

Adopted	Rejected
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COMMITTEE REPORT

YES: 7
NO: 4

MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1337, 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 10, line 11, after "teacher" delete ":".
- 2 Page 10, delete lines 12 through 14.
- 3 Page 10, run in lines 11 through 15.
- 4 Page 11, line 12, delete "IC 20-31-9.5-1" and insert
- 5 **"IC 20-31-9-6(c)".**
- 6 Page 13, line 14, delete "The effect of".
- 7 Page 13, delete lines 15 through 17.
- 8 Page 14, line 22, delete "and second".
- 9 Page 14, line 35, after "designation." insert **"The governing body**
- 10 **shall provide written notification of the public hearing to all**
- 11 **parents of any student enrolled in the school."**
- 12 Page 15, delete lines 21 through 42, begin a new paragraph and
- 13 insert:
- 14 **"SECTION 27. IC 20-31-9-2.5 IS ADDED TO THE INDIANA**

1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2013]: **Sec. 2.5. Beginning with the**
 3 **categorizations or designations received for the 2013-2014 school**
 4 **year and in addition to the requirements of section 2.2 of this**
 5 **chapter, a school that is placed in the lowest category or**
 6 **designation of school performance for the second consecutive year**
 7 **or any combination of the two (2) lowest categories or designations**
 8 **of school performance for the fourth consecutive year may be**
 9 **subject to one (1) or more of the following actions:**

10 (1) A governing body may petition the state board for
 11 permission to:

12 (A) close;

13 (B) merge with a nearby school that is in a higher category
 14 or designation of school performance;

15 (C) change the grade configuration of; or

16 (D) change the attendance zone of;

17 the school. The state board may grant permission to take the
 18 action if the action is in the best interests of the affected
 19 students.

20 (2) The governing body of the school may petition the state
 21 board to immediately restructure the school by presenting a
 22 written plan to the state board setting forth the proposed
 23 interventions for the school. If the state board approves the
 24 petition and accepts the plan, the school:

25 (A) operates under the applicable provisions of
 26 IC 20-31-9.5; and

27 (B) carries forward in the school performance category or
 28 designation in which the school is placed at the time the
 29 plan is accepted, and is not placed in a different school
 30 performance category or designation."

31 Page 16, delete lines 1 through 8.

32 Page 16, delete lines 39 through 42, begin a new paragraph and
 33 insert:

34 "SECTION 29. IC 20-31-9-3.5 IS ADDED TO THE INDIANA
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2013]: **Sec. 3.5. (a) Beginning with the**
 37 **categorizations or designations received for the 2013-2014 school**
 38 **year, this section applies if a school is placed in either the:**

- 1 **(1) lowest category or designation for two (2) consecutive**
 2 **years; or**
 3 **(2) two (2) lowest categories or designations of school**
 4 **improvement for four (4) consecutive years.**
- 5 **(b) In the first year after a school described in subsection (a)(1)**
 6 **is initially placed in the lowest category or designation of school**
 7 **improvement, or in the third year after a school described in**
 8 **subsection (a)(2) is initially placed in the two (2) lowest categories**
 9 **or designations of school improvement, the state board shall do the**
 10 **following:**
- 11 **(1) Place the school and the school corporation on notice that**
 12 **the school is in one (1) of the two (2) lowest categories or**
 13 **designations of school performance. Upon receiving the**
 14 **notice, the governing body shall:**
- 15 **(A) issue a public notice of the school's designation; and**
 16 **(B) hold a public hearing in which public testimony is**
 17 **received concerning the categorization or designation.**
- 18 **The governing body shall provide written notification of the**
 19 **public hearing to all parents of any student enrolled in the**
 20 **school. The governing body shall forward the minutes of the**
 21 **public hearing to the state board not later than forty-five (45)**
 22 **days after the public hearing is held.**
- 23 **(2) Establish and assign to the school an expert team to**
 24 **conduct a quality review. The expert team:**
- 25 **(A) must include representatives from the community or**
 26 **region that the school serves; and**
 27 **(B) may include:**
- 28 **(i) school superintendents, members of governing bodies,**
 29 **and teachers from school corporations that are in high**
 30 **categories or designations of school performance;**
 31 **(ii) special consultants or advisers; and**
 32 **(iii) members of the school corporation's governing body.**
- 33 **(c) The expert team assigned in subsection (b)(2) shall:**
- 34 **(1) assist the school in revising the school's plan; and**
 35 **(2) recommend changes in the school that will promote**
 36 **improvement, including the reallocation of resources or**
 37 **requests for technical assistance.**
- 38 **(d) The expert team assigned in subsection (b)(2) may also**

1 review other lower grade level schools in the school corporation if
 2 the lower grade level school's students will attend a school
 3 described in subsection (a). The expert team may recommend
 4 changes to the lower grade level schools with students who will
 5 attend a school described in subsection (a).

6 (e) After a review conducted under this section, the state board
 7 may offer the affected school corporation the opportunity to enter
 8 into a memorandum of agreement developed by the state board.

9 The memorandum of agreement must include the following:

10 (1) Performance goals the state board expects the school to
 11 achieve, including:

12 (A) academic goals, including raising the school's school
 13 performance category or designation by at least two (2)
 14 levels;

15 (B) goals to increase the measures used to determine
 16 placement in a school performance category or
 17 designation, such as graduation rates; and

18 (C) any other goals the expert team determines are
 19 appropriate for the school.

20 (2) Specific interventions, aligned with the findings of the
 21 quality review, to improve the academic outcomes of the
 22 school.

23 (f) A school to which this section applies remains subject to this
 24 section until the school:

25 (1) is placed in the middle category or designation of school
 26 performance, or a higher category or designation of school
 27 performance, for two (2) consecutive school years; or

28 (2) becomes subject to section 4 or 5 of this chapter."

29 Delete page 17.

30 Page 18, delete lines 30 through 42, begin a new paragraph and
 31 insert:

32 "SECTION 31. IC 20-31-9-5 IS ADDED TO THE INDIANA CODE
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 2013]: **Sec. 5. (a) Beginning with the categorizations or
 35 designations received for the 2013-2014 school year, this section
 36 applies if a school is placed in either the:**

37 (1) lowest category or designation for three (3) consecutive
 38 years; or

1 **(2) two (2) lowest categories or designations of school**
2 **improvement for six (6) consecutive years.**

3 **(b) In the second year after a school described in subsection**
4 **(a)(1) is initially placed in the lowest category or designation of**
5 **school improvement or in the fifth year after a school described in**
6 **subsection (a)(2) is initially placed in the two (2) lowest categories**
7 **or designations of school improvement, the state board shall do the**
8 **following:**

9 **(1) Hold at least one (1) public hearing in the school**
10 **corporation where the school is located to consider and hear**
11 **testimony concerning the following options:**

12 **(A) Merging the school with a nearby school that is in a**
13 **higher category or designation of school performance.**

14 **(B) Assigning a special management team to operate all or**
15 **part of the school.**

16 **(C) Implementing the department's recommendations for**
17 **improving the school.**

18 **(D) Closing the school.**

19 **(E) Implementing other options for school intervention,**
20 **including those expressed at the public hearing.**

21 **(F) Closing the school and reopening it as a charter school**
22 **or converting the school to a charter school.**

23 **(2) If the state board determines that intervention will**
24 **improve the school, implement at least one (1) of the options**
25 **listed in subdivision (1).**

26 **(3) Direct the department to collect student and school**
27 **information and data to inform a turnaround plan to be**
28 **developed under section 6 of this chapter.**

29 **(c) The governing body shall provide parents of students who**
30 **attend the school written notification of the public hearing**
31 **described in subsection (b)(1).**

32 **(d) The state board may alter at any time the intervention taken**
33 **under this section."**

34 Page 19, delete lines 1 through 17.

35 Page 19, line 32, after "department" insert "**with the state board's**
36 **approval,**".

37 Page 20, between lines 17 and 18, begin a new paragraph and insert:

38 **"(d) If the state board enters into a contract with a special**

1 management team as part of the school intervention plan, the
 2 governing body shall immediately provide the special management
 3 team:

- 4 (1) access to student academic records;
- 5 (2) access to student addresses and telephone numbers; and
- 6 (3) full access to the school building.

7 (e) The state board shall adopt rules under IC 4-22-2 relating to
 8 the disposition of personal property contained in a school at the
 9 time the state board decides to convert the school into a
 10 turnaround academy."

11 Page 21, delete lines 3 through 6, begin a new paragraph and insert:

12 "(b) When a turnaround academy is released from a special
 13 management team, the state board may:

- 14 (1) return the designated school to the school corporation that
 15 controlled the school before the school became a turnaround
 16 academy; or
- 17 (2) designate the school as an independent school.

