

HOUSE BILL No. 1280

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19; IC 20-20; IC 20-23; IC 20-24-9-2; IC 20-25-13-5; IC 20-26; IC 20-28; IC 20-30-3-1; IC 20-31; IC 20-32-5-17; IC 20-33; IC 33-33-53-5; IC 34-13-3-3.

Synopsis: Deregulation of K-12 education. Makes amendments to or repeals certain provisions that: (1) require the department of education (department) to review school construction plans; (2) provide the state board of education (state board) authority to make rules and guidelines for school media centers and libraries; (3) provide the state board authority to make rules governing cheerleading; (4) require certain military family reporting; (5) require certain qualifications for school social workers; (6) require professional development as part of a school improvement plan; (7) pertain to restraint and seclusion policies; (8) pertain to annual performance reports; (9) pertain to metropolitan school districts; (10) require the reporting of, other than ISTEP program results, standardized test results; (11) require certain tuition support reporting; (12) relate to curricular materials; (13) establish the number of members on a case review panel for athletics; (14) require schools to verify certain claims over \$100; (15) pertain to waivers of notices for meetings of the governing body; (16) pertain to school board terms and vacancies; (17) pertain to teacher contracts; (18) pertain to Arbor Day; (19) sets requirements on how performance based awards may be used by schools; (20) require mandatory accreditation of schools; and (21) relate to a school's strategic and continuous school improvement plan.

Effective: July 1, 2015.

Truitt

January 13, 2015, read first time and referred to Committee on Education.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1280



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 20-19-2-8, AS AMENDED BY P.L.286-2013,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 8. (a) In addition to any other powers and duties
4 prescribed by law, the state board shall adopt rules under IC 4-22-2
5 concerning, but not limited to, the following matters:
6 (1) The designation and employment of the employees and
7 consultants necessary for the department. The state board shall fix
8 the compensation of employees of the department, subject to the
9 approval of the budget committee and the governor under
10 IC 4-12-2.
11 (2) ~~The establishment and maintenance of standards and~~
12 ~~guidelines for media centers, libraries, instructional materials~~
13 ~~centers, or any other area or system of areas in a school where a~~
14 ~~full range of information sources, associated equipment, and~~
15 ~~services from professional media staff are accessible to the school~~



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)~~ (2) The establishment and maintenance of standards for
 6 student personnel and guidance services.

7 ~~(4)~~ (3) The inspection of all public schools in Indiana to
 8 determine the condition of the schools. The state board shall
 9 establish standards governing the **voluntary** accreditation of
 10 public schools **that elect to be accredited**. Observance of:

11 (A) IC 20-31-4;

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

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

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

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

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

24 ~~(5)~~ (4) The distribution of funds and revenues appropriated for the
 25 support of schools in the state.

26 ~~(6)~~ (5) The state board may not establish ~~an~~ a **voluntary**
 27 accreditation system for nonpublic schools that is less stringent
 28 than the **voluntary** accreditation system for public schools.

29 ~~(7)~~ (6) A separate system for recognizing nonpublic schools under
 30 IC 20-19-2-10. Recognition of nonpublic schools under this
 31 subdivision constitutes the system of regulatory standards that
 32 apply to nonpublic schools that seek to qualify for the system of
 33 recognition.

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

37 ~~(9)~~ (7) Subject to IC 20-28-2, the preparation and licensing of
 38 teachers.

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

42 (c) **Before January 1, 2017, the state board shall adopt rules to**



1 **transform the school accreditation system into a voluntary system**
 2 **available to the governing body of a school corporation or a**
 3 **nonpublic school at the discretion of the governing body.**

4 SECTION 2. IC 20-19-2-11 IS REPEALED [EFFECTIVE JULY 1,
 5 2015]. Sec. 11. (a) As used in this section, "plan" refers to a strategic
 6 and continuous school improvement and achievement plan developed
 7 under IC 20-31-5:

8 (b) A plan must:

9 (1) conform to the requirements of IC 20-31-5; and

10 (2) include a professional development program that conforms to
 11 IC 20-20-31.

