



February 8, 2013

# HOUSE BILL No. 1427

DIGEST OF HB 1427 (Updated February 5, 2013 1:37 pm - DI 116)

**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. Amends the definition of "educational service center". Repeals provisions relating to the establishment and administration of educational service centers by the Indiana state board of education (state board) and provides instead that the state board shall adopt rules regarding administration of educational service centers. 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)  
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**Effective:** January 1, 2013 (retroactive); July 1, 2013.

## Rhoads, Behning

January 22, 2013, read first time and referred to Committee on Education.  
February 7, 2013, amended, reported — Do Pass.

HB 1427—LS 7307/DI 116+



Digest Continued

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. 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. Repeals the innovative testing methods pilot program. Makes conforming changes. Makes technical corrections.

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February 8, 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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## 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~~

HB 1427—LS 7307/DI 116+



- 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 P.L.145-2011,  
29 SECTION 25, 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) This subdivision expires December 31, 2011. The  
 8 establishment and maintenance of minimum standards for driver  
 9 education programs (including classroom instruction and practice  
 10 driving) and equipment. Classroom instruction standards  
 11 established under this subdivision must include instruction about:

12 (A) railroad-highway grade crossing safety; and

13 (B) the procedure for participation in the human organ donor  
 14 program;

15 and must provide, effective July 1, 2010, that the classroom  
 16 instruction may not be provided to a child less than fifteen (15)  
 17 years and one hundred eighty (180) days of age.

18 (5) The inspection of all public schools in Indiana to determine  
 19 the condition of the schools. The state board shall establish  
 20 standards governing the accreditation of public schools.

21 Observance of:

22 (A) IC 20-31-4;

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

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

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

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

28 is a prerequisite to the accreditation of a school. Local public  
 29 school officials shall make the reports required of them and  
 30 otherwise cooperate with the state board regarding required  
 31 inspections. Nonpublic schools may also request the inspection  
 32 for classification purposes. Compliance with the building and site  
 33 guidelines adopted by the state board is not a prerequisite of  
 34 accreditation.

35 (6) The distribution of funds and revenues appropriated for the  
 36 support of schools in the state.

37 (7) The state board may not establish an accreditation system for  
 38 nonpublic schools that is less stringent than the accreditation  
 39 system for public schools.

40 (8) A separate system for recognizing nonpublic schools under  
 41 IC 20-19-2-10. Recognition of nonpublic schools under this  
 42 subdivision constitutes the system of regulatory standards that

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1 apply to nonpublic schools that seek to qualify for the system of  
2 recognition.

3 (9) The establishment and enforcement of standards and  
4 guidelines concerning the safety of students participating in  
5 cheerleading activities.

6 (10) Subject to IC 20-28-2, the preparation and licensing of  
7 teachers.

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

11 SECTION 13. IC 20-19-2-14, AS AMENDED BY P.L.172-2011,  
12 SECTION 120, IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2013]: Sec. 14. The state board shall do the  
14 following:

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

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

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

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

24 (5) Make recommendations to the governor and general assembly  
25 concerning the educational needs of the state, including financial  
26 needs.

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

29 SECTION 14. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,  
30 2013]. Sec. 6: (a) The department shall:

31 (1) establish a program in health and physical education to  
32 encourage children in kindergarten through grade 12 to develop:

33 (A) healthful living habits;

34 (B) an interest in lifetime health and physical fitness; and

35 (C) decision making skills in the areas of health and physical  
36 fitness;

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

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

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

42 (1) plan and develop curricula for health and physical education

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- 1 for grades kindergarten through 12; and
- 2 (2) perform other duties designated by the department.
- 3 (c) The program in health and physical education must include the
- 4 following:
- 5 (1) Local school program development.
- 6 (2) Technical and inservice training assistance for local schools.
- 7 (3) Local school initiatives in writing curricula in the areas of
- 8 health and physical education.
- 9 (4) Cardiopulmonary resuscitation training using a training
- 10 program approved by the American Heart Association or an
- 11 equivalent nationally recognized training program.

12 (d) The department may give grants to or enter into contracts with

13 individuals or school corporations to carry out the purposes of the

14 program in health and physical education.

15 SECTION 15. IC 20-19-4-10, AS ADDED BY P.L.1-2005,

16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

17 JULY 1, 2013]: Sec. 10. The roundtable shall review and recommend

18 to the state board for the state board's approval the following:

- 19 (1) The academic standards under IC 20-31-3, IC 20-32-4, **and**
- 20 IC 20-32-5 **and** ~~IC 20-32-6~~ for all grade levels from kindergarten
- 21 through grade 12.
- 22 (2) The content and format of the ISTEP program, including the
- 23 following:
- 24 (A) The graduation examination.
- 25 (B) The passing scores required at the various grade levels
- 26 tested under the ISTEP program.

27 SECTION 16. IC 20-20-1-1 IS REPEALED [EFFECTIVE JULY 1,

28 2013]. ~~Sec. 1. As used in this chapter, "board" refers to the local~~

29 ~~governing board of an educational service center.~~

30 SECTION 17. IC 20-20-1-2, AS AMENDED BY P.L.234-2007,

31 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

32 JULY 1, 2013]: Sec. 2. (a) As used in this chapter, "educational service

33 center" means an extended agency of school corporations that:

- 34 (1) operates under rules established by the state board;
- 35 (2) ~~is the administrative and operational unit that serves a~~
- 36 ~~definitive geographical boundary; may be voluntarily~~
- 37 ~~established and administered by school corporations to serve~~
- 38 ~~their common needs; and~~
- 39 (3) allows school corporations to voluntarily cooperate and share
- 40 programs and services that the school corporations cannot
- 41 individually provide but collectively may implement.

42 (b) Programs and services collectively implemented through an

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1 educational service center may include, but are not limited to, the  
2 following:

- 3 (1) Curriculum development.
- 4 (2) Pupil personnel and special education services.
- 5 (3) In-service education.
- 6 (4) State-federal liaison services.
- 7 (5) Instructional materials and multimedia services.
- 8 (6) Career and technical education.
- 9 (7) Purchasing and financial management.
- 10 (8) Needs assessment.
- 11 (9) Computer use.
- 12 (10) Research and development.

13 SECTION 18. IC 20-20-1-3 IS REPEALED [EFFECTIVE JULY 1,  
14 2013]. Sec. 3: The state board may provide for the establishment of and  
15 procedures for the operation of educational service centers:

16 SECTION 19. IC 20-20-1-4 IS REPEALED [EFFECTIVE JULY 1,  
17 2013]. Sec. 4: (a) The state board shall do the following:

- 18 (1) Adopt a comprehensive plan to implement this chapter.
- 19 (2) Determine the areas in Indiana that will be served by an  
20 educational service center.
- 21 (b) In determining the geographic area to be served by an  
22 educational service center, the state board shall consider the following:
- 23 (1) Physical factors:
- 24 (2) Socio-economic factors:
- 25 (3) Educational factors:
- 26 (4) Existing cooperative efforts and agreements:

27 SECTION 20. IC 20-20-1-5 IS REPEALED [EFFECTIVE JULY 1,  
28 2013]. Sec. 5: An educational service center must be established under  
29 rules adopted by the state board to develop, provide, and make  
30 available to participating schools those services requested by the  
31 participating school corporations and approved by the state board:

32 SECTION 21. IC 20-20-1-6 IS REPEALED [EFFECTIVE JULY 1,  
33 2013]. Sec. 6: Educational service centers shall be located throughout  
34 Indiana to allow each school corporation to have an opportunity to:

- 35 (1) be served by; and
  - 36 (2) participate in;
- 37 an approved center on a voluntary basis by resolution of the governing  
38 body:

39 SECTION 22. IC 20-20-1-7 IS REPEALED [EFFECTIVE JULY 1,  
40 2013]. Sec. 7: An educational service center shall be governed in its  
41 local administration by a board selected by an assembly comprised of  
42 the superintendent or the superintendent's designee from each

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1 participating school corporation:

2 SECTION 23. IC 20-20-1-8 IS REPEALED [EFFECTIVE JULY 1,  
3 2013]. Sec. 8: (a) The state board shall adopt uniform rules to provide  
4 for the local selection, appointment, and continuity of membership for  
5 boards:

6 (b) Vacancies on a board shall be filled by appointment by the  
7 remaining members of the board:

8 (c) Members of a board serve without compensation:

9 SECTION 24. IC 20-20-1-9 IS REPEALED [EFFECTIVE JULY 1,  
10 2013]. Sec. 9: A board may employ the following:

11 (1) An executive director for the educational service center:

12 (2) Other personnel the board considers necessary to:

13 (A) carry out the functions of the educational service center;  
14 and

15 (B) do and perform all things the board considers proper for  
16 successful operation of the center:

17 SECTION 25. IC 20-20-1-10 IS REPEALED [EFFECTIVE JULY  
18 1, 2013]. Sec. 10: (a) The state board shall provide for the selection of  
19 an advisory council to each board. The state board shall provide for the  
20 representation of:

21 (1) teachers;

22 (2) elementary principals;

23 (3) secondary principals;

24 (4) members of the governing body; and

25 (5) parents of students;

26 of the school corporations that are within the geographic area served by  
27 the educational service center:

28 (b) The advisory council shall make recommendations to the board  
29 on budgetary and program matters:

30 SECTION 26. IC 20-20-1-11 IS REPEALED [EFFECTIVE JULY  
31 1, 2013]. Sec. 11: (a) Any funds, including donated funds and funds  
32 from federal or other local sources, shall be used to pay for the costs of  
33 establishing or operating an educational service center:

34 (b) An educational service center may administer programs and  
35 funds from any of the sources described in subsection (a). All activities  
36 funded from federal sources must follow all applicable federal  
37 guidelines, rules, and regulations:

38 SECTION 27. IC 20-20-1-13 IS ADDED TO THE INDIANA  
39 CODE AS A NEW SECTION TO READ AS FOLLOWS  
40 [EFFECTIVE JULY 1, 2013]: **Sec. 13. The state board shall adopt  
41 rules under IC 4-22-2 to administer this chapter.**

42 SECTION 28. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,

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1 2013]. (Principal Leadership Academy).