18 (c) If the state board designates a school as an independent
 19 school under subsection (b)(2), the department shall assign the
 20 independent school a separate school identification number."

21 Page 23, line 28, after "with the" insert "**Constitution of the United**
 22 **States and the**".

23 Page 24, delete lines 3 through 42.

24 Delete pages 25 through 27.

25 Page 28, delete lines 1 through 3.

26 Page 30, line 30, delete "511 IAC 7-32" and insert "**511 IAC 7**".

27 Page 34, between lines 11 and 12, begin a new line block indented
 28 and insert:

29 "**(7) IC 20-31-4-6(3) (curriculum offerings required for full**
 30 **accreditation status)**".

31 Page 36, line 22, delete ":" and insert "**(as defined in**
 32 **IC 20-31-12-1)**".

33 Page 36, line 32, after "status" delete "." and insert ").".

34 Page 36, line 38, delete "Academic".

35 Page 36, delete lines 39 through 41, begin a new paragraph and
 36 insert:

37 "**Sec. 1. (a) This section applies after June 30, 2013.**

38 **(b) The state board may categorize a school corporation as**

1 fiscally insolvent based on criteria established by the state board
2 under subsection (e).

3 (c) If the state board categorizes a school corporation as fiscally
4 insolvent, the state board shall place the school corporation on
5 notice that the school corporation has been categorized as fiscally
6 insolvent. Upon receiving the notice, the governing body shall:

7 (1) issue a notice of the school corporation's categorization as
8 fiscally insolvent; and

9 (2) hold a public hearing in which public testimony is received
10 concerning the categorization of fiscal insolvency. The
11 governing body shall forward the minutes of the public
12 hearing to the state board not later than forty-five (45) days
13 after the public hearing is held.

14 (d) Upon receiving the minutes of the public hearing, the state
15 board may place the school corporation that is designated as
16 fiscally insolvent in receivership as provided in this chapter.

17 (e) The state board shall adopt rules under IC 4-22-2 to
18 establish criteria for categorizing a school corporation as fiscally
19 insolvent."

20 Page 37, line 1, delete "academic".

21 Page 37, line 2, delete "an academic" and insert "a".

22 Page 37, line 17, delete "an academic" and insert "a".

23 Page 37, line 20, delete "an academic" and insert "a".

24 Page 37, line 21, delete " academic".

25 Page 37, line 22, delete "academic".

26 Page 37, line 40, delete "academic".

27 Page 37, line 41, delete "academic".

28 Page 37, line 42, delete "academic".

29 Page 38, line 2, delete "academic".

30 Page 38, line 11, delete "a:" and insert ":".

31 Page 38, line 12, after "(A)" insert "a".

32 Page 38, line 13, after "(B)" insert "a".

33 Page 38, line 14, after "(C)" insert "an".

34 Page 38, line 24, delete "academic".

35 Page 38, line 26, delete "academic".

36 Page 44, after line 31, begin a new paragraph and insert:

37 "SECTION 68. [EFFECTIVE UPON PASSAGE] (a) As used in
38 this SECTION, "commission" refers to the select commission on

- 1 **education established by subsection (b).**
- 2 **(b) The select commission on education is established with the**
- 3 **following members:**
- 4 **(1) The members of the senate education and career**
- 5 **development committee.**
- 6 **(2) The members of the house of representatives education**
- 7 **committee.**
- 8 **The chairpersons of the senate education and career development**
- 9 **committee and the house of representatives education committee**
- 10 **shall serve as co-chairpersons of the committee.**
- 11 **(c) The committee shall study and evaluate the feasibility of**
- 12 **establishing consequences for school corporations that are in the**
- 13 **two (2) lowest categories or designations of school performance.**
- 14 **(d) The committee shall submit the committee's final report to**
- 15 **the legislative council not later than December 1, 2013.**
- 16 **(e) The affirmative votes of a majority of the members of the**
- 17 **committee are required for the committee to take action on any**
- 18 **measure, including final reports.**
- 19 **(f) This SECTION expires December 31, 2013.**
- 20 **SECTION 69. An emergency is declared for this act."**
- 21 Renumber all SECTIONS consecutively.
- (Reference is to HB 1337 as introduced.)

and when so amended that said bill do pass.

Representative Behning