12 (c) The governing body may do the following for a school that
 13 participates in a plan:

14 (1) Invoke a waiver of a rule adopted by the state board under
 15 IC 20-31-5-5(b):

16 (2) Develop a plan for the admission of students who do not
 17 reside in the school's attendance area but have legal settlement in
 18 the school corporation:

19 (d) In approving a school corporation's actions under this section;
 20 the state board shall consider whether the governing body has done the
 21 following:

22 (1) Approved a school's plan:

23 (2) Demonstrated the support of the exclusive representative only
 24 for the professional development program component of the plan:

25 (e) The state board may waive any statute or rule relating to
 26 curriculum in accordance with IC 20-31-5-5:

27 (f) As part of the plan, the governing body may develop and
 28 implement a policy to do the following:

29 (1) Allow the transfer of a student who resides in the school's
 30 attendance area but whose parent requests that the student attend
 31 another school in the school corporation of legal settlement:

32 (2) Inform parents of their rights under this section:

33 (g) The state board shall adopt rules under IC 4-22-2 to implement
 34 this section:

35 SECTION 3. IC 20-19-2-12, AS AMENDED BY P.L.218-2014,
 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 12. (a) The state board shall, in the manner
 38 provided by IC 4-22-2, adopt rules setting forth nonbinding guidelines
 39 for the selection of school sites and the construction, alteration, and
 40 repair of school buildings, athletic facilities, and other categories of
 41 facilities related to the operation and administration of school
 42 corporations. The nonbinding guidelines must include:



1 (1) preferred location and building practices for school
 2 corporations, including standards for enhancing health, student
 3 safety, accessibility, energy efficiency, operating efficiency, and
 4 instructional efficacy;

5 (2) guidelines concerning minimum acreage, cost per square foot
 6 or cost per ADM (as defined in IC 20-18-2-2), technology
 7 infrastructure, building materials, per student square footage, and
 8 other general space requirements, including space for academics,
 9 administration and staff support, arts education and auditoriums,
 10 libraries, cafeterias, athletics and physical education,
 11 transportation facilities, and maintenance and repair facilities; and

12 (3) additional guidelines that the state board considers necessary
 13 for efficient and cost effective construction of school facilities.

14 The state building commissioner, the office of management and budget,
 15 and the department of local government finance shall, upon request of
 16 the board, provide technical assistance as necessary for the
 17 development of the guidelines.

18 (b) The state board shall annually compile, in a document capable
 19 of easy revision, the:

20 (1) guidelines described in subsection (a); and

21 (2) rules of the:

22 (A) fire prevention and building safety commission; and

23 (B) state department of health;

24 that govern site selection and the construction, alteration, and repair of
 25 school buildings.

26 (c) A school corporation shall consider the guidelines adopted under
 27 subsection (a) when developing plans and specifications for a facility
 28 described in subsection (a). Before submitting completed written plans
 29 and specifications for the selection of a school building site or the
 30 construction or alteration of a school building to the division of fire and
 31 building safety for issuance of a design release under IC 22-15-3, a
 32 school corporation shall do the following:

33 (1) Submit the proposed plans and specifications to the
 34 department. Within thirty (30) days after the department receives
 35 the plans and specifications, the department shall:

36 (A) review the plans and specifications to determine whether
 37 they comply with the guidelines adopted under subsection (a);
 38 and

39 (B) provide written recommendations concerning the plans
 40 and specifications to the school corporation, which must
 41 include findings as to any material differences between the
 42 plans and specifications and the guidelines adopted under



- 1 subsection (a):
 2 (2) After the earlier of:
 3 (A) receipt of the recommendations provided under
 4 subdivision (1)(B); or
 5 (B) the date that is thirty (30) days after the date the
 6 department received the plans and specifications under
 7 subdivision (1)(A);
 8 issue a public document that describes the recommendations, if
 9 any, and any material differences between the plans and
 10 specifications prepared by the school corporation and the
 11 guidelines adopted under subsection (a); as determined under the
 12 guidelines adopted by the state board.
 13 (3) After publishing a notice of the public hearing under IC 5-3-1,
 14 conduct a public hearing to receive public comment concerning
 15 the school corporation's plans and specifications.
 16 After the public hearing and without conducting another public hearing
 17 under this subsection, the governing body may revise the plans and
 18 specifications or submit the plans and specifications to the division of
 19 fire and building safety without making changes. The school
 20 corporation shall revise the public document described in subdivision
 21 (2) to identify any changes in the plans and specifications after the
 22 public document's initial preparation.
 23 SECTION 4. IC 20-19-3-8, AS AMENDED BY P.L.146-2008,
 24 SECTION 453, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The department may not
 26 approve or disapprove plans and specifications for the construction,
 27 alteration, or repair of school buildings, except as necessary under the
 28 following:
 29 (1) The terms of a federal grant or a federal law.
 30 (2) IC 20-35-4-2 concerning the authorization of a special school
 31 for children with disabilities.
 32 (b) Notwithstanding subsection (a), the department shall ~~do~~ the
 33 following:
 34 (1) Receive and review plans and specifications as required by
 35 ~~IC 20-19-2-12~~.
 36 (2) establish a central clearinghouse for access by school
 37 corporations that may want to use a prototype design in the
 38 construction of school facilities. The department shall compile
 39 necessary publications and may establish a computer data base to
 40 distribute information on prototype designs to school
 41 corporations. Architects and engineers registered to practice in
 42 Indiana may submit plans and specifications for a prototype



