set annually after this review. The
 37 amount paid each year must be:

38 (A) equitable for every eligible student without regard to race,
 39 religion, creed, sex, disability, or national origin; and

40 (B) based on the number of students and the amount of funds
 41 available each year.

42 (3) A person who has been a permanent resident of the township

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1 continuously for at least two (2) years and who needs educational
2 assistance for job training or retraining may apply to the trustee
3 of the township for financial assistance. The trustee and the
4 township board shall review each application and make assistance
5 available according to the need of each applicant and the
6 availability of funds.

7 (4) If all the available funds are not used in any one (1) year, the
8 unused funds shall be retained in the account by the trustee for
9 use in succeeding years.

10 SECTION 125. IC 20-42.5-2-1, AS ADDED BY P.L.2-2007,
11 SECTION 240, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2013]: Sec. 1. A school corporation
13 individually, in collaboration with other school corporations, and
14 through the educational services centers may undertake action to
15 reduce noninstructional expenditures and allocate the resulting savings
16 to student instruction and learning. Actions taken under this section
17 include the following:

18 (1) Pooling of resources with other school corporations for
19 liability insurance, property and casualty insurance, worker's
20 compensation insurance, employee health insurance, vision
21 insurance, dental insurance, or other insurance, whether by
22 pooling risks for coverage or for the purchase of coverage, or by
23 the creation of or participation in insurance trusts, subject to the
24 following:

25 (A) School corporations that elect to pool assets for coverage
26 must create a trust under Indiana law for the assets. The trust
27 is subject to regulation by the department of insurance as
28 follows:

29 (i) The trust must be registered with the department of
30 insurance.

31 (ii) The trust shall obtain stop loss insurance issued by an
32 insurer authorized to do business in Indiana with an
33 aggregate retention of not more than one hundred
34 twenty-five percent (125%) of the amount of expected
35 claims for the following year.

36 (iii) Contributions by the school corporations must be set at
37 one hundred percent (100%) of the aggregate retention plus
38 all other costs of the trust.

39 (iv) The trust shall maintain a fidelity bond in an amount
40 approved by the department of insurance. The fidelity bond
41 must cover each person responsible for the trust for acts of
42 fraud or dishonesty in servicing the trust.

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- 1 (v) The trust is subject to IC 27-4-1-4.5 regarding claims
2 settlement practices.
- 3 (vi) The trust shall file an annual financial statement in the
4 form required by IC 27-1-3-13 not later than March 1 of
5 each year.
- 6 (vii) The trust is not covered by the Indiana insurance
7 guaranty association created under IC 27-6-8. The liability
8 of each school corporation is joint and several.
- 9 (viii) The trust is subject to examination by the department
10 of insurance. All costs associated with an examination shall
11 be borne by the trust.
- 12 (ix) The department of insurance may deny, suspend, or
13 revoke the registration of a trust if the commissioner finds
14 that the trust is in a hazardous financial condition, the trust
15 refuses to be examined or produce records for examination,
16 or the trust has failed to pay a final judgment rendered
17 against the trust by a court within thirty (30) days.
- 18 (B) The department of insurance may adopt rules under
19 IC 4-22-2 to implement this subdivision.
- 20 (2) Electing, as an individual school corporation or as more than
21 one (1) school corporation acting jointly, to aggregate purchases
22 of natural gas commodity supply from any available natural gas
23 commodity seller for all schools included in the aggregated
24 purchases. A rate schedule that is:
- 25 (A) filed by a natural gas utility; and
- 26 (B) approved by the Indiana utility regulatory commission;
27 must include provisions that allow a school corporation or school
28 corporations acting jointly to elect to make aggregated purchases
29 of natural gas commodity supplies. Upon request from a school
30 corporation, a natural gas utility shall summarize the rates and
31 charges for providing services to each school in the school
32 corporation on one (1) summary bill for remitting payment to the
33 utility.
- 34 (3) Consolidating purchases with other school corporations or
35 units of government of the following:
- 36 (A) School buses and other vehicles and vehicle fleets.
- 37 (B) Fuel, maintenance, or other services for vehicles or vehicle
38 fleets.
- 39 (C) Food services.
- 40 (D) Facilities management services.
- 41 (E) Transportation management services.
- 42 (F) ~~Textbooks~~, **Curricular materials**, technology, and other

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1 school materials and supplies.

2 (G) Any other purchases a school corporation may require.

