



Adopted	Rejected
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# COMMITTEE REPORT

YES:	6
NO:	4

**MR. SPEAKER:**

*Your Committee on Education, to which was referred Senate Bill 356, 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 1, delete lines 1 through 15.
- 2       Delete pages 2 through 3.
- 3       Page 4, delete lines 1 through 30.
- 4       Page 6, line 29, strike "or be a teacher of".
- 5       Page 6, line 30, strike "record".
- 6       Page 6, line 35, after "disability." insert "**However, an individual**
- 7       **who receives an initial practitioner license under this section may**
- 8       **not be a teacher of record for a special education student for the**
- 9       **period the individual maintains a license under this section."**
- 10      Page 7, delete lines 28 through 42.
- 11      Delete pages 8 through 9.
- 12      Page 10, delete lines 1 through 39.
- 13      Page 13, delete lines 29 through 42, begin a new paragraph and
- 14      insert:

1 "SECTION 10. IC 20-31-9.5-9.5, AS AMENDED BY  
2 P.L.211-2021, SECTION 31, IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 9.5. (a) The governing  
4 body of a school that has been placed in the lowest two (2) categories  
5 or designations may submit a plan to the state board to create a  
6 transformation zone within the school corporation. A plan may be  
7 developed with the assistance of the department. After June 30, 2021,  
8 the state board may not use the establishment of a transformation zone  
9 under this section as an intervention in a particular school corporation  
10 to improve school performance.

11 (b) The state board shall grant the designation as a transformation  
12 zone unless the state board concludes that the submitted plan does not  
13 substantially meet the criteria set forth in this section. All plans must  
14 be submitted to the state board not later than April 15, 2016, or April  
15 15 each year thereafter. All plans must be approved or denied by the  
16 state board not later than July 1 of the first year of implementation.

17 (c) Each plan must include the following information:

18 (1) An organizational chart that demonstrates that the leader of  
19 the transformation zone reports directly to the school corporation's  
20 superintendent.

21 (2) A description of the innovations the school corporation will  
22 implement, which may include:

23 (A) innovations in school staffing;

24 (B) curriculum and nonmandated assessments;

25 (C) class scheduling;

26 (D) the length of the school day or year;

27 (E) the use of financial and other resources;

28 (F) teacher recruitment, employment, and compensation; and

29 (G) other innovations.

30 (3) The objective annual student performance and growth or  
31 improvement performance gains that the school corporation  
32 expects to achieve over the next five (5) years.

33 (4) A budget demonstrating financial sustainability of the  
34 transformation zone.

35 (5) A description of any regulatory or district policy requirements,  
36 subject to the state board's approval, that would need to be waived  
37 for the school corporation to implement the transformation zone.

38 (d) Subject to subsection (e), a school within the transformation

1 zone is not subject to IC 20-29 unless the school corporation  
 2 voluntarily recognizes an exclusive representative under IC 20-29-5-2.  
 3 If the school corporation voluntarily recognizes an exclusive  
 4 representative under IC 20-29-5-2, the school corporation may  
 5 authorize a school within the transformation zone to opt out of  
 6 bargaining allowable subjects or discussing discussion items by  
 7 specifying the excluded items on the notice required under  
 8 IC 20-29-5-2(b). Such notice must be provided to the education  
 9 employment relations board at the time of the notice's posting.

10 (e) Subsection (d) applies only to a school that has been designated  
 11 as a transformation zone following the third consecutive year in the  
 12 lowest performance category or designation.

13 **(f) For any collective bargaining agreement under IC 20-29**  
 14 **entered into after June 30, 2022, a governing body is not bound by**  
 15 **its collective bargaining agreement for employees of a**  
 16 **transformation zone established under this section. Employees of a**  
 17 **transformation zone may organize and create a separate**  
 18 **bargaining unit to collectively bargain with the entity operating the**  
 19 **transformation zone under IC 20-29. The entity operating the**  
 20 **transformation zone is considered the school employer for**  
 21 **purposes of IC 20-29.**

22 (ff) (g) All plans approved under this chapter shall be sent by the  
 23 state board to the education employment relations board not later than  
 24 fifteen (15) days after the plan's approval.

25 SECTION 11. IC 20-31-9.5-12 IS ADDED TO THE INDIANA  
 26 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2022]: **Sec. 12. (a) This section applies to a**  
 28 **transformation zone granted designation by the state board under**  
 29 **section 9.5 of this chapter after June 30, 2022.**

30 **(b) If the state board grants the designation of a transformation**  
 31 **zone within a school corporation under section 9.5 of this chapter,**  
 32 **the governing body of the school corporation may enter into an**  
 33 **agreement with a nonprofit organization to manage and operate all**  
 34 **of the schools included in the transformation zone.**

35 **(c) An agreement entered into under subsection (b) must:**

36 **(1) provide that the nonprofit organization has managerial**  
 37 **and operational autonomy over the schools included in the**  
 38 **transformation zone; and**

1           **(2) include details regarding the funding structure of the**  
 2           **transformation zone.**  
 3           SECTION 12. IC 20-31-9.5-13 IS ADDED TO THE INDIANA  
 4           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 5           [EFFECTIVE JULY 1, 2022]: **Sec. 13. (a) If a governing body of a**  
 6           **school corporation has entered into an agreement with an entity to**  
 7           **manage and operate schools included in a transformation zone of**  
 8           **the school corporation, the governing body or entity that is a party**  
 9           **to the agreement may submit a complaint to the department on a**  
 10           **form established by the department for an alleged violation of the**  
 11           **agreement.**  
 12           **(b) Not later than thirty (30) days after the date a governing**  
 13           **body or entity submits a complaint under subsection (a), the**  
 14           **department shall issue a decision concerning the complaint."**  
 15           Page 14, delete lines 1 through 2.  
 16           Renumber all SECTIONS consecutively.  
             (Reference is to SB 356 as reprinted February 1, 2022.)

**and when so amended that said bill do pass.**

**Representative Behning**