1 design to the clearinghouse. The plans and specifications may be
 2 accessed by any person. However, the following provisions apply
 3 to a prototype design submitted to the clearinghouse:

4 ~~(A)~~ (1) The original architect of record or engineer of record
 5 retains ownership of and liability for a prototype design.

6 ~~(B)~~ (2) A school corporation or other person may not use a
 7 prototype design without the site-specific, written permission of
 8 the original architect of record or engineer of record.

9 ~~(C)~~ (3) An architect's or engineer's liability under ~~clause (A)~~
 10 **subdivision (1)** is subject to the requirements of ~~clause (B)~~:
 11 **subdivision (2).**

12 The state board may adopt rules under IC 4-22-2 to implement this
 13 ~~subdivision.~~ **subsection.**

14 SECTION 5. IC 20-19-3-9.4, AS AMENDED BY P.L.43-2014,
 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 9.4. ~~(a)~~ Beginning January 1, 2010, the
 17 department may obtain and maintain student test number information
 18 in a manner and form that permits any person who is authorized to
 19 review the information to:

20 (1) access the information at any time; and

21 (2) accurately determine:

22 (A) where each student is enrolled and attending classes; and

23 (B) the number of students enrolled in a school corporation or
 24 charter school and residing in the area served by a school
 25 corporation;

26 as of any date after December 31, 2009, occurring before two (2)
 27 regular instructional days before the date of the inquiry.

28 Each school corporation and charter school shall provide the
 29 information to the department in the form ~~and on a schedule~~ that
 30 permits the department to comply with this section, **which may not be**
 31 **more than one (1) time for a particular school year.** The department
 32 shall provide technical assistance to school corporations and charter
 33 schools to assist school corporations and charter schools in complying
 34 with this section.

35 ~~(b)~~ Beginning with the 2015-2016 school year, each school
 36 corporation and charter school shall annually:

37 ~~(1)~~ determine whether a student's parent is a member of:

38 ~~(A)~~ the armed forces of the United States who is on active
 39 duty;

40 ~~(B)~~ the reserve component of a branch of the armed forces of
 41 the United States; or

42 ~~(C)~~ the national guard; and



1 (2) provide a list to the department of the students who have been
2 identified under subdivision (1).

3 The department shall assign each student identified under subdivision
4 (1) a unique identifier, which may be a modification of the student's
5 test number assigned under subsection (a); by which data concerning
6 military connected students may be disaggregated.

7 SECTION 6. IC 20-20-8-3, AS AMENDED BY P.L.43-2014,
8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2015]: Sec. 3. (a) ~~Not earlier than March 15 or later than~~
10 ~~March 31~~ of each year; The governing body of a school corporation
11 ~~shall~~ **may** publish an annual performance report of the school
12 corporation, in compliance with the procedures identified in section 7
13 of this chapter. **If a report is published**, the report must be published
14 ~~one (1) time annually~~ under IC 5-3-1.

15 (b) The department shall make each **reporting** school corporation's
16 report available on the department's Internet web site. The ~~annual~~
17 ~~performance~~ report published on the Internet for a school corporation,
18 including a charter school, must include any additional information
19 submitted by the school corporation under section 6(3)(A) of this
20 chapter. The governing body of a school corporation may make the
21 school corporation's report available on the school corporation's
22 Internet web site.

23 (c) The governing body of a school corporation shall provide a copy
24 of the report to a person who requests a copy. The governing body may
25 not charge a fee for providing the copy.