3 Purchases may be made by contiguous school corporations, as
4 part of regional consolidated purchasing arrangements, or from
5 consolidated sources under multistate cooperative bidding
6 arrangements.

7 SECTION 126. IC 20-42.5-3-1, AS ADDED BY P.L.2-2007,
8 SECTION 240, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2013]: Sec. 1. The state board shall explore
10 methods, including statewide purchases, to reduce the expense to
11 school corporations for the purchase of the following:

12 (1) ~~Textbooks.~~ **Curricular materials.**

13 (2) Technology.

14 (3) School buses and other vehicles.

15 (4) Other areas of expenses as determined by the state board.

16 SECTION 127. IC 20-43-9-7 IS REPEALED [EFFECTIVE JULY
17 1, 2013]. ~~Sec. 7. A school corporation shall compile class size data for
18 kindergarten through grade 3 and report the data to the department for
19 purposes of maintaining compliance with this chapter.~~

20 SECTION 128. IC 36-1-11-1, AS AMENDED BY P.L.154-2012,
21 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsection (b), this
23 chapter applies to the disposal of property by:

24 (1) political subdivisions; and

25 (2) ~~their agencies of~~ **political subdivisions.**

26 (b) This chapter does not apply to the following:

27 (1) The disposal of property under an urban homesteading
28 program under IC 36-7-17.

29 (2) The lease of school buildings under IC 20-47.

30 (3) The sale of land to a lessor in a lease-purchase contract under
31 IC 36-1-10.

32 (4) The disposal of property by a redevelopment commission
33 established under IC 36-7.

34 (5) The leasing of property by a board of aviation commissioners
35 established under IC 8-22-2 or an airport authority established
36 under IC 8-22-3.

37 (6) The disposal of a municipally owned utility under IC 8-1.5.

38 (7) The sale or lease of property by a unit to an Indiana nonprofit
39 corporation organized for educational, literary, scientific,
40 religious, or charitable purposes that is exempt from federal
41 income taxation under Section 501 of the Internal Revenue Code
42 or the sale or reletting of that property by the nonprofit

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- 1 corporation.
- 2 (8) The disposal of surplus property by a hospital established and
- 3 operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8,
- 4 IC 16-23-1, or IC 16-24-1.
- 5 (9) The sale or lease of property acquired under IC 36-7-13 for
- 6 industrial development.
- 7 (10) The sale, lease, or disposal of property by a local hospital
- 8 authority under IC 5-1-4.
- 9 (11) The sale or other disposition of property by a county or
- 10 municipality to finance housing under IC 5-20-2.
- 11 (12) The disposition of property by a soil and water conservation
- 12 district under IC 14-32.
- 13 (13) The sale, lease, or disposal of property by the health and
- 14 hospital corporation established and operated under IC 16-22-8.
- 15 (14) The disposal of personal property by a library board under
- 16 IC 36-12-3-5(c).
- 17 (15) The sale or disposal of property by the historic preservation
- 18 commission under IC 36-7-11.1.
- 19 (16) The disposal of an interest in property by a housing authority
- 20 under IC 36-7-18.
- 21 (17) The disposal of property under IC 36-9-37-26.
- 22 (18) The disposal of property used for park purposes under
- 23 IC 36-10-7-8.
- 24 (19) The disposal of ~~textbooks~~ **curricular materials** that will no
- 25 longer be used by school corporations under IC 20-26-12.
- 26 (20) The disposal of residential structures or improvements by a
- 27 municipal corporation without consideration to:
- 28 (A) a governmental entity; or
- 29 (B) a nonprofit corporation that is organized to expand the
- 30 supply or sustain the existing supply of good quality,
- 31 affordable housing for residents of Indiana having low or
- 32 moderate incomes.
- 33 (21) The disposal of historic property without consideration to a
- 34 nonprofit corporation whose charter or articles of incorporation
- 35 allows the corporation to take action for the preservation of
- 36 historic property. As used in this subdivision, "historic property"
- 37 means property that is:
- 38 (A) listed on the National Register of Historic Places; or
- 39 (B) eligible for listing on the National Register of Historic
- 40 Places, as determined by the division of historic preservation
- 41 and archeology of the department of natural resources.
- 42 (22) The disposal of real property without consideration to:

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1 (A) a governmental agency; or
 2 (B) a nonprofit corporation that exists for the primary purpose
 3 of enhancing the environment;
 4 when the property is to be used for compliance with a permit or
 5 an order issued by a federal or state regulatory agency to mitigate
 6 an adverse environmental impact.

