

Adopted	Rejected
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COMMITTEE REPORT

YES:	7
NO:	3

MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1334, 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:*

- 1 Page 2, after line 28, begin a new paragraph and insert:
- 2 "SECTION 3. IC 6-3-2-26 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2013 (RETROACTIVE)]: **Sec. 26. (a) This section**
- 5 **applies to a taxable year beginning after December 31, 2012.**
- 6 **(b) The following definitions apply throughout this section:**
- 7 **(1) "Elementary school" has the meaning set forth in**
- 8 **IC 20-18-2-4.**
- 9 **(2) "Qualified education expenditure" means books, computer**
- 10 **equipment or software, textbooks, workbooks, curricula,**
- 11 **supplies, and other written materials used primarily for**
- 12 **academic instruction or for academic tutoring, or both, that**
- 13 **the teacher uses to provide instruction in a qualified school.**

- 1 **(3) "Qualified school" means an elementary or secondary**
 2 **school that is:**
- 3 **(A) a public school, including a charter school; or**
 4 **(B) an accredited nonpublic school (as defined in**
 5 **IC 21-7-13-4).**
- 6 **(4) "Secondary school" has the meaning set forth in**
 7 **IC 20-18-2-18.**
- 8 **(5) "Teacher" means a taxpayer whose position in a school**
 9 **requires certain educational preparation and licensing and**
 10 **whose primary responsibility is the instruction of students.**
 11 **The term includes the following:**
- 12 **(A) A teacher or instructor.**
 13 **(B) A principal.**
 14 **(C) A librarian.**
 15 **(D) A counselor.**
- 16 **(c) A teacher who makes an unreimbursed education**
 17 **expenditure during the taxpayer's taxable year is entitled to a**
 18 **deduction against the teacher's adjusted gross income in the**
 19 **taxable year.**
- 20 **(d) The amount of the deduction is the lesser of:**
- 21 **(1) The amount of the qualified education expenditure made**
 22 **by the teacher; or**
 23 **(2) one thousand dollars (\$1,000).**
- 24 **(e) To receive the deduction provided by this section, a taxpayer**
 25 **must claim the deduction on the taxpayer's annual state tax return**
 26 **in the manner prescribed by the department.**
- 27 SECTION 4. IC 20-28-11.5-10 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2013]: **Sec. 10. (a) Notwithstanding any other**
 30 **law or rule, if a certificated employee is required to renew the**
 31 **certificated employee's license in the same year the certificated**
 32 **employee receives a designation as highly effective, the certificated**
 33 **employee is not subject to the continuing education requirements**
 34 **provided in 515 IAC 1-7-14 in order to renew the certificated**
 35 **employee's teaching license.**
- 36 **(b) Notwithstanding any other law or rule, if a certificated**
 37 **employee is required to renew the certificated employee's license**
 38 **in the same year the certificated employee receives a designation**

1 as effective, the certificated employee is only required to complete
2 either:

- 3 (1) three (3) hours of college or university course work; or
- 4 (2) fifty percent (50%) of the professional growth experience
- 5 growth points necessary under 515 IAC 1-7-14;
- 6 required to renew the certificated employee's teaching license.

7 SECTION 5. IC 20-29-5-6 IS REPEALED [EFFECTIVE JULY 1,
8 2013]. Sec. 6: (a) The school employer shall, on receipt of the written
9 authorization of a school employee:

- 10 (1) deduct from the pay of the employee any dues designated or
- 11 certified by the appropriate officer of a school employee
- 12 organization that is an exclusive representative of any employees
- 13 of the school employer; and
- 14 (2) remit the dues described in subdivision (1) to the school
- 15 employee organization:

16 (b) Deductions under this section must be consistent with:

- 17 (1) IC 22-2-6;
- 18 (2) IC 22-2-7; and
- 19 (3) IC 20-28-9-18.

20 SECTION 6. IC 20-29-5-6.5 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2013]: Sec. 6.5. A school employer may not deduct from the pay
23 of a school employee any dues payable to a school employee
24 organization.

25 SECTION 7. IC 20-31-10.5 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2013]:

28 **Chapter 10.5. High Performing Schools**

29 **Sec. 1. As used in this chapter, "high performing school" means**
30 **a school that for at least two (2) consecutive school years has been**
31 **placed in the two (2) highest categories or designations of school**
32 **performance.**

33 **Sec. 2. A governing body may request the state board to waive**
34 **any rule adopted by the state board for any high performing school**
35 **contained in the school corporation.**

36 **Sec 3. Upon receiving a governing body's request under section**
37 **2 of this chapter, the state board shall review the governing body's**
38 **request.**

- 1 **Sec. 4. Within ninety (90) days after receiving a request under**
- 2 **section 3 of this chapter, the state board shall either approve or**
- 3 **deny, in whole or in part, the governing body's request for a**
- 4 **waiver.**
- 5 **Sec. 5. Except as otherwise provided in this section, the state**
- 6 **board shall determine how long the waiver shall remain in effect.**
- 7 **However, the waiver may only remain in effect for as long as the**
- 8 **high performing school continues to be placed in the two (2)**
- 9 **highest categories or designations of school performance.**
- 10 **SECTION 8. An emergency is declared for this act."**
- 11 Renumber all SECTIONS consecutively.
 (Reference is to HB 1334 as introduced.)

and when so amended that said bill do pass.

Representative Behning