2 SECTION 29. IC 20-20-4-1 IS REPEALED [EFFECTIVE JULY 1,  
3 2013]. Sec. 1: The following are the goals of the ambassador for  
4 education program:

- 5 (1) Enhance the stature of teachers and the teaching profession:  
6 (2) Inspire and attract talented young people to become teachers:  
7 (3) Promote the teaching profession within community and  
8 business groups:  
9 (4) Support the activities of the Future Teachers of America  
10 clubs:  
11 (5) Represent Indiana teachers at business, education, and teacher  
12 leadership conferences and meetings:  
13 (6) Reward the teacher of the year for the teacher's outstanding  
14 contributions to the teaching profession:  
15 (7) Reward the teacher of the year for the teacher's contributions  
16 to the teacher's classroom and school:

17 SECTION 30. IC 20-20-4-2 IS REPEALED [EFFECTIVE JULY 1,  
18 2013]. Sec. 2: As used in this chapter, "ambassador" refers to the  
19 ambassador for education established by section 4 of this chapter:

20 SECTION 31. IC 20-20-4-3 IS REPEALED [EFFECTIVE JULY 1,  
21 2013]. Sec. 3: As used in this chapter, "school" means a school  
22 corporation or an accredited nonpublic school.

23 SECTION 32. IC 20-20-4-4 IS REPEALED [EFFECTIVE JULY 1,  
24 2013]. Sec. 4: The position of ambassador for education is established  
25 to act as an education liaison to Indiana schools:

26 SECTION 33. IC 20-20-4-5 IS REPEALED [EFFECTIVE JULY 1,  
27 2013]. Sec. 5: A teacher in a school who:

- 28 (1) is selected by the state superintendent as teacher of the year;  
29 and  
30 (2) agrees to be ambassador;

31 is ambassador for a one (1) year term beginning July 1 after selection  
32 as teacher of the year and ending the following June 30:

33 SECTION 34. IC 20-20-4-5.5 IS ADDED TO THE INDIANA  
34 CODE AS A NEW SECTION TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2013]: **Sec. 5.5. A teacher of the year may be**  
36 **invited to serve one (1) year of professional leave with:**

- 37 (1) an Indiana postsecondary educational institution; or  
38 (2) the department.

39 SECTION 35. IC 20-20-4-6, AS ADDED BY P.L.1-2005,  
40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2013]: Sec. 6. (a) The school where an **ambassador a teacher**  
42 **of the year** is regularly employed shall do the following:

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- 1 (1) Grant the **ambassador teacher** a one (1) year professional
- 2 leave to ~~serve as ambassador during the ambassador's term.~~
- 3 **provide service as described in section 5.5 of this chapter.**
- 4 (2) Allow the **ambassador teacher** to return to the school from the
- 5 professional leave:
- 6 (A) to the same or a comparable position as the **ambassador**
- 7 **teacher** held before the professional leave; and
- 8 (B) without loss of accrued benefits or seniority.
- 9 (3) Continue to provide the **ambassador teacher** all benefits of
- 10 employment with the school other than salary.
- 11 (b) The department shall reimburse a school for the cost of benefits
- 12 provided by the school to ~~an ambassador a teacher~~ under subsection
- 13 (a)(3).

14 SECTION 36. IC 20-20-4-6.5 IS ADDED TO THE INDIANA  
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2013]: **Sec. 6.5. If a teacher of the year**  
 17 **provides service for the department or an Indiana postsecondary**  
 18 **educational institution under this chapter, the department or the**  
 19 **Indiana postsecondary educational institution shall pay the**  
 20 **teacher's salary for the term of the service and shall reimburse the**  
 21 **teacher's regular employer for the teacher's benefits during the**  
 22 **term of service.**

23 SECTION 37. IC 20-20-4-7 IS REPEALED [EFFECTIVE JULY 1,  
 24 2013]. ~~Sec. 7. An ambassador may elect to serve the one (1) year~~  
 25 ~~professional leave at:~~

- 26 (1) ~~an Indiana postsecondary educational institution; or~~
- 27 (2) ~~the department.~~

28 SECTION 38. IC 20-20-4-8 IS REPEALED [EFFECTIVE JULY 1,  
 29 2013]. ~~Sec. 8. If an ambassador elects to serve a one (1) year~~  
 30 ~~professional leave with the department, the following apply:~~

- 31 (1) ~~The state coordinator of the ambassador for education~~
- 32 ~~program, as designated by the state superintendent, shall establish~~
- 33 ~~the ambassador's duties.~~
- 34 (2) ~~The ambassador is entitled to receive from the department the~~
- 35 ~~following:~~
- 36 (A) ~~A salary in place of compensation from the school where~~
- 37 ~~the ambassador is regularly employed that equals the salary~~
- 38 ~~that the ambassador, if not serving as ambassador, would~~
- 39 ~~receive during the school year of the ambassador's term from~~
- 40 ~~the school where the ambassador is regularly employed.~~
- 41 (B) ~~Actual expenses of the ambassador incurred as a result of~~
- 42 ~~the performance of duties under this chapter.~~

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1 SECTION 39. IC 20-20-4-9 IS REPEALED [EFFECTIVE JULY 1,  
2 2013]. Sec. 9: If an ambassador elects to serve a one (1) year  
3 professional leave with an Indiana postsecondary educational  
4 institution, the following apply:

5 (1) The dean of the institution's school of education or the  
6 equivalent officer shall establish the ambassador's duties.

7 (2) The ambassador is entitled to receive from the institution the  
8 amount of compensation that the institution offers the  
9 ambassador.

10 (3) The ambassador is entitled to receive from the department  
11 compensation in an amount that when added to the amount  
12 provided under subdivision (2) equals the salary that the  
13 ambassador, if not serving as ambassador, would receive during  
14 the school year of the ambassador's term from the school where  
15 the ambassador is regularly employed.

16 SECTION 40. IC 20-20-4-10 IS REPEALED [EFFECTIVE JULY  
17 1, 2013]. Sec. 10: The ambassador's duties must match the relative  
18 skills and education background of the ambassador and reflect the  
19 goals of the ambassador for education program. However, duties may  
20 include the following:

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

23 (2) Accompanying the state superintendent in the exercise of the  
24 state superintendent's duties throughout Indiana.

25 SECTION 41. IC 20-20-5.5-1 IS REPEALED [EFFECTIVE JULY  
26 1, 2013]. Sec. 1: As used in this chapter, "curricular materials" means:

27 (1) textbooks; and

28 (2) material used to supplement or replace textbooks, including:

29 (A) books and other printed material;

30 (B) computer software; and

31 (C) digital content.

32 SECTION 42. IC 20-20-5.5-2, AS AMENDED BY P.L.6-2012,  
33 SECTION 124, IS AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) The department shall evaluate  
35 curricular materials. The evaluation must include an evaluation of:

36 (1) the curricular materials' alignment to the academic standards  
37 adopted **developed** by the state board **department** under  
38 ~~IC 20-31-3-1~~; **IC 20-31-3-2**; and

39 (2) the appropriateness of the reading level of the curricular  
40 materials.

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



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1            ~~(b)~~ **(c)** The department shall publish a report that describes the  
 2 method used to conduct the evaluation required under subsection (a)  
 3 and that contains the results of the evaluation. The report must **do the**  
 4 **following:**

5            (1) Provide a list of each curricular material evaluated and a  
 6 summary of the evaluation for each curricular material.

7            ~~(2) be updated annually; and~~

8            ~~(3)~~ **(2)** Provide a listing and summary review for the curricular  
 9 materials that are aligned to the academic standards ~~adopted~~  
 10 **developed** by the ~~state board department~~ under ~~IC 20-31-3-1~~  
 11 **IC 20-31-3-2** for the following subjects for each grade level:

12            (A) English/language arts, including spelling, literature, and  
 13 handwriting.

14            (B) Reading.

15            (C) Mathematics.

16            (D) Science.

17            (E) Social studies.

18            ~~(F) Miscellaneous.~~ **Other subject areas as determined by**  
 19 **the department.**

20            ~~(G) World languages.~~

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

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

26            ~~(d)~~ **(e)** For a publisher's curricular materials to be included in the  
 27 report under subsection ~~(b)~~ **(c)**, the publisher must provide the  
 28 department a written, exact, and standard statewide price for each  
 29 curricular material.

30            ~~(e)~~ **(f)** A publisher may request that an update to the publisher's  
 31 curricular materials and corresponding prices replace the information  
 32 on the curricular materials set forth in the report under subsection ~~(b)~~  
 33 **(c).**

34            SECTION 43. IC 20-20-5.5-3, AS ADDED BY P.L.229-2011,  
 35 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The state superintendent shall  
 37 notify the governing bodies of each school corporation, charter school,  
 38 and accredited nonpublic school immediately of:

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

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- 1 (2) updates of the following types of information in the report
- 2 described in section ~~2(b)~~ **2(c)** of this chapter:
- 3 (A) The addition of materials.
- 4 (B) The removal of materials.
- 5 (C) Changes in the per unit price of curricular materials that
- 6 exceed five percent (5%).
- 7 (b) A notification under this section must state that:
- 8 (1) the reviews of curricular materials included in the report
- 9 described in section ~~2(b)~~ **2(c)** of this chapter are departmental
- 10 reviews only; and
- 11 (2) each governing body has authority to adopt ~~textbooks~~
- 12 **curricular materials** for a school corporation.
- 13 SECTION 44. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,
- 14 2013]. (School Grant Writing and Fund Raising Assistance Program).
- 15 SECTION 45. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,
- 16 2013]. (Technology Preparation Task Force).
- 17 SECTION 46. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,
- 18 2013]. (Research and Development Program).
- 19 SECTION 47. IC 20-20-17-6, AS ADDED BY P.L.1-2005,
- 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2013]: Sec. 6. The department may award grants to school
- 22 corporations:
- 23 (1) upon review of the applications received under section 5 of
- 24 this chapter;
- 25 ~~(2) upon receipt of the recommendations from the advisory~~
- 26 ~~committee under section 10 of this chapter;~~
- 27 ~~(3) (2) subject to available money; and~~
- 28 ~~(4) (3) in accordance with the following priorities:~~
- 29 (A) To the extent possible, to achieve geographic balance
- 30 throughout Indiana and to include urban, suburban, and rural
- 31 school corporations.
- 32 (B) To address a documented need for new or expanded school
- 33 intervention or career counseling programs, including
- 34 considering the percentage of students within the school
- 35 corporation who are designated as at risk students.
- 36 (C) To promote innovative methods for initiating or expanding
- 37 school intervention or career counseling programs.
- 38 (D) To reward school corporations that propose school
- 39 intervention or career counseling programs that demonstrate
- 40 the greatest potential for replication and implementation in
- 41 Indiana.
- 42 (E) To lower school counselor/student ratios where the ratios

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1 are excessively high.  
2 SECTION 48. IC 20-20-17-10 IS REPEALED [EFFECTIVE JULY  
3 1, 2013]. Sec. 10: (a) An advisory committee composed of five (5)  
4 members is established:  
5 (b) The state superintendent shall appoint the members of the  
6 advisory committee:  
7 (c) The state superintendent shall:  
8 (1) convene the advisory committee; and  
9 (2) act as chair of the advisory committee.  
10 The state superintendent may not be a member of the advisory  
11 committee:  
12 (d) An employee of:  
13 (1) the governor; or  
14 (2) the department of education;  
15 is eligible for appointment to the advisory committee:  
16 (e) A member of the advisory committee serves at the pleasure of  
17 the appointing authority.  
18 (f) A member of the advisory committee is not entitled to the  
19 following:  
20 (1) The minimum salary per diem provided in IC 4-10-11-2.1(b);  
21 (2) Reimbursement for traveling expenses and other expenses  
22 actually incurred in connection with the member's duties.  
23 (g) The advisory committee shall do the following:  
24 (1) Assist the department in developing the guidelines described  
25 in section 9 of this chapter.  
26 (2) Establish standards for qualifying for a grant under this  
27 chapter.  
28 (3) Review grant applications and make recommendations to the  
29 state superintendent concerning the awarding of grants.  
30 (4) Evaluate the impact and results of the various school  
31 intervention and career counseling programs receiving grants  
32 under this chapter.  
33 SECTION 49. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,  
34 2013]. (Teacher Quality and Professional Improvement Program).  
35 SECTION 50. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,  
36 2013]. (Projects for Innovative Education).  
37 SECTION 51. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,  
38 2013]. (Committee on Educational Attitudes, Motivation, and Parental  
39 Involvement).  
40 SECTION 52. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,  
41 2013]. (Readiness Testing).  
42 SECTION 53. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,

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1 2013]. (Student Services Programs).  
 2 SECTION 54. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,  
 3 2013]. (Twenty-First Century Schools Pilot Program).  
 4 SECTION 55. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,  
 5 2013]. (Anti-Gang Counseling Pilot Program and Fund).  
 6 SECTION 56. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY  
 7 1, 2013]. Sec. 6: A school committee shall submit the school's program  
 8 to the state superintendent for the superintendent's review. The state  
 9 superintendent:  
 10 (1) shall review the plan to ensure that the program aligns with  
 11 the school corporation's objectives, goals, and expectations;  
 12 (2) may make written recommendations of modifications to the  
 13 program to ensure alignment; and  
 14 (3) shall return the program and any recommendations to the  
 15 school committee.  
 16 SECTION 57. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY  
 17 1, 2013]. Sec. 7: A school committee may modify the program to  
 18 comply with recommendations made by the state superintendent under  
 19 section 6 of this chapter.  
 20 SECTION 58. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY  
 21 1, 2013]. Sec. 8: A school committee shall submit the program as part  
 22 of its plan to the governing body. The governing body shall:  
 23 (1) approve or reject the program as part of the plan; and  
 24 (2) submit the program to the state board as part of the plan for  
 25 the school.  
 26 SECTION 59. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY  
 27 1, 2013]. Sec. 9: The state board may approve a school's program only  
 28 if the program meets the board's core principles for professional  
 29 development and the following additional criteria:  
 30 (1) To ensure high quality professional development, the  
 31 program:  
 32 (A) is school based and collaboratively designed; and  
 33 encourages participants to work collaboratively;  
 34 (B) has a primary focus on state and local academic standards;  
 35 including a focus on Core 40 subject areas;  
 36 (C) enables teachers to improve expertise in subject  
 37 knowledge and teaching strategies; uses of technologies; and  
 38 other essential elements in teaching to high standards;  
 39 (D) furthers the alignment of standards; curriculum; and  
 40 assessments; and  
 41 (E) includes measurement activities to ensure the transfer of  
 42 new knowledge and skills to classroom instruction.

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

25 SECTION 60. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY  
 26 1, 2013]. Sec. 10: The state board shall approve an evaluation system  
 27 for professional development based on recommendations from the  
 28 department. The department shall develop a means for measuring  
 29 successful programs and activities in which schools participate. The  
 30 measurements must include the following:

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

41 SECTION 61. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY  
 42 1, 2013]. Sec. 11: A school qualifies for a grant from the department

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

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

8 a school's program.

9 SECTION 62. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY  
 10 1, 2013]. Sec. 12: A school must use a grant received under this chapter  
 11 to implement all or part of the school's program by funding activities  
 12 that may include the following:

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

20 SECTION 63. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY  
 21 1, 2013]. Sec. 13: A school may contract with private or public sector  
 22 providers to provide professional development activities under this  
 23 chapter.

24 SECTION 64. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY  
 25 1, 2013]. Sec. 14: A grant received under this chapter:

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

30 SECTION 65. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY  
 31 1, 2013]. Sec. 15: A school shall report to the department concerning  
 32 the use of grants received under this chapter. A school that fails to  
 33 make a report under this chapter is not eligible for a subsequent grant.

34 SECTION 66. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,  
 35 2013]. (Technology Apprenticeship Grant Program).

36 SECTION 67. IC 20-23-2-3, AS ADDED BY P.L.1-2005,  
 37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2013]: Sec. 3. (a) A county superintendent may be impeached  
 39 for immorality, incompetency, or general neglect of duty, or for acting  
 40 as agent for the sale of any ~~textbook~~, **curricular materials**, school  
 41 furniture, maps, charts, or other school supplies.

42 (b) Impeachment proceedings are governed by the provisions of law

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for impeaching county officers.  
SECTION 68. IC 20-26-5-4, AS AMENDED BY P.L.145-2012, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law. However, a governing body may not use funds received from the state to bring or join in an action against the state, unless the governing body is challenging an adverse decision by a state agency, board, or commission.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's previous year's ADM, to promote the best interests of the school corporation through:

- (A) the purchase of meals, decorations, memorabilia, or awards;
- (B) provision for expenses incurred in interviewing job applicants; or
- (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

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1 under conditional sales or purchase money contracts providing  
 2 for a retention of a security interest by the seller until payment  
 3 is made or by notes where the contract, security retention, or  
 4 note is permitted by applicable law), by exchange, by gift, by  
 5 devise, by eminent domain, by lease with or without option to  
 6 purchase, or by lease under IC 20-47-2, IC 20-47-3, or  
 7 IC 20-47-5.

8 (B) Repair, remodel, remove, or demolish, or to contract for  
 9 the repair, remodeling, removal, or demolition of the real  
 10 estate, real estate improvements, or interest in the real estate  
 11 or real estate improvements, as the governing body considers  
 12 necessary for school purposes.

13 (C) Provide for conservation measures through utility  
 14 efficiency programs or under a guaranteed savings contract as  
 15 described in IC 36-1-12.5.

16 (5) To acquire personal property or an interest in personal  
 17 property as the governing body considers necessary for school  
 18 purposes, including buses, motor vehicles, equipment, apparatus,  
 19 appliances, books, furniture, and supplies, either by cash purchase  
 20 or under conditional sales or purchase money contracts providing  
 21 for a security interest by the seller until payment is made or by  
 22 notes where the contract, security, retention, or note is permitted  
 23 by applicable law, by gift, by devise, by loan, or by lease with or  
 24 without option to purchase and to repair, remodel, remove,  
 25 relocate, and demolish the personal property. All purchases and  
 26 contracts specified under the powers authorized under subdivision  
 27 (4) and this subdivision are subject solely to applicable law  
 28 relating to purchases and contracting by municipal corporations  
 29 in general and to the supervisory control of state agencies as  
 30 provided in section 6 of this chapter.

31 (6) To sell or exchange real or personal property or interest in real  
 32 or personal property that, in the opinion of the governing body, is  
 33 not necessary for school purposes, in accordance with IC 20-26-7,  
 34 to demolish or otherwise dispose of the property if, in the opinion  
 35 of the governing body, the property is not necessary for school  
 36 purposes and is worthless, and to pay the expenses for the  
 37 demolition or disposition.

38 (7) To lease any school property for a rental that the governing  
 39 body considers reasonable or to permit the free use of school  
 40 property for:

41 (A) civic or public purposes; or  
 42 (B) the operation of a school age child care program for

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1 children who are at least five (5) years of age and less than  
 2 fifteen (15) years of age that operates before or after the school  
 3 day, or both, and during periods when school is not in session;  
 4 if the property is not needed for school purposes. Under this  
 5 subdivision, the governing body may enter into a long term lease  
 6 with a nonprofit corporation, community service organization, or  
 7 other governmental entity, if the corporation, organization, or  
 8 other governmental entity will use the property to be leased for  
 9 civic or public purposes or for a school age child care program.  
 10 However, if payment for the property subject to a long term lease  
 11 is made from money in the school corporation's debt service fund,  
 12 all proceeds from the long term lease must be deposited in the  
 13 school corporation's debt service fund so long as payment for the  
 14 property has not been made. The governing body may, at the  
 15 governing body's option, use the procedure specified in  
 16 IC 36-1-11-10 in leasing property under this subdivision.

17 (8) To:

18 (A) Employ, contract for, and discharge superintendents,  
 19 supervisors, principals, teachers, librarians, athletic coaches  
 20 (whether or not they are otherwise employed by the school  
 21 corporation and whether or not they are licensed under  
 22 IC 20-28-5), business managers, superintendents of buildings  
 23 and grounds, janitors, engineers, architects, physicians,  
 24 dentists, nurses, accountants, teacher aides performing  
 25 noninstructional duties, educational and other professional  
 26 consultants, data processing and computer service for school  
 27 purposes, including the making of schedules, the keeping and  
 28 analyzing of grades and other student data, the keeping and  
 29 preparing of warrants, payroll, and similar data where  
 30 approved by the state board of accounts as provided below,  
 31 and other personnel or services as the governing body  
 32 considers necessary for school purposes.

33 (B) Fix and pay the salaries and compensation of persons and  
 34 services described in this subdivision that are consistent with  
 35 IC 20-28-9-1.

36 (C) Classify persons or services described in this subdivision  
 37 and to adopt schedules of salaries or compensation that are  
 38 consistent with IC 20-28-9-1.

39 (D) Determine the number of the persons or the amount of the  
 40 services employed or contracted for as provided in this  
 41 subdivision.

42 (E) Determine the nature and extent of the duties of the

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1 persons described in this subdivision.  
 2 The compensation, terms of employment, and discharge of  
 3 teachers are, however, subject to and governed by the laws  
 4 relating to employment, contracting, compensation, and discharge  
 5 of teachers. The compensation, terms of employment, and  
 6 discharge of bus drivers are subject to and governed by laws  
 7 relating to employment, contracting, compensation, and discharge  
 8 of bus drivers. The forms and procedures relating to the use of  
 9 computer and data processing equipment in handling the financial  
 10 affairs of the school corporation must be submitted to the state  
 11 board of accounts for approval so that the services are used by the  
 12 school corporation when the governing body determines that it is  
 13 in the best interest of the school corporation while at the same  
 14 time providing reasonable accountability for the funds expended.  
 15 (9) Notwithstanding the appropriation limitation in subdivision  
 16 (3), when the governing body by resolution considers a trip by an  
 17 employee of the school corporation or by a member of the  
 18 governing body to be in the interest of the school corporation,  
 19 including attending meetings, conferences, or examining  
 20 equipment, buildings, and installation in other areas, to permit the  
 21 employee to be absent in connection with the trip without any loss  
 22 in pay and to reimburse the employee or the member the  
 23 employee's or member's reasonable lodging and meal expenses  
 24 and necessary transportation expenses. To pay teaching personnel  
 25 for time spent in sponsoring and working with school related trips  
 26 or activities.  
 27 (10) Subject to IC 20-27-13, to transport children to and from  
 28 school, when in the opinion of the governing body the  
 29 transportation is necessary, including considerations for the safety  
 30 of the children and without regard to the distance the children live  
 31 from the school. The transportation must be otherwise in  
 32 accordance with applicable law.  
 33 (11) To provide a lunch program for a part or all of the students  
 34 attending the schools of the school corporation, including the  
 35 establishment of kitchens, kitchen facilities, kitchen equipment,  
 36 lunch rooms, the hiring of the necessary personnel to operate the  
 37 lunch program, and the purchase of material and supplies for the  
 38 lunch program, charging students for the operational costs of the  
 39 lunch program, fixing the price per meal or per food item. To  
 40 operate the lunch program as an extracurricular activity, subject  
 41 to the supervision of the governing body. To participate in a  
 42 surplus commodity or lunch aid program.

COPY



- 1 (12) To purchase ~~textbooks~~, **curricular materials**, to furnish
- 2 ~~textbooks~~ **curricular materials** without cost or to rent ~~textbooks~~
- 3 **curricular materials** to students, to participate in a ~~textbook~~
- 4 **curricular materials** aid program, all in accordance with
- 5 applicable law.
- 6 (13) To accept students transferred from other school corporations
- 7 and to transfer students to other school corporations in accordance
- 8 with applicable law.
- 9 (14) To make budgets, to appropriate funds, and to disburse the
- 10 money of the school corporation in accordance with applicable
- 11 law. To borrow money against current tax collections and
- 12 otherwise to borrow money, in accordance with IC 20-48-1.
- 13 (15) To purchase insurance or to establish and maintain a
- 14 program of self-insurance relating to the liability of the school
- 15 corporation or the school corporation's employees in connection
- 16 with motor vehicles or property and for additional coverage to the
- 17 extent permitted and in accordance with IC 34-13-3-20. To
- 18 purchase additional insurance or to establish and maintain a
- 19 program of self-insurance protecting the school corporation and
- 20 members of the governing body, employees, contractors, or agents
- 21 of the school corporation from liability, risk, accident, or loss
- 22 related to school property, school contract, school or school
- 23 related activity, including the purchase of insurance or the
- 24 establishment and maintenance of a self-insurance program
- 25 protecting persons described in this subdivision against false
- 26 imprisonment, false arrest, libel, or slander for acts committed in
- 27 the course of the persons' employment, protecting the school
- 28 corporation for fire and extended coverage and other casualty
- 29 risks to the extent of replacement cost, loss of use, and other
- 30 insurable risks relating to property owned, leased, or held by the
- 31 school corporation. In accordance with IC 20-26-17, to:
- 32 (A) participate in a state employee health plan under
- 33 IC 5-10-8-6.6 or IC 5-10-8-6.7;
- 34 (B) purchase insurance; or
- 35 (C) establish and maintain a program of self-insurance;
- 36 to benefit school corporation employees, including accident,
- 37 sickness, health, or dental coverage, provided that a plan of
- 38 self-insurance must include an aggregate stop-loss provision.
- 39 (16) To make all applications, to enter into all contracts, and to
- 40 sign all documents necessary for the receipt of aid, money, or
- 41 property from the state, the federal government, or from any other
- 42 source.

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1 (17) To defend a member of the governing body or any employee  
2 of the school corporation in any suit arising out of the  
3 performance of the member's or employee's duties for or  
4 employment with, the school corporation, if the governing body  
5 by resolution determined that the action was taken in good faith.  
6 To save any member or employee harmless from any liability,  
7 cost, or damage in connection with the performance, including the  
8 payment of legal fees, except where the liability, cost, or damage  
9 is predicated on or arises out of the bad faith of the member or  
10 employee, or is a claim or judgment based on the member's or  
11 employee's malfeasance in office or employment.  
12 (18) To prepare, make, enforce, amend, or repeal rules,  
13 regulations, and procedures:  
14 (A) for the government and management of the schools,  
15 property, facilities, and activities of the school corporation, the  
16 school corporation's agents, employees, and pupils and for the  
17 operation of the governing body; and  
18 (B) that may be designated by an appropriate title such as  
19 "policy handbook", "bylaws", or "rules and regulations".  
20 (19) To ratify and approve any action taken by a member of the  
21 governing body, an officer of the governing body, or an employee  
22 of the school corporation after the action is taken, if the action  
23 could have been approved in advance, and in connection with the  
24 action to pay the expense or compensation permitted under  
25 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and  
26 IC 20-48-1 or any other law.  
27 (20) To exercise any other power and make any expenditure in  
28 carrying out the governing body's general powers and purposes  
29 provided in this chapter or in carrying out the powers delineated  
30 in this section which is reasonable from a business or educational  
31 standpoint in carrying out school purposes of the school  
32 corporation, including the acquisition of property or the  
33 employment or contracting for services, even though the power or  
34 expenditure is not specifically set out in this chapter. The specific  
35 powers set out in this section do not limit the general grant of  
36 powers provided in this chapter except where a limitation is set  
37 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,  
38 and IC 20-48-1 by specific language or by reference to other law.  
39 SECTION 69. IC 20-26-5-34 IS ADDED TO THE INDIANA  
40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
41 [EFFECTIVE JULY 1, 2013]: **Sec. 34. (a) Not earlier than August 1**  
42 **or later than August 15 of each year, the secretary of each school**

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1 corporation in Indiana shall publish an annual financial report on  
 2 the school corporation's Internet web site. In addition, the school  
 3 corporation shall maintain a copy of the annual report available  
 4 for inspection by the public at the school corporation's  
 5 administrative office.

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

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

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

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

16 (4) The range of rates of pay for all noncertificated employees  
 17 by specific classification.

18 (5) The number of employees who are full-time certificated,  
 19 part-time certificated, full-time noncertificated, and part-time  
 20 noncertificated.

21 (6) The lowest, highest, and average salary for the  
 22 administrative staff and the number of administrators  
 23 without a listing of the names of particular administrators.

24 (7) The number of students enrolled at each grade level and  
 25 the total enrollment.

26 (8) The assessed valuation of the school corporation for the  
 27 prior and current calendar year.

28 (9) The tax rate for each fund for the prior and current  
 29 calendar year.

30 (10) In the general fund, capital projects fund, and  
 31 transportation fund, a report of the total payment made to  
 32 each vendor for the specific fund exceeding two thousand five  
 33 hundred dollars (\$2,500) during the prior calendar year.  
 34 However, a school corporation is not required to include more  
 35 than two hundred (200) vendors whose total payment to each  
 36 vendor exceeded two thousand five hundred dollars (\$2,500).  
 37 A school corporation shall list the vendors in descending  
 38 order from the vendor with the highest total payment to the  
 39 vendor with the lowest total payment above the minimum  
 40 listed in this subdivision.

41 (11) A statement providing that the contracts, vouchers, and  
 42 bills for all payments made by the school corporation are in

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- 1           **its possession and open to public inspection.**
- 2           **(12) The total indebtedness as of the end of the prior calendar**
- 3           **year showing the total amount of notes, bonds, certificates,**
- 4           **claims due, total amount due from the corporation for public**
- 5           **improvement assessments or intersections of streets, and any**
- 6           **other evidences of indebtedness outstanding and unpaid at the**
- 7           **close of the prior calendar year.**
- 8           **(c) The school corporation may provide an interpretation or**
- 9           **explanation of the information included in the financial report.**
- 10          **(d) The department of education shall do the following:**
- 11           **(1) Develop guidelines for the preparation and form of the**
- 12           **financial report.**
- 13           **(2) Provide information to assist school corporations in the**
- 14           **preparation of the financial report.**
- 15          **(e) Each school corporation shall submit to the department of**
- 16          **education a copy of the financial report required under this**
- 17          **section. The department of education shall make the financial**
- 18          **reports available for public inspection.**
- 19          SECTION 70. IC 20-26-11-22, AS ADDED BY P.L.1-2005,
- 20          SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21          JULY 1, 2013]: Sec. 22. (a) The transferee corporation is entitled to
- 22          receive from the transferor corporation transfer tuition for each
- 23          transferred student for each school year calculated in two (2) parts:
- 24                  (1) operating cost; and
- 25                  (2) capital cost.
- 26          These costs must be allocated on a per student basis separately for each
- 27          class of school.
- 28          (b) The operating cost for each class of school must be based on the
- 29          total expenditures of the transferee corporation for the class from its
- 30          general fund expenditures as set out on the classified budget forms
- 31          prescribed by the state board of accounts, excluding from the
- 32          calculation capital outlay, debt service, costs of transportation, salaries
- 33          of board members, contracted service for legal expenses and any
- 34          expenditure that is made out of the general fund from extracurricular
- 35          account receipts, for the school year.
- 36          (c) The capital cost for each class of school must consist of the
- 37          lesser of the following alternatives:
- 38                  (1) The capital cost must be based on an amount equal to five
- 39                  percent (5%) of the cost of transferee corporation's physical plant,
- 40                  equipment, and all items connected to the physical plant or
- 41                  equipment, including:
- 42                          (A) buildings, additions, and remodeling to the buildings,

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- 1                   excluding ordinary maintenance; and  
 2                   (B) on-site and off-site improvements such as walks, sewers,  
 3                   waterlines, drives, and playgrounds;  
 4                   that have been paid or are obligated to be paid in the future out of  
 5                   the general fund, capital projects fund, or debt service fund,  
 6                   including principal and interest, lease rental payments, and funds  
 7                   that were legal predecessors to these funds. If an item of the  
 8                   physical plant, equipment, appurtenances, or part of the item is  
 9                   more than twenty (20) years old at the beginning of the school  
 10                  year, the capital cost of the item shall be disregarded in making  
 11                  the capital cost computation.  
 12                  (2) The capital cost must be based on the amount budgeted from  
 13                  the general fund for capital outlay for physical plant, equipment,  
 14                  and appurtenances and the amounts levied for the debt service  
 15                  fund and the capital projects fund for the calendar year in which  
 16                  the school year ends.  
 17                  (d) If an item of expense or cost cannot be allocated to a class of  
 18                  school, the item shall be prorated to all classes of schools on the basis  
 19                  of the ADM of each class in the transferee corporation compared to the  
 20                  total ADM therein.  
 21                  (e) The transfer tuition for each student transferred for each school  
 22                  year shall be calculated by dividing the transferee school corporation's  
 23                  total operating costs and the total capital costs for the class of school  
 24                  in which the student is enrolled by the ADM of students therein. If a  
 25                  transferred student is enrolled in a transferee corporation for less than  
 26                  the full school year, the transfer tuition shall be calculated by the  
 27                  proportion of such school year for which the transferred student is  
 28                  enrolled. A school year for this purpose consists of the number of days  
 29                  school is in session for student attendance. A student shall be enrolled  
 30                  in a transferee school, whether or not the student is in attendance,  
 31                  unless the:  
 32                          (1) student's residence is outside the area of students transferred  
 33                          to the transferee corporation;  
 34                          (2) student has been excluded or expelled from school; or  
 35                          (3) student has been confirmed as a school dropout.  
 36                  The transferor and transferee corporations may enter into written  
 37                  agreements concerning the amount of transfer tuition. If an agreement  
 38                  cannot be reached, the amount shall be determined by the state  
 39                  superintendent, with costs to be established, where in dispute, by the  
 40                  state board of accounts.  
 41                  (f) The transferor corporation shall pay the transferee corporation,  
 42                  when billed, the amount of ~~book~~ **curricular material** rental due from

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1 transferred students who are unable to pay the ~~book~~ **curricular**  
 2 **material** rental amount. The transferor corporation is entitled to collect  
 3 the amount of the ~~book~~ **curricular material** rental from the  
 4 appropriate township trustee, from its own funds, or from any other  
 5 source, in the amounts and manner provided by law.

6 SECTION 71. IC 20-26-12-1, AS AMENDED BY P.L.73-2011,  
 7 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsections (b) and  
 9 (c) and notwithstanding any other law, each governing body shall  
 10 purchase from a publisher, either individually or through a purchasing  
 11 cooperative of school corporations, the ~~textbooks~~ **curricular materials**  
 12 selected by the proper local officials, and shall rent ~~these textbooks~~ **the**  
 13 **curricular materials** to each student enrolled in a public school that  
 14 is:

- 15 (1) in compliance with the minimum certification standards of the  
 16 state board; and  
 17 (2) located within the attendance unit served by the governing  
 18 body.

19 (b) This section does not prohibit the purchase of ~~textbooks~~  
 20 **curricular materials** at the option of a student or the providing of free  
 21 ~~textbooks~~ **curricular materials** by the governing body under sections  
 22 6 through 21 of this chapter.

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

26 SECTION 72. IC 20-26-12-2, AS AMENDED BY P.L.73-2011,  
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2013]: Sec. 2. (a) A governing body may purchase from a  
 29 publisher any ~~textbook~~ **curricular material** selected by the proper  
 30 local officials. The governing body may rent ~~these textbooks~~ **the**  
 31 **curricular materials** to students enrolled in any public or nonpublic  
 32 school that is:

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

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

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

- 42 (1) extended for usage by students under section 24(e) of this

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1 chapter; and  
 2 (2) paid for through rental fees previously collected.  
 3 (c) This section does not limit other laws.  
 4 SECTION 73. IC 20-26-12-3, AS ADDED BY P.L.1-2005,  
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2013]: Sec. 3. (a) Upon a written determination by the  
 7 governing body of a school corporation that a ~~textbook~~ **curricular**  
 8 **materials is are** no longer scheduled for use in the school corporation,  
 9 the governing body may sell, exchange, transfer, or otherwise convey  
 10 the ~~textbook~~ **curricular materials**. However, before a governing body  
 11 may mutilate or otherwise destroy a ~~textbook~~, **the curricular**  
 12 **materials**, the governing body must first comply with the following  
 13 provisions:  
 14 (1) Subsection (b).  
 15 (2) Subsection (c).  
 16 (3) Section 4 of this chapter.  
 17 (4) Section 5 of this chapter.  
 18 (b) Before a governing body may mutilate or otherwise destroy a  
 19 ~~textbook~~, **curricular materials**, the governing body shall provide at no  
 20 cost and subject to availability one (1) copy of ~~each textbook~~ **any**  
 21 **curricular material** that is no longer scheduled for use in the school  
 22 corporation to:  
 23 (1) the parent of each student who is enrolled in the school  
 24 corporation and who wishes to receive a copy of the ~~textbook~~;  
 25 **curricular material**; and  
 26 (2) if any ~~textbooks~~ **curricular materials** remain after  
 27 distribution under subdivision (1), to any resident of the school  
 28 corporation who wishes to receive a copy of the ~~textbook~~;  
 29 **curricular material**.  
 30 (c) If a governing body does not sell, exchange, transfer, or  
 31 otherwise convey unused ~~textbooks~~ **curricular materials** under  
 32 subsection (a) or (b), each public elementary and secondary school in  
 33 the governing body's school corporation shall provide storage for at  
 34 least three (3) months for the ~~textbooks~~ **curricular materials** in the  
 35 school corporation. A school corporation may sell or otherwise convey  
 36 the ~~textbooks~~ **curricular materials** to another school corporation at  
 37 any time during the period of storage.  
 38 SECTION 74. IC 20-26-12-4, AS ADDED BY P.L.1-2005,  
 39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2013]: Sec. 4. (a) A school corporation shall compile a list of  
 41 ~~textbooks~~ **curricular materials** in storage under section 3 of this  
 42 chapter. The list must include the names of the publishers and the

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1 number of volumes being stored. The list must be mailed to the  
 2 department. The department shall maintain a master list of all  
 3 ~~textbooks~~ **curricular materials** being stored by school corporations.

4 (b) Upon request, the state superintendent shall mail to a nonprofit  
 5 corporation or institution located in Indiana a list of ~~textbooks~~  
 6 **curricular materials** available for access. A nonprofit corporation or  
 7 institution may acquire the ~~textbooks~~ **curricular materials** from the  
 8 appropriate school corporation by paying only the cost of shipping and  
 9 mailing.

10 SECTION 75. IC 20-26-12-5, AS ADDED BY P.L.1-2005,  
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2013]: Sec. 5. ~~Textbooks~~ **Curricular materials** stored for at  
 13 least three (3) months under section 3 of this chapter may not be  
 14 mutilated or destroyed and must be maintained and stored according to  
 15 regulations prescribed by local and state health authorities. ~~Textbooks~~  
 16 **Curricular materials** that have not been requested after at least three  
 17 (3) months may be mutilated, destroyed, or otherwise disposed of by  
 18 the school corporation.

19 SECTION 76. IC 20-26-12-6, AS AMENDED BY P.L.73-2011,  
 20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2013]: Sec. 6. (a) Sections 7 through 21 of this chapter apply  
 22 to school libraries that contain free ~~textbooks~~ **curricular materials**.  
 23 The ~~textbooks~~ **curricular materials** must be selected by the proper  
 24 local officials.

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

29 SECTION 77. IC 20-26-12-7, AS ADDED BY P.L.1-2005,  
 30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2013]: Sec. 7. (a) If a petition requesting the establishment of  
 32 an elementary school library is filed with a governing body, the  
 33 governing body shall provide a library containing ~~textbooks~~ **curricular**  
 34 **materials** in sufficient numbers to meet the needs of every resident  
 35 student in each of the eight (8) grades of each elementary school. The  
 36 petition must be signed by at least fifty-one percent (51%) of the  
 37 registered voters of the governing body's school corporation.

38 (b) This subsection applies to a governing body that has established  
 39 an elementary school library under subsection (a). If a petition  
 40 requesting establishment of a high school library is filed with the  
 41 governing body, the governing body shall provide a library containing  
 42 ~~textbooks~~ **curricular materials** in sufficient numbers to meet the

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1 needs of every resident student in each of the four (4) grades of each  
 2 high school. The petition must be signed by at least twenty percent  
 3 (20%) of the voters of the school corporation as determined by the total  
 4 vote cast at the last general election for the trustee of the township,  
 5 clerk of the town, or mayor of the city.

6 SECTION 78. IC 20-26-12-8, AS ADDED BY P.L.1-2005,  
 7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2013]: Sec. 8. A petition for an elementary or a high school  
 9 library under section 7 of this chapter must be in substantially the  
 10 following form:

11 To the governing body of the school corporation of \_\_\_\_\_  
 12 We, the undersigned voters of the school corporation of \_\_\_\_\_  
 13 respectfully petition the governing body of the school corporation of  
 14 \_\_\_\_\_ to establish an elementary school (or high school, as  
 15 appropriate) library and to lend its school ~~textbooks~~ **curricular**  
 16 **materials** free of charge to the resident students of the school  
 17 corporation of \_\_\_\_\_, under IC 20-26-12.

18 NAME ADDRESS DATE  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_  
 21 STATE OF INDIANA )  
 22 ) SS:  
 23 \_\_\_\_\_ COUNTY )

24 \_\_\_\_\_ being duly sworn, deposes and says that he or she is  
 25 the circulator of this petition paper and that the appended signatures  
 26 were made in his or her presence and are the genuine signatures of the  
 27 persons whose names they purport to be.  
 28 Signed \_\_\_\_\_ Subscribed and sworn to before me this \_\_\_\_\_  
 29 day of \_\_\_\_\_, 20 \_\_. \_\_\_\_\_ Notary Public

30 SECTION 79. IC 20-26-12-13, AS ADDED BY P.L.1-2005,  
 31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2013]: Sec. 13. If a sufficient petition is filed under section 11  
 33 of this chapter, a governing body shall note on the records of the  
 34 governing body's school corporation that by filing the petition the  
 35 school corporation must maintain:

- 36 (1) an elementary school library containing ~~textbooks~~ **curricular**
- 37 **materials** in sufficient numbers to meet the needs of every
- 38 resident student in each of the first eight (8) grades of each
- 39 elementary school located within the school corporation; or
- 40 (2) a high school library containing ~~textbooks~~ **curricular**
- 41 **materials** in sufficient numbers to meet the needs of every
- 42 resident student in each of the four (4) grades of each high school

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1 located within the school corporation;  
 2 as applicable.

3 SECTION 80. IC 20-26-12-14, AS ADDED BY P.L.1-2005,  
 4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2013]: Sec. 14. (a) This subsection applies to a school  
 6 corporation described in section 13(1) of this chapter. The governing  
 7 body shall make the first appropriation from the school corporation's  
 8 general fund in August following the petition's filing. Not later than the  
 9 school term following the first appropriation, the library must be  
 10 established and ~~textbooks~~ **curricular materials** must be loaned to  
 11 resident students enrolled in the first five (5) grades of the elementary  
 12 school. Not later than the second school term following the first  
 13 appropriation, ~~textbooks~~ **curricular materials** must be procured and  
 14 loaned to resident students enrolled in the eight (8) grades of the  
 15 elementary school.

16 (b) This subsection applies to a school corporation described in  
 17 section 13(2) of this chapter. The governing body shall make the first  
 18 appropriation from the school corporation's general fund in September  
 19 following the petition's filing. Not later than the second school term  
 20 following the first appropriation, the library must be established and  
 21 ~~textbooks~~ **curricular materials** of the library must be loaned to  
 22 resident students enrolled in grade nine of the high school. During each  
 23 following school term, ~~textbooks~~ **curricular materials** must be  
 24 procured and loaned to resident students for an additional high school  
 25 grade, in addition to the earlier high school grades.

26 SECTION 81. IC 20-26-12-15, AS AMENDED BY P.L.73-2011,  
 27 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2013]: Sec. 15. (a) A governing body shall purchase the  
 29 necessary ~~textbooks~~ **curricular materials** from publishers. The  
 30 publisher shall ship the ~~textbooks~~ **curricular materials** to the  
 31 governing body not more than ninety (90) days after the requisition. On  
 32 receipt of the ~~textbooks~~, **curricular materials**, the governing body's  
 33 school corporation has custody of the ~~textbooks~~. **curricular materials**.  
 34 The governing body shall provide a receipt to the contracting publisher  
 35 and reimburse the contracting publisher the amount owed by the school  
 36 corporation from the school corporation's general fund.

37 (b) A governing body shall purchase ~~textbooks~~. **curricular**  
 38 **materials**:

- 39 (1) from a resident student who presents the ~~textbooks~~ **curricular**  
 40 **materials** for sale on or before the beginning of the school term  
 41 in which the ~~books~~ **curricular materials** are to be used;  
 42 (2) with money from the school corporation's general fund; and

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1 (3) at a price based on the original price to the school corporation  
 2 minus a reasonable reduction for damage from usage.

3 SECTION 82. IC 20-26-12-16, AS ADDED BY P.L.1-2005,  
 4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2013]: Sec. 16. Upon receipt of the ~~textbooks~~, **curricular**  
 6 **materials**, a governing body shall loan the ~~textbooks~~ **curricular**  
 7 **materials** at no charge to each resident student. Library ~~textbooks~~  
 8 **curricular materials** are available to each resident student under this  
 9 chapter and under regulations prescribed by the superintendent and  
 10 governing body of the school corporation.

11 SECTION 83. IC 20-26-12-17, AS ADDED BY P.L.1-2005,  
 12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2013]: Sec. 17. (a) If a student transfers to a school  
 14 corporation other than the one in which the student resides under  
 15 IC 20-26-11, the governing body of the school corporation to which the  
 16 student transfers shall purchase a sufficient supply of ~~books~~ **curricular**  
 17 **materials** for the transferred student.

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

22 SECTION 84. IC 20-26-12-18, AS ADDED BY P.L.1-2005,  
 23 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2013]: Sec. 18. A governing body may provide a sufficient  
 25 ~~number amount~~ of ~~textbooks~~ **curricular materials** for sale to resident  
 26 students at the price stipulated in the contracts under which the  
 27 ~~textbooks~~ **curricular materials** are supplied to the governing body's  
 28 school corporation. Proceeds from sales under this section must be paid  
 29 into the school corporation's general fund.

30 SECTION 85. IC 20-26-12-19, AS ADDED BY P.L.1-2005,  
 31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2013]: Sec. 19. A governing body shall provide sufficient  
 33 library facilities for the ~~textbooks~~ **curricular materials** to best  
 34 accommodate the resident students.

35 SECTION 86. IC 20-26-12-20, AS ADDED BY P.L.1-2005,  
 36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2013]: Sec. 20. A governing body shall prescribe reasonable  
 38 rules and regulations for the care, custody, and return of library  
 39 ~~textbooks~~. **curricular materials**. A resident student using library  
 40 ~~textbooks~~ **curricular materials** is responsible for the loss, mutilation,  
 41 or defacement of the library ~~textbooks~~, **curricular materials**, other  
 42 than reasonable wear.

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1 SECTION 87. IC 20-26-12-21, AS ADDED BY P.L.1-2005,  
 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2013]: Sec. 21. A governing body shall provide for the  
 4 fumigation or destruction of library ~~textbooks~~ **curricular materials** at  
 5 the times and under regulations prescribed by local and state health  
 6 authorities. Before a governing body may mutilate or otherwise destroy  
 7 ~~a textbook,~~ **curricular materials**, the governing body shall provide at  
 8 no cost and subject to availability one (1) copy of ~~each textbook~~ **any**  
 9 **curricular material** that is no longer scheduled for use in the school  
 10 corporation to:

- 11 (1) the parent of each child who is enrolled in the school
- 12 corporation and who wishes to receive a copy of the ~~textbook;~~
- 13 **curricular material;** and
- 14 (2) if any ~~textbooks~~ **curricular materials** remain after
- 15 distribution under subdivision (1), to any resident of the school
- 16 corporation who wishes to receive a copy of the ~~textbook;~~
- 17 **curricular material.**

18 SECTION 88. IC 20-26-12-22, AS ADDED BY P.L.1-2005,  
 19 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2013]: Sec. 22. If a school corporation purchases ~~textbooks~~  
 21 **curricular materials** on a time basis:

- 22 (1) the schedule for payments shall coincide with student
- 23 payments to the school corporation for ~~textbook~~ **curricular**
- 24 **material** rental; and
- 25 (2) the schedule must not require the school corporation to
- 26 assume a greater burden than payment of twenty-five percent
- 27 (25%) within thirty (30) days after the beginning of the school
- 28 year immediately following delivery by the contracting publisher
- 29 with the school corporation's promissory note evidencing the
- 30 unpaid balance.

31 SECTION 89. IC 20-26-12-23, AS AMENDED BY P.L.73-2011,  
 32 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2013]: Sec. 23. (a) A school corporation may:

- 34 (1) borrow money to buy ~~textbooks;~~ **curricular materials;** and
- 35 (2) issue notes, maturing serially in not more than six (6) years
- 36 and payable from its general fund, to secure the loan.

37 However, when an adoption is made by the proper local officials for  
 38 less than six (6) years, the period for which the notes may be issued is  
 39 limited to the period for which that adoption is effective.

40 (b) Notwithstanding subsection (a), a school township may not  
 41 borrow money to purchase ~~textbooks~~ **curricular materials** unless a  
 42 petition requesting such an action and bearing the signatures of

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1 twenty-five percent (25%) of the resident taxpayers of the school  
 2 township has been presented to and approved by the township trustee  
 3 and township board.

4 SECTION 90. IC 20-26-12-24, AS AMENDED BY P.L.229-2011,  
 5 SECTION 174, IS AMENDED TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2013]: Sec. 24. (a) The superintendent shall  
 7 establish procedures for ~~textbook~~ adoption **of curricular materials**.

8 (b) The governing body, upon receiving these recommendations  
 9 from the superintendent, shall adopt a ~~textbook~~ **curricular materials**  
 10 for use in teaching each subject in the school corporation.

11 (c) A special committee of teachers and parents may also be  
 12 appointed to review books, magazines, and audiovisual material used  
 13 or proposed for use in the classroom to supplement state adopted  
 14 ~~textbooks~~ **curricular materials** and may make recommendations to the  
 15 superintendent and the governing body concerning the use of ~~this~~  
 16 ~~material:~~ **these materials**.

17 (d) ~~A textbook~~ **Curricular materials** selected shall be used for the  
 18 lesser of:

19 (1) six (6) years; or

20 (2) the effective period of the academic standards adopted by the  
 21 state board to which ~~that textbook~~ **is the curricular materials**  
 22 **are** aligned.

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

25 (f) The governing body may, if the governing body considers it  
 26 appropriate, retain a ~~textbook~~ **curricular materials** adopted under this  
 27 section and authorize the purchase of supplemental materials to ensure  
 28 continued alignment with academic standards adopted by the state  
 29 board.

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

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

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



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1 (1) large type;  
 2 (2) Braille; and  
 3 (3) audio format.

4 SECTION 91. IC 20-26-12-25 IS REPEALED [EFFECTIVE JULY  
 5 1, 2013]. ~~Sec. 25. After a local superintendent has selected textbooks~~  
 6 ~~under this chapter, and not later than July 1, when new contracts~~  
 7 ~~become effective, the superintendent shall forward to the state board a~~  
 8 ~~list of those selections for all subjects and grades.~~

9 SECTION 92. IC 20-26-12-26, AS ADDED BY P.L.1-2005,  
 10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2013]: Sec. 26. If a family moves during the school term from  
 12 one (1) school corporation to another within the state, the corporation  
 13 from which they move shall:

14 (1) evaluate the affected children's ~~textbooks~~; **curricular**  
 15 **materials**; and  
 16 (2) offer to purchase the ~~textbooks~~ **curricular materials** at a  
 17 reasonable price for resale to any family that moves into that  
 18 corporation during a school term.

19 SECTION 93. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,  
 20 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2013]: Sec. 5. (a) As used in this chapter, "graduation" means  
 22 the successful completion by a student of:

23 (1) a sufficient number of academic credits, or the equivalent of  
 24 academic credits; and  
 25 (2) the graduation examination or waiver process required under  
 26 IC 20-32-3 through ~~IC 20-32-6~~; **IC 20-32-5**;  
 27 resulting in the awarding of a high school diploma or an academic  
 28 honors diploma.

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

32 SECTION 94. IC 20-26-15-5, AS AMENDED BY P.L.6-2012,  
 33 SECTION 133, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2013]: Sec. 5. Notwithstanding any other law,  
 35 the operation of the following is suspended for a freeway school  
 36 corporation or a freeway school if the governing body of the school  
 37 corporation elects to have the specific statute or rule suspended in the  
 38 contract:

39 (1) The following statutes and rules concerning curriculum and  
 40 instructional time:  
 41 IC 20-30-2-7  
 42 IC 20-30-5-8

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- 1 IC 20-30-5-9  
 2 IC 20-30-5-11  
 3 511 IAC 6-7-6  
 4 511 IAC 6.1-5-0.5  
 5 511 IAC 6.1-5-1  
 6 511 IAC 6.1-5-2.5  
 7 511 IAC 6.1-5-3.5  
 8 511 IAC 6.1-5-4.  
 9 (2) The following rule concerning pupil/teacher ratios:  
 10 511 IAC 6.1-4-1.  
 11 (3) The following statutes and rules concerning ~~textbooks:~~  
 12 **curricular materials:**  
 13 IC 20-26-12-24  
 14 IC 20-26-12-26  
 15 IC 20-26-12-1  
 16 IC 20-26-12-2  
 17 511 IAC 6.1-5-5.  
 18 (4) 511 IAC 6-7, concerning graduation requirements.  
 19 (5) IC 20-31-4, concerning the performance based accreditation  
 20 system.  
 21 (6) IC 20-32-5, concerning the ISTEP program established under  
 22 IC 20-32-5-15, if an alternative locally adopted assessment  
 23 program is adopted under section 6(7) of this chapter.  
 24 SECTION 95. IC 20-27-7-3, AS ADDED BY P.L.1-2005,  
 25 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2013]: Sec. 3. If the inspection required under section 1 of this  
 27 chapter reveals that a school bus meets all safety requirements, the  
 28 inspecting officer shall ~~issue to the owner of the school bus a certificate~~  
 29 ~~that the school bus has been inspected and that it complies with the~~  
 30 ~~safety requirements: attach to the bus a certificate of inspection and~~  
 31 **document the certification in the state police department's school**  
 32 **bus inspection data base.** Except as provided in sections 5 through 7  
 33 of this chapter, a certificate of inspection issued under this section is  
 34 valid until September 30 of the school year following the school year  
 35 for which the certificate is issued.  
 36 SECTION 96. IC 20-27-7-16 IS REPEALED [EFFECTIVE JULY  
 37 1, 2013]. ~~Sec. 16. When the owner of a school bus applies for a~~  
 38 ~~registration plate under IC 9-18-2-7 or IC 9-18-2-8.5, the owner shall~~  
 39 ~~submit with the application a certificate of inspection issued under~~  
 40 ~~section 3 of this chapter. If the certificate of inspection does not~~  
 41 ~~accompany an owner's application, the bureau of motor vehicles may~~  
 42 ~~not issue a registration plate.~~

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1 SECTION 97. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,  
 2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2013]: Sec. 6. (a) Subject to subsection (c) and in addition to  
 4 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state  
 5 board may adopt rules under IC 4-22-2 to do the following:

6 (1) Set standards for teacher licensing and for the administration  
 7 of a professional licensing and certification process by the  
 8 department.

9 (2) Approve or disapprove teacher preparation programs.

10 (3) Set fees to be charged in connection with teacher licensing.

11 (4) Suspend, revoke, or reinstate teacher licenses.

12 (5) Enter into agreements with other states to acquire reciprocal  
 13 approval of teacher preparation programs.

14 (6) Set standards for teacher licensing concerning new subjects of  
 15 study.

16 (7) Evaluate work experience and military service concerning  
 17 postsecondary education and experience equivalency.

18 (8) Perform any other action that:

19 (A) relates to the improvement of instruction in the public  
 20 schools through teacher education and professional  
 21 development through continuing education; and

22 (B) attracts qualified candidates for teacher education from  
 23 among the high school graduates of Indiana.

24 (9) Set standards for endorsement of school psychologists as  
 25 independent practice school psychologists under IC 20-28-12.

26 (10) Before July 1, 2011, set standards for sign language  
 27 interpreters who provide services to children with disabilities in  
 28 an educational setting and an enforcement mechanism for the  
 29 interpreter standards.

30 (b) Notwithstanding subsection (a)(1), an individual is entitled to  
 31 one (1) year of occupational experience for purposes of obtaining an  
 32 occupational specialist certificate under this article for each year the  
 33 individual holds a license under IC 25-8-6.

34 (c) The state board may adopt rules under IC 4-22-2, including  
 35 emergency rules under IC 4-22-2-37.1, to establish procedures to  
 36 expedite the issuance, renewal, or reinstatement under this article of a  
 37 license or certificate of a person whose spouse serves on active duty (as  
 38 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.

39 SECTION 98. IC 20-29-6-7, AS AMENDED BY P.L.48-2011,  
 40 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2013]: Sec. 7. A school employer shall discuss with the  
 42 exclusive representative of certificated employees the following items:

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- 1 (1) Curriculum development and revision.
- 2 (2) ~~Textbook~~ Selection of **curricular materials**.
- 3 (3) Teaching methods.
- 4 (4) Hiring, evaluation, promotion, demotion, transfer, assignment,
- 5 and retention of certificated employees.
- 6 (5) Student discipline.
- 7 (6) Expulsion or supervision of students.
- 8 (7) Pupil/teacher ratio.
- 9 (8) Class size or budget appropriations.
- 10 (9) Safety issues for students and employees in the workplace,
- 11 except those items required to be kept confidential by state or
- 12 federal law.
- 13 (10) Hours.

14 SECTION 99. IC 20-30-5-2, AS ADDED BY P.L.1-2005,  
 15 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2013]: Sec. 2. (a) Each public and nonpublic high school shall  
 17 provide a required course that is:

- 18 (1) not less than one (1) year of school work; and
- 19 (2) in the:
  - 20 (A) historical;
  - 21 (B) political;
  - 22 (C) civic;
  - 23 (D) sociological;
  - 24 (E) economical; and
  - 25 (F) philosophical;
- 26 aspects of the constitutions of Indiana and the United States.
- 27 (b) The state board shall:
  - 28 (1) prescribe the course described in this section and the course's
  - 29 appropriate outlines; and
  - 30 (2) adopt the necessary ~~textbooks~~ **curricular materials** for
  - 31 uniform instruction.
  - 32 (c) A high school student may not receive a diploma unless the
  - 33 student has successfully completed the interdisciplinary course
  - 34 described in this section.

35 SECTION 100. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,  
 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2013]: Sec. 7.5. (a) This section does not apply to a student  
 38 who:

- 39 (1) is in half-day kindergarten; or
- 40 (2) has a medical condition that precludes participation in the
- 41 daily physical activity provided under this section.
- 42 (b) Beginning in the 2006-2007 school year, the governing body of

HB 1427—LS 7307/DI 116+



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1 each school corporation shall provide daily physical activity for  
 2 students in elementary school. The physical activity ~~must be consistent~~  
 3 ~~with the curriculum and programs developed under IC 20-19-3-6 and~~  
 4 may include the use of recess. On a day when there is inclement  
 5 weather or unplanned circumstances have shortened the school day, the  
 6 school corporation may provide physical activity alternatives or elect  
 7 not to provide physical activity.

8 SECTION 101. IC 20-30-5-17, AS ADDED BY P.L.1-2005,  
 9 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2013]: Sec. 17. (a) A school corporation shall make available  
 11 for inspection by the parent of a student any instructional materials,  
 12 including:

- 13 (1) teachers' manuals;
- 14 (2) ~~textbooks;~~ **curricular materials;**
- 15 (3) films or other video materials;
- 16 (4) tapes; and
- 17 (5) other materials;

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

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

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

37 without the prior consent of the student if the student is an adult or an  
 38 emancipated minor or the prior written consent of the student's parent  
 39 if the student is an unemancipated minor. A parental consent form for  
 40 a personal analysis, an evaluation, or a survey described in this section  
 41 shall accurately reflect the contents and nature of the personal analysis,  
 42 evaluation, or survey.



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- 1 (c) The department and the governing body shall give parents and
- 2 students notice of their rights under this section.
- 3 (d) The governing body shall enforce this section.
- 4 SECTION 102. IC 20-30-8-7, AS AMENDED BY P.L.2-2006,
- 5 SECTION 144, IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2013]: Sec. 7. The program organizer may
- 7 request the approval from the department for the following:
- 8 (1) To receive the grant for alternative education programs under
- 9 IC 20-20-33.
- 10 (2) To be granted waivers from rules adopted by the state board
- 11 that may otherwise interfere with the objectives of the alternative
- 12 education program, including waivers of:
- 13 (A) certain high school graduation requirements;
- 14 (B) the length of the student instructional day as set forth in
- 15 IC 20-30-2-2;
- 16 (C) required curriculum and ~~textbooks~~; **curricular materials**;
- 17 (D) teacher certification requirements; and
- 18 (E) physical facility requirements.
- 19 SECTION 103. IC 20-30-9-7, AS AMENDED BY P.L.234-2007,
- 20 SECTION 110, IS AMENDED TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2013]: Sec. 7. The state superintendent may
- 22 assist and stimulate school corporations in developing and establishing
- 23 bilingual-bicultural educational services and programs specifically
- 24 designed to improve educational opportunities for non-English
- 25 dominant students. Funds may be used for the following:
- 26 (1) To provide educational services not available to the
- 27 non-English dominant students in sufficient quantity or quality,
- 28 including:
- 29 (A) remedial and compensatory instruction, psychological, and
- 30 other services designed to assist and encourage non-English
- 31 dominant students to enter, remain in, or reenter elementary or
- 32 secondary school;
- 33 (B) comprehensive academic instruction and career and
- 34 technical instruction;
- 35 (C) instructional materials (such as library books, ~~textbooks~~,
- 36 **curricular materials**, and other printed or published or
- 37 audiovisual materials) and equipment;
- 38 (D) comprehensive guidance, counseling, and testing services;
- 39 (E) special education programs for persons with disabilities;
- 40 (F) preschool programs; and
- 41 (G) other services that meet the purposes of this subdivision.
- 42 (2) To establish and operate exemplary and innovative

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1 educational programs and resource centers that involve new  
 2 educational approaches, methods, and techniques designed to  
 3 enrich programs of elementary and secondary education for  
 4 non-English dominant students.

5 SECTION 104. IC 20-30-10-2, AS ADDED BY P.L.1-2005,  
 6 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2013]: Sec. 2. (a) The state board shall adopt the following:

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

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

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

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

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

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

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

21 SECTION 105. IC 20-30-12-1, AS ADDED BY P.L.1-2005,  
 22 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2013]: Sec. 1. The department shall require all school  
 24 corporations to make available to the school corporation's high school  
 25 students the technology preparation curriculum developed ~~under~~  
 26 ~~IC 20-20-10. by the state board.~~

27 SECTION 106. IC 20-31-5-5, AS ADDED BY P.L.1-2005,  
 28 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2013]: Sec. 5. (a) A plan may include a request for a waiver  
 30 of applicability of a rule or statute to a school.

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

34 (1) The rule relates to the health or safety of students or school  
 35 personnel.

36 (2) The rule is a special education rule under 511 IAC 7.

37 (3) Suspension of the rule brings the school into noncompliance  
 38 with federal statutes or regulations.

39 (4) The rule concerns curriculum or ~~textbooks:~~ **curricular**  
 40 **materials.**

41 (c) Upon request of the governing body and under a plan, the state  
 42 board may waive for a school or a school corporation any statute or rule

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1 relating to the following:

2 (1) Curriculum.

3 (2) ~~Textbook~~ Selection of **curricular materials**.

4 SECTION 107. IC 20-32-5-18 IS REPEALED [EFFECTIVE JULY  
5 1, 2013]. Sec. 18. (a) The department shall establish a pilot program to  
6 examine innovative testing methods:

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

10 (c) The types of methods authorized under this program include the  
11 following:

12 (1) Recently developed techniques for measuring higher order  
13 thinking skills.

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

16 (3) Expanded subject area assessment using student writing  
17 samples.

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

21 SECTION 108. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,  
22 2013]. (ISTEP Program Citizens' Review Committee).

23 SECTION 109. IC 20-33-5-3, AS AMENDED BY P.L.73-2011,  
24 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2013]: Sec. 3. (a) If a parent of a child or an emancipated  
26 minor who is enrolled in a public school, in kindergarten or grades 1  
27 through 12, meets the financial eligibility standard under section 2 of  
28 this chapter, the parent or the emancipated minor may not be required  
29 to pay the fees for ~~school books~~, **curricular materials**, supplies, or  
30 other required class fees. The fees shall be paid by the school  
31 corporation that the child attends.

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

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

40 SECTION 110. IC 20-33-5-7, AS AMENDED BY P.L.229-2011,  
41 SECTION 192, IS AMENDED TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) If a determination is made



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1 that the applicant is eligible for assistance, the school corporation shall  
2 pay the cost of the student's required fees.

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (g) The amount of reimbursement that a school corporation is

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1 entitled to receive shall be determined as provided in section 9.5 of this  
2 chapter.

3 SECTION 111. IC 20-33-5-9, AS AMENDED BY P.L.229-2011,  
4 SECTION 193, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) If a parent of a child or an  
6 emancipated minor who is enrolled in an accredited nonpublic school  
7 meets the financial eligibility standard under section 2 of this chapter,  
8 the parent or the emancipated minor may receive a reimbursement from  
9 the department as provided in this chapter for the costs or some of the  
10 costs incurred by the parent or emancipated minor in fees that are  
11 reimbursable under section 7 of this chapter.

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

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

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

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

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

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

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

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



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- 1            ~~(C)~~ **curricular materials** (as defined in IC 20-20-5.5-1);  
 2            (3) that ~~each textbook~~ **the curricular materials** described in  
 3            subdivision (2)(A) (except ~~those textbooks~~ **any curricular**  
 4            **materials** used in special education classes and high ability  
 5            classes) ~~has have~~ been adopted by the governing body; and  
 6            (4) any other information required by the department.
- 7            (h) The amount of reimbursement that a parent or emancipated  
 8            minor is entitled to receive shall be determined as provided in section  
 9            9.5 of this chapter.
- 10           (i) The accredited nonpublic school shall distribute the money  
 11           received under this chapter to the appropriate eligible parents or  
 12           emancipated minors.
- 13           (j) Section ~~7(h)~~ **7(f)** of this chapter applies to parents or  
 14           emancipated minors as described in this section.
- 15           (k) The accredited nonpublic school and the department shall  
 16           maintain complete and accurate information concerning the number of  
 17           applicants determined to be eligible for assistance under this section.
- 18           (l) The state board shall adopt rules under IC 4-22-2 to implement  
 19           this section.
- 20           SECTION 112. IC 20-33-5-11, AS ADDED BY P.L.1-2005,  
 21           SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22           JULY 1, 2013]: Sec. 11. (a) A school corporation may not:  
 23           (1) withhold ~~school books~~ **curricular materials** and supplies;  
 24           (2) require any special services from a child; or  
 25           (3) deny the child any benefit or privilege;  
 26           because the parent fails to pay required fees.
- 27           (b) Notwithstanding subsection (a), a school corporation may take  
 28           any action authorized by law to collect unpaid fees from parents who  
 29           are determined to be ineligible for assistance, including recovery of  
 30           reasonable attorney's fees and court costs in addition to a judgment  
 31           award against those parents.
- 32           SECTION 113. IC 20-33-5-14, AS ADDED BY P.L.1-2005,  
 33           SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34           JULY 1, 2013]: Sec. 14. (a) The school ~~textbook~~ **curricular materials**  
 35           reimbursement contingency fund is established to reimburse school  
 36           corporations, eligible parents of children who attend accredited  
 37           nonpublic schools, and emancipated minors who attend accredited  
 38           nonpublic schools as provided in section 9 of this chapter for assistance  
 39           provided under this chapter. The fund consists of money appropriated  
 40           to the fund by the general assembly. The state superintendent shall  
 41           administer the fund.
- 42           (b) The treasurer of state shall invest the money in the school

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1 ~~textbook~~ **curricular materials** reimbursement contingency fund not  
 2 currently needed to meet the obligations of the fund in the same  
 3 manner as other public funds may be invested.

4 SECTION 114. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,  
 5 SECTION 231, IS AMENDED TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2013]: Sec. 20. Money in the fund may be  
 7 transferred to another fund and used as provided by law. The laws  
 8 permitting a transfer of money from the fund include the following:

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

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

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

13 ~~(4) (3) IC 20-49-4-22 (advance for educational technology~~  
 14 ~~program).~~

15 SECTION 115. IC 20-40-9-7, AS ADDED BY P.L.2-2006,  
 16 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Money in the fund may be  
 18 used for payment of all unreimbursed costs of ~~textbooks~~ **curricular**  
 19 **materials** for the school corporation's students who were eligible for  
 20 free or reduced lunches in the previous school year.

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

25 SECTION 116. IC 20-41-1-2, AS ADDED BY P.L.2-2006,  
 26 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2013]: Sec. 2. Any self-supporting programs  
 28 maintained by a school corporation, including:

29 (1) school lunch; and

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

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

33 SECTION 117. IC 20-41-2-2, AS ADDED BY P.L.2-2006,  
 34 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2013]: Sec. 2. Each township trustee in  
 36 operating a ~~textbook~~ **curricular materials** rental program may use  
 37 either of the following accounting methods:

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

41 (2) If ~~textbooks~~ **curricular materials** have not been purchased  
 42 and financial commitments or guarantees for the purchases have

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

5 SECTION 118. IC 20-41-2-3, AS ADDED BY P.L.2-2006,  
 6 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) If a school lunch fund is  
 8 established under section 1 of this chapter or a ~~textbook~~ **curricular**  
 9 **materials** rental fund is established under section 2 of this chapter, the  
 10 receipts and expenditures for each program shall be made to and from  
 11 the proper fund without appropriation or the application of other laws  
 12 relating to the budgets of local governmental units.

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

19 SECTION 119. IC 20-41-2-5, AS ADDED BY P.L.2-2006,  
 20 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) A governing body in  
 22 operating a ~~textbook~~ **curricular materials** rental program under  
 23 IC 20-26-5-4(12) may use either of the following accounting methods:

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

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

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

42 SECTION 120. IC 20-41-2-6, AS ADDED BY P.L.2-2006,



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

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

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

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

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

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

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

41 (3) A person who has been a permanent resident of the township  
 42 continuously for at least two (2) years and who needs educational

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1 assistance for job training or retraining may apply to the trustee  
2 of the township for financial assistance. The trustee and the  
3 township board shall review each application and make assistance  
4 available according to the need of each applicant and the  
5 availability of funds.

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

9 SECTION 122. IC 20-42.5-2-1, AS ADDED BY P.L.2-2007,  
10 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2013]: Sec. 1. A school corporation  
12 individually, in collaboration with other school corporations, and  
13 through the educational services centers may undertake action to  
14 reduce noninstructional expenditures and allocate the resulting savings  
15 to student instruction and learning. Actions taken under this section  
16 include the following:

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

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

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

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

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

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

42 (v) The trust is subject to IC 27-4-1-4.5 regarding claims

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

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- 1 (G) Any other purchases a school corporation may require.  
 2 Purchases may be made by contiguous school corporations, as  
 3 part of regional consolidated purchasing arrangements, or from  
 4 consolidated sources under multistate cooperative bidding  
 5 arrangements.
- 6 SECTION 123. IC 20-42.5-3-1, AS ADDED BY P.L.2-2007,  
 7 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2013]: Sec. 1. The state board shall explore  
 9 methods, including statewide purchases, to reduce the expense to  
 10 school corporations for the purchase of the following:
- 11 (1) ~~Textbooks.~~ **Curricular materials.**
  - 12 (2) Technology.
  - 13 (3) School buses and other vehicles.
  - 14 (4) Other areas of expenses as determined by the state board.
- 15 SECTION 124. IC 20-43-9-7 IS REPEALED [EFFECTIVE JULY  
 16 1, 2013]. ~~Sec. 7. A school corporation shall compile class size data for  
 17 kindergarten through grade 3 and report the data to the department for  
 18 purposes of maintaining compliance with this chapter.~~
- 19 SECTION 125. IC 36-1-11-1, AS AMENDED BY P.L.154-2012,  
 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsection (b), this  
 22 chapter applies to the disposal of property by:
- 23 (1) political subdivisions; and
  - 24 (2) ~~their~~ **agencies of political subdivisions.**
- 25 (b) This chapter does not apply to the following:
- 26 (1) The disposal of property under an urban homesteading  
 27 program under IC 36-7-17.
  - 28 (2) The lease of school buildings under IC 20-47.
  - 29 (3) The sale of land to a lessor in a lease-purchase contract under  
 30 IC 36-1-10.
  - 31 (4) The disposal of property by a redevelopment commission  
 32 established under IC 36-7.
  - 33 (5) The leasing of property by a board of aviation commissioners  
 34 established under IC 8-22-2 or an airport authority established  
 35 under IC 8-22-3.
  - 36 (6) The disposal of a municipally owned utility under IC 8-1.5.
  - 37 (7) The sale or lease of property by a unit to an Indiana nonprofit  
 38 corporation organized for educational, literary, scientific,  
 39 religious, or charitable purposes that is exempt from federal  
 40 income taxation under Section 501 of the Internal Revenue Code  
 41 or the sale or reletting of that property by the nonprofit  
 42 corporation.

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

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1 (B) a nonprofit corporation that exists for the primary purpose  
 2 of enhancing the environment;  
 3 when the property is to be used for compliance with a permit or  
 4 an order issued by a federal or state regulatory agency to mitigate  
 5 an adverse environmental impact.  
 6 (23) The disposal of property to a person under an agreement  
 7 between the person and a political subdivision or an agency of a  
 8 political subdivision under IC 5-23.  
 9 (24) The disposal of residential real property pursuant to a federal  
 10 aviation regulation (14 CFR 150) Airport Noise Compatibility  
 11 Planning Program as approved by the Federal Aviation  
 12 Administration.  
 13 SECTION 126. [EFFECTIVE JANUARY 1, 2013  
 14 (RETROACTIVE)] (a) **The repeal of IC 6-3.1-15-1 by this act, and**  
 15 **IC 6-3.1-15-12 and IC 6-3.1-15-17, both as amended by this act,**  
 16 **apply to taxable years beginning after December 31, 2012.**  
 17 **(b) This SECTION expires January 1, 2015.**  
 18 SECTION 127. **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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