7 (23) The disposal of property to a person under an agreement
 8 between the person and a political subdivision or an agency of a
 9 political subdivision under IC 5-23.

10 (24) The disposal of residential real property pursuant to a federal
 11 aviation regulation (14 CFR 150) Airport Noise Compatibility
 12 Planning Program as approved by the Federal Aviation
 13 Administration.

14 SECTION 129. [EFFECTIVE JANUARY 1, 2013
 15 (RETROACTIVE)] (a) **The repeal of IC 6-3.1-15-1 by this act, and
 16 IC 6-3.1-15-12 and IC 6-3.1-15-17, both as amended by this act,
 17 apply to taxable years beginning after December 31, 2012.**

18 (b) **This SECTION expires January 1, 2015.**

19 SECTION 130. [EFFECTIVE UPON PASSAGE] (a) **Before
 20 September 1, 2013, the office of management and budget
 21 established by IC 4-3-22-3 shall perform a fiscal analysis of the
 22 projected cost to the state and to school corporations of the first
 23 three (3) years of implementation of the common core standards
 24 (as defined in IC 20-19-2-14.5, as added by this act). The analysis
 25 must include:**

- 26 (1) **the costs of materials, equipment, technology, and**
- 27 **training;**
- 28 (2) **any savings that may be realized; and**
- 29 (3) **the cost of any reallocation of resources to accommodate**
- 30 **or prepare for the implementation of the common core and**
- 31 **related assessments.**

32 (b) **Not later than December 1, 2013, the office of management
 33 and budget shall report the results of the fiscal analysis performed
 34 under subsection (a) to:**

- 35 (1) **the general assembly;**
- 36 (2) **the state board of education;**
- 37 (3) **the state superintendent of public instruction; and**
- 38 (4) **the education roundtable.**

39 **The report to the general assembly must be in an electronic format
 40 under IC 5-14-6.**

41 (c) **This SECTION expires December 2, 2013.**

42 SECTION 131. [EFFECTIVE UPON PASSAGE] (a) **The**

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1 department of education established by IC 20-19-3-1 shall
2 administer ISTEP assessments under IC 20-32-5 during the
3 2013-2015 biennium.

4 (b) If the Indiana state board of education established by
5 IC 20-19-2-2 determines that an assessment system other than the
6 ISTEP assessments is appropriate to be implemented beginning
7 with the 2015-2017 biennium, the Indiana state board of education
8 shall recommend the adoption of the assessment system to the
9 general assembly not later than December 1, 2014. The
10 recommendation must be in an electronic format under IC 5-14-6.

11 (c) This SECTION expires June 30, 2015.
12 SECTION 132. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1427, 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 28, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-34 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 34. (a) Not earlier than August 1 or later than August 15 of each year, the secretary of each school corporation in Indiana shall publish an annual financial report on the school corporation's Internet web site. In addition, the school corporation shall maintain a copy of the annual report available for inspection by the public at the school corporation's administrative office.**

(b) In the annual financial report, the school corporation shall include the following:

- (1) Actual receipts and expenditures by major accounts as compared to the budget advertised under IC 6-1.1-17-3 for the prior calendar year.**
- (2) The salary schedule for all certificated employees (as defined in IC 20-29-2-4) as of June 30, with the number of employees at each salary increment. However, the listing of salaries of individual teachers is not required.**
- (3) The extracurricular salary schedule as of June 30.**
- (4) The range of rates of pay for all noncertificated employees by specific classification.**
- (5) The number of employees who are full-time certificated, part-time certificated, full-time noncertificated, and part-time noncertificated.**
- (6) The lowest, highest, and average salary for the administrative staff and the number of administrators without a listing of the names of particular administrators.**
- (7) The number of students enrolled at each grade level and the total enrollment.**
- (8) The assessed valuation of the school corporation for the prior and current calendar year.**
- (9) The tax rate for each fund for the prior and current calendar year.**
- (10) In the general fund, capital projects fund, and transportation fund, a report of the total payment made to each vendor for the specific fund exceeding two thousand five hundred dollars (\$2,500) during the prior calendar year.**

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However, a school corporation is not required to include more than two hundred (200) vendors whose total payment to each vendor exceeded two thousand five hundred dollars (\$2,500). A school corporation shall list the vendors in descending order from the vendor with the highest total payment to the vendor with the lowest total payment above the minimum listed in this subdivision.

(11) A statement providing that the contracts, vouchers, and bills for all payments made by the school corporation are in its possession and open to public inspection.

(12) The total indebtedness as of the end of the prior calendar year showing the total amount of notes, bonds, certificates, claims due, total amount due from the corporation for public improvement assessments or intersections of streets, and any other evidences of indebtedness outstanding and unpaid at the close of the prior calendar year.

(c) The school corporation may provide an interpretation or explanation of the information included in the financial report.

(d) The department of education shall do the following:

(1) Develop guidelines for the preparation and form of the financial report.

(2) Provide information to assist school corporations in the preparation of the financial report.

(e) Each school corporation shall submit to the department of education a copy of the financial report required under this section. The department of education shall make the financial reports available for public inspection."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1427 as introduced.)

BEHNING, Chair

Committee Vote: yeas 13, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1427 be amended to read as follows:

Page 30, between lines 18 and 19, begin a new paragraph and insert:
 "SECTION 1. IC 20-26-5-35 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 35. A school corporation shall annually compile class size data for kindergarten through grade 3 and report the data to the department by a date established by the department.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1427 as printed February 8, 2013.)

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 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1427, 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 8, line 28, delete "AS AMENDED BY P.L.145-2011," and insert "AS AMENDED BY SEA 85-2013, SECTION 53,".

Page 8, line 29, delete "SECTION 25,".

Page 9, delete lines 7 through 17.

Page 9, line 18, delete "(5)" and insert "(4)".

Page 9, line 35, delete "(6)" and insert "(5)".

Page 9, line 37, delete "(7)" and insert "(6)".

Page 9, line 40, delete "(8)" and insert "(7)".

Page 10, line 3, delete "(9)" and insert "(8)".

Page 10, line 6, delete "(10)" and insert "(9)".

Page 10, between lines 28 and 29, begin a new paragraph and insert:
 "SECTION 14. IC 20-19-2-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 14.5. (a) As used in this section:**

(1) "common core standards" refers to educational standards developed for kindergarten through grade 12 by the Common Core State Standards Initiative; and

(2) "cut scores" means the scores that define a student's performance on an assessment, including passing, failing, or



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falling into a performance category.

(b) Notwithstanding section 14 of this chapter and except as in the manner provided in subsection (d), after June 30, 2013, the state board may not:

(1) continue to implement as standards for the state or direct the department to implement any common core standards developed by the Common Core State Standards Initiative; and

(2) require the use of the Partnership for Assessment of Readiness for College and Careers assessment or the Smarter Balanced assessment by schools;

until the state board receives and considers the reports received under subsections (c) and (e). This section does not remove academic standards developed or implemented by the state board before July 1, 2013.

(c) The legislative council shall establish a legislative study committee to study issues relating to common core standards or other standards and the assessments described in subsection (b)(2). Not later than November 1, 2013, the legislative committee shall submit the committee's final report to the legislative council and to the state board. The legislative study committee shall operate under the policies governing study committees adopted by the legislative council.

(d) After the state board has received and considered the final report of the legislative study committee established under subsection (c) and the report of the office of management and budget concerning the costs of implementing the common core standards in Indiana under subsection (e), the state board shall implement, with respect to English and language arts and mathematics, the highest quality educational standards that ensure college and career readiness for students, as specified in Principle 1, Option B of the United States Department of Education's Elementary and Secondary Education Act Flexibility Plan announced in September, 2011.

(e) Before the state board may implement academic standards under subsection (d), the state board shall secure an opinion from the office of management and budget established by IC 4-3-22-3 concerning the implementation costs to the state and school corporations for the first three (3) years after the common core standards or other standards recommended by the state board or legislative committee are adopted.

(f) Notwithstanding subsection (b), after June 30, 2013, any

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academic standard that was in effect on June 30, 2013, may continue to be implemented, and academic standards for grade 2 may be adopted, amended, or revised.

(g) After June 30, 2013, the state, or the state board on behalf of the state, may not enter into or renew an agreement with any organization, entity, group, or consortium that requires the state to cede any measure of autonomy or control of education standards and assessments, including cut scores."

Page 11, delete lines 27 through 29.

Page 11, line 35, reset in roman "is the administrative and operational unit that serves a".

Page 11, line 36, reset in roman "definitive geographical".

Page 11, line 36, delete "boundary;" and insert "boundary, **which, to the extent possible, must be aligned with the boundary of a regional works council's region established under IC 20-19-6;**".

Page 11, line 36, delete "may be voluntarily".

Page 11, delete line 37.

Page 11, line 38, delete "their common needs;".

Page 12, delete lines 13 through 42.

Page 13, delete lines 1 through 41.

Page 25, line 34, after "with" insert "**IC 20-28-9-1.5**".

Page 25, strike line 35.

Page 25, line 38, strike "IC 20-28-9-1." and insert "**IC 20-28-9-1.5**".

Page 29, line 16, after "employees" insert "**(as defined in IC 20-29-2-11)**".

Page 30, line 10, delete "of education".

Page 30, line 15, delete "of".

Page 30, line 16, delete "education".

Page 30, line 17, delete "of education".

Page 43, between lines 2 and 3, begin a new paragraph and insert:
"SECTION 100. IC 20-28-7.5-1, AS ADDED BY P.L.90-2011, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: Sec. 1. (a) This chapter applies to a teacher in a school corporation (as defined in IC 20-18-2-16(a)).

(b) A principal may decline to continue a probationary teacher's contract under sections 2 through 4 of this chapter if the probationary teacher:

- (1) receives an ineffective designation on a performance evaluation under IC 20-28-11.5;
- (2) receives two (2) consecutive improvement necessary ratings on a performance evaluation under IC 20-28-11.5; or
- (3) is subject to a justifiable decrease in the number of teaching



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positions or any reason relevant to the school corporation's interest.

(c) Except as provided in subsection (e), a principal may not decline to continue a professional or established teacher's contract unless the teacher is subject to a justifiable decrease in the number of teaching positions.

(d) After June 30, 2012, the cancellation of teacher's contracts due to a justifiable decrease in the number of teaching positions shall be determined on the basis of performance rather than seniority. In cases where teachers are placed in the same performance category, any of the items in ~~IC 20-28-9-1(b)~~ **IC 20-28-9-1.5(b)** may be considered.

(e) A contract with a teacher may be canceled immediately in the manner set forth in sections 2 through 4 of this chapter for any of the following reasons:

- (1) Immorality.
- (2) Insubordination, which means a willful refusal to obey the state school laws or reasonable rules adopted for the governance of the school building or the school corporation.
- (3) Justifiable decrease in the number of teaching positions.
- (4) Incompetence, including receiving:
 - (A) an ineffective designation on two (2) consecutive performance evaluations under IC 20-28-11.5; or
 - (B) an ineffective designation or improvement necessary rating in three (3) years of any five (5) year period.
- (5) Neglect of duty.
- (6) A conviction for an offense listed in IC 20-28-5-8(c).
- (7) Other good or just cause.

SECTION 101. IC 20-28-7.5-6, AS ADDED BY P.L.90-2011, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: Sec. 6. A contract entered into by a teacher and a school employer continues in force on the same terms and for the same wages, unless increased under ~~IC 20-28-9-1~~, **IC 20-28-9-1.5**, for the next school term following the date of the contract's termination unless one (1) of the following occurs:

- (1) The school corporation refuses continuation of the contract under this chapter.
- (2) The teacher delivers in person or by registered or certified mail to the school corporation the teacher's written resignation.
- (3) The contract is replaced by another contract agreed to by the parties.

SECTION 102. IC 20-28-9-1 IS REPEALED [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]. Sec. 1. ~~(a) This subsection takes effect~~

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July 1, 2012; or upon the expiration of a contract in existence on July 1, 2011, whichever is earlier; and governs salary increases for a teacher employed by a school corporation on or after the date this subsection takes effect. Compensation attributable to additional degrees or graduate credits earned before the effective date of the local salary schedule created under this chapter shall continue. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue.

(b) Increases or increments in a local salary scale must be based upon a combination of the following factors:

(1) A combination of the following factors taken together may account for not more than thirty-three percent (33%) of the calculation used to determine a teacher's increase or increment:

(A) The number of years of a teacher's experience;

(B) The attainment of either:

(i) additional content area degrees beyond the requirements for employment; or

(ii) additional content area degrees and credit hours beyond the requirements for employment; if required under an agreement bargained under IC 20-29.

(2) The results of an evaluation conducted under IC 20-28-11.5.

(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.

(4) The academic needs of students in the school corporation.