26 SECTION 7. IC 20-20-8-8, AS AMENDED BY P.L.246-2013,
27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2015]: Sec. 8. ~~The~~ **A** report must include the following
29 information:

- 30 (1) Student enrollment.
31 (2) Graduation rate (as defined in IC 20-26-13-6).
32 (3) Attendance rate.
33 (4) The following test scores, including the number and
34 percentage of students meeting academic standards:
35 (A) ISTEP program test scores.
36 (B) Scores for assessments under IC 20-32-5-21, if
37 appropriate.
38 (C) For a freeway school, scores on a locally adopted
39 assessment program, if appropriate.
40 (5) Average class size.
41 (6) The number and percentage of students in the following
42 groups or programs:



- 1 (A) Alternative education, if offered.
 2 (B) Career and technical education.
 3 (C) Special education.
 4 (D) High ability.
 5 (E) Remediation.
 6 (F) Limited English language proficiency.
 7 (G) Students receiving free or reduced price lunch under the
 8 national school lunch program.
 9 (H) School flex program, if offered.
 10 (7) Advanced placement, including the following:
 11 (A) For advanced placement tests, the percentage of students:
 12 (i) scoring three (3), four (4), and five (5); and
 13 (ii) taking the test.
 14 (B) For the Scholastic Aptitude Test:
 15 (i) test scores for all students taking the test;
 16 (ii) test scores for students completing the academic honors
 17 diploma program; and
 18 (iii) the percentage of students taking the test.
 19 (8) Course completion, including the number and percentage of
 20 students completing the following programs:
 21 (A) Academic honors diploma.
 22 (B) Core 40 curriculum.
 23 (C) Career and technical programs.
 24 (9) The percentage of grade 8 students enrolled in algebra I.
 25 ~~(10)~~ (9) The percentage of graduates who pursue higher
 26 education.
 27 ~~(11)~~ School safety, including:
 28 (A) the number of students receiving suspension or expulsion
 29 for the possession of alcohol, drugs, or weapons;
 30 (B) the number of incidents reported under IC 20-33-9; and
 31 (C) the number of bullying incidents reported under
 32 IC 20-34-6 by category.
 33 ~~(12)~~ (10) Financial information and various school cost factors,
 34 including the following:
 35 (A) Expenditures per pupil.
 36 (B) Average teacher salary.
 37 (C) Remediation funding.
 38 ~~(13)~~ Technology accessibility and use of technology in
 39 instruction.
 40 ~~(14)~~ (11) Interdistrict and intradistrict student mobility rates, if
 41 that information is available.
 42 ~~(15)~~ The number and percentage of each of the following within



- 1 the school corporation:
- 2 (A) Teachers who are certificated employees (as defined in
- 3 IC 20-29-2-4).
- 4 (B) Teachers who teach the subject area for which the teacher
- 5 is certified and holds a license.
- 6 (C) Teachers with national board certification.
- 7 ~~(16)~~ (12) The percentage of grade 3 students reading at grade 3
- 8 level.
- 9 ~~(17)~~ (13) The number of students expelled, including the number
- 10 participating in other recognized education programs during their
- 11 expulsion.
- 12 ~~(18)~~ (14) Chronic absenteeism, which includes the number of
- 13 students who have been absent from school for ten percent (10%)
- 14 or more of a school year for any reason.
- 15 ~~(19)~~ (15) Habitual truancy, which includes the number of students
- 16 who have been absent ten (10) days or more from school within
- 17 a school year without being excused or without being absent
- 18 under a parental request that has been filed with the school.
- 19 ~~(20)~~ (16) The number of students who have dropped out of
- 20 school, including the reasons for dropping out.
- 21 ~~(21)~~ (17) The number of student work permits revoked.
- 22 ~~(22)~~ The number of student driver's licenses revoked.
- 23 ~~(23)~~ (18) The number of students who have not advanced to grade
- 24 10 due to a lack of completed credits.
- 25 ~~(24)~~ (19) The number of students suspended for any reason.
- 26 ~~(25)~~ (20) The number of students receiving an international
- 27 baccalaureate diploma.
- 28 ~~(26)~~ Other indicators of performance as recommended by the
- 29 education roundtable under IC 20-19-4.
- 30 SECTION 8. IC 20-20-19 IS REPEALED [EFFECTIVE JULY 1,
- 31 2015]. (School Social Workers).
- 32 SECTION 9. IC 20-20-31 IS REPEALED [EFFECTIVE JULY 1,
- 33 2015]. (Professional Development Program).
- 34 SECTION 10. IC 20-20-40 IS REPEALED [EFFECTIVE JULY 1,
- 35 2015]. (Restraint and Seclusion Commission).
- 36 SECTION 11. IC 20-23-4-42, AS AMENDED BY P.L.146-2008,
- 37 SECTION 459, IS AMENDED TO READ AS FOLLOWS
- 38 [EFFECTIVE JULY 1, 2015]: Sec. 42. (a) The procedures set forth in
- 39 IC 20-19-2-12 concerning the review of, and public hearings
- 40 concerning, plans and specifications for the construction of, addition
- 41 to, or remodeling of school facilities apply equally to facilities to be
- 42 used or leased by both community school corporations and school



1 corporations that are not community school corporations.