(c) A teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(d) A teacher who does not receive a raise or increment under subsection (c) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(e) Not later than January 31, 2012, the department shall publish a model salary schedule that a school corporation may adopt.

(f) Each school corporation shall submit its local salary schedule to the department. The department shall publish the local salary schedules



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on the department's Internet web site.

(g) The department shall report any noncompliance of this section to the state board.

(h) The state board shall take appropriate action to ensure compliance with this section.

(i) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2012, if that decrease would be made solely to conform to the new salary scale.

SECTION 103. IC 20-28-9-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: **Sec. 1.5. (a) This subsection applies to a contract in effect July 1, 2012, or upon the expiration of a contract in existence on July 1, 2011, whichever is earlier, and governs salary increases for a teacher employed by a school corporation on or after the date this subsection takes effect. Compensation attributable to additional degrees or graduate credits earned before the effective date of the local salary schedule created under this chapter shall continue. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue.**

(b) Increases or increments in a local salary scale must be based upon a combination of the following factors:

(1) A combination of the following factors taken together may account for not more than thirty-three percent (33%) of the calculation used to determine a teacher's increase or increment:

(A) The number of years of a teacher's experience.

(B) The attainment of either:

(i) additional content area degrees beyond the requirements for employment; or

(ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.

(2) The results of an evaluation conducted under IC 20-28-11.5.

(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.

(4) The academic needs of students in the school corporation.

(c) A teacher rated ineffective or improvement necessary under

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IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(d) A teacher who does not receive a raise or increment under subsection (c) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(e) Not later than January 31, 2012, the department shall publish a model salary schedule that a school corporation may adopt.

(f) Each school corporation shall submit its local salary schedule to the department. The department shall publish the local salary schedules on the department's Internet web site.

(g) The department shall report any noncompliance with this section to the state board.

(h) The state board shall take appropriate action to ensure compliance with this section.

(i) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2012, if that decrease would be made solely to conform to the new salary scale.

(j) After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.

SECTION 104. IC 20-29-6-4, AS AMENDED BY P.L.48-2011, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: Sec. 4. (a) A school employer shall bargain collectively with the exclusive representative on the following:

- (1) Salary.
- (2) Wages.
- (3) Salary and wage related fringe benefits, including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off as permitted to be bargained under IC 20-28-9-11.

(b) Salary and wages include the amounts of pay increases available to employees under the salary scale adopted under ~~IC 20-28-9-1~~, IC 20-28-9-1.5, but do not include the teacher evaluation procedures

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and criteria, or any components of the teacher evaluation plan, rubric, or tool."

Page 46, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 112. IC 20-31-3-3, AS AMENDED BY P.L.73-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a)** The department shall revise and update academic standards:

(1) for each grade level from kindergarten through grade 12; and
(2) in each subject area listed in section 2 of this chapter;
at least once every six (6) years, **beginning in 2013**. This revision must occur on a cyclical basis.

(b) A revision under this chapter must comply with IC 20-19-2-14.5.

SECTION 113. IC 20-31-3-4, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. The state superintendent shall appoint an academic standards committee composed of subject area teachers **and parents** during the period when a subject area is undergoing revision."

Page 47, between lines 9 and 10, begin a new paragraph and insert:
"SECTION 115. IC 20-31-8-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. **(a) 511 IAC 6.2-6 is void on the effective date of the emergency or final rules adopted under this section, whichever is earlier. The publisher of the Indiana Administrative Code and Indiana Register shall remove this rule from the Indiana Administrative Code.**

(b) The state board shall adopt rules to establish new categories or designations of school improvement under the requirements of this chapter to replace 511 IAC 6.2-6. The new standards of assessing school improvement must use an A through F designation of school performance as follows:

(1) A letter score (A through F) must represent absolute individual student academic achievement in each school, aggregated at the school level.

(2) A second letter score (A through F) must represent individual student academic growth. As used in this subdivision, "academic growth" refers to the change in individual student achievement from one (1) state assessment to the next, aggregated at the school level.

(c) Upon adoption of rules to establish new categories or designations of school improvement, the state board shall report to the general assembly the proposed new categories or designations

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in an electronic format under IC 5-14-6.

(d) The state board shall adopt rules under IC 4-22-2 to implement this chapter.

(e) The state board may adopt emergency rules in the manner provided in IC 4-22-2-37.1 to implement this chapter. This subsection expires on the earlier of:

(1) the date the state board adopts rules under subsection (d);

or

(2) May 15, 2014.

This subsection does not abrogate the state board's responsibility to begin the rulemaking process under IC 4-22-2-19 not later than sixty (60) days after the effective date of this section.

SECTION 116. IC 20-31-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 12. School Recognition Programs

Sec. 1. As used in this chapter, "recognition program" refers to a system by which a school is recognized for the school's performance, including programs established by statute, rule, or department policy.

Sec. 2. The department may not establish criteria for a nonpublic school to be eligible for a recognition program that are different from the criteria established for a public school of the same grade levels.

SECTION 117. IC 20-32-5-9, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) As used in this section, "ISTEP program test" includes any statewide assessment that a student is required to complete.

(a) (b) 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~~ all questions that are not multiple choice or true and false and prompts used in assessing the student.

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

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

A student's parent may request a rescoring of a student's responses to

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a **an ISTEP program** test, including a student's essay.

~~(b)~~ **(c)** A student's ISTEP program **test** scores may not be disclosed to the public."

Page 47, between lines 26 and 27, begin a new paragraph and insert:
"SECTION 120. IC 20-32-5-21, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 21. (a) The state board may require schools to participate in national or international assessments.

(b) The state board may establish an assessment to be administered at the conclusion of each Core 40 course in English/language arts, mathematics, social studies, and science. However, participation in a Core 40 assessment established under this subsection must be voluntary on the part of a school corporation.

(c) The state board may establish a diagnostic reading assessment for use in grades 1 and 2 to promote grade level reading competency by grade 3. However, participation in a reading assessment established under this subsection must be voluntary on the part of a school corporation.

(d) The state board may establish assessments to supplement ISTEP assessments for secondary school students."

Page 47, between lines 28 and 29, begin a new paragraph and insert:
"SECTION 128. IC 20-32-8.5-2, AS AMENDED BY P.L.160-2012, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b), ~~or~~ ~~(c)~~; the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) An emphasis on a method for making determinant evaluations by grade 3 that might require remedial action for the student **with an emphasis on a growth measure at each grade level. The evaluations must be based on two (2) or more assessments made throughout the school year. The plan must require that the student's achievement and growth be taken into account when determining the appropriate remedial action, which may include including retention as a last resort, after other methods of remediation have been evaluated or used, or both;** if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.

(3) An emphasis on a home and school reading initiative with appropriate consultation with parents to accelerate the reading improvement of a student.

~~(3)~~ **(4)** The fiscal impact of each component of the plan, if any. In determining whether a component has a fiscal impact,

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consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.

(b) For a charter school, as defined in IC 20-24-1-4, a plan may include only the following:

(1) A method for making determinant evaluations of reading skills by grade 3.

(2) Retention as a last resort for students reading below grade level as measured by the evaluation or assessment.

(c) (b) This subsection applies to a public school, that is not including a charter school. A school corporation may receive a waiver of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative reading plan provided by the school corporation."

Page 58, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 138. [EFFECTIVE UPON PASSAGE] (a) Before September 1, 2013, the office of management and budget established by IC 4-3-22-3 shall perform a fiscal analysis of the projected cost to the state and to school corporations of the first three (3) years of implementation of the common core standards (as defined in IC 20-19-2-14.5, as added by this act). The analysis must include:

(1) the costs of materials, equipment, technology, and training;

(2) any savings that may be realized; and

(3) the cost of any reallocation of resources to accommodate or prepare for the implementation of the common core and related assessments.

(b) Not later than December 1, 2013, the office of management and budget shall report the results of the fiscal analysis performed under subsection (a) to:

(1) the general assembly;

(2) the state board of education;

(3) the state superintendent of public instruction; and

(4) the education roundtable.

The report to the general assembly must be in an electronic format under IC 5-14-6.

(c) This SECTION expires December 2, 2013.

SECTION 139. [EFFECTIVE UPON PASSAGE] (a) The department of education established by IC 20-19-3-1 shall administer ISTEP assessments under IC 20-32-5 during the 2013-2015 biennium.

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(b) If the Indiana state board of education established by IC 20-19-2-2 determines that an assessment system other than the ISTEP assessments is appropriate to be implemented beginning with the 2015-2017 biennium, the Indiana state board of education shall recommend the adoption of the assessment system to the general assembly not later than December 1, 2014. The recommendation must be in an electronic format under IC 5-14-6.

(c) This SECTION expires June 30, 2015."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1427 as reprinted February 12, 2013.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 4.

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