2 (b) An action to enjoin school construction or the performance of
3 any of the terms and conditions of a lease or the execution, sale, or
4 delivery of bonds, on the ground that any approval should not have
5 been granted, may not be instituted at any time later than fifteen (15)
6 days after approval has been granted.

7 SECTION 12. IC 20-23-7-4 IS REPEALED [EFFECTIVE JULY 1,
8 2015]. Sec. 4. (a) At the first meeting of the board of commissioners of
9 the county after the creation of the metropolitan school district as
10 provided in this chapter, the board of commissioners shall divide the
11 district into three (3) governing body districts approximately equal in
12 population. During the first year after a year in which a federal
13 decennial census is conducted, the board of commissioners shall:

- 14 (1) readjust the boundaries of the districts to equalize the districts
15 by population; or
16 (2) recertify that the boundaries of the districts as drawn comply
17 with this subsection.

18 (b) Instead of the division provided under subsection (a), any
19 resolution or petition provided in section 2(a) or 2(b) of this chapter
20 may:

- 21 (1) provide that the metropolitan school district to be created shall
22 be divided into two (2) or more governing body districts;
23 (2) describe the governing body member districts;
24 (3) provide that one (1) or more members of the governing body
25 must reside within each of the governing body member districts;
26 (4) set out the number of members to serve from each designated
27 district;
28 (5) provide that the governing body member districts need not be
29 equal in size or population, and that one (1) board member district
30 may include all the area in the metropolitan school district;
31 (6) specify that the number of governing body members to be
32 resident in each district need not be an equal number; and
33 (7) eliminate all requirements that there be governing body
34 member districts.

35 (c) If the resolution or petition:

- 36 (1) does not provide for governing body member districts and
37 designate the number of governing body members to be resident
38 in each district; or
39 (2) provides for the elimination of governing body member
40 districts;

41 subsection (a) controls. If either subsection (a) or (b) applies,
42 candidates shall be voted upon by all the registered voters of the



1 metropolitan school district voting at any governing body member
2 election:

3 (d) The limitations set forth in this section are part of the plan, but
4 do not have to be specifically set forth in the plan. The plan must be
5 construed; if possible; to comply with this chapter. If a provision of the
6 plan or an application of the plan violates this chapter, the invalidity
7 does not affect the other provisions or applications of the plan that can
8 be given effect without the invalid provision or application. The
9 provisions of the plan are severable.

10 SECTION 13. IC 20-23-7-4.5, AS ADDED BY P.L.271-2013,
11 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 4.5. (a) Not later than December 31, 2013, the
13 board of commissioners shall ~~do the following~~:

14 ~~(1) send a copy of the school corporation's plan to the circuit court~~
15 ~~clerk of each county in which the school corporation is located.~~

16 ~~(2) If any members of the governing body are elected from~~
17 ~~election districts voted upon by only the registered voters residing~~
18 ~~within the election district, certify that the election districts~~
19 ~~comply with section 4 of this chapter.~~

20 (b) This subsection applies during the first year after a year in which
21 a federal decennial census is conducted. The board of commissioners
22 shall amend the plan ~~under section 4 of this chapter~~ if an amendment
23 is necessary to reestablish the districts. ~~in compliance with section 4 of~~
24 ~~this chapter~~. If the board of commissioners determines that a plan
25 amendment ~~under section 4 of this chapter~~ is not required, the board of
26 commissioners shall recertify that the districts as established. ~~comply~~
27 ~~with section 4 of this chapter.~~

28 (c) Each time the school corporation's plan is amended, the board of
29 commissioners shall file the ~~following amendment~~ with the circuit
30 court clerk of each county in which the school corporation is located.

31 ~~(1) A copy of the amendment.~~

32 ~~(2) Either of the following:~~

33 ~~(A) A certification that the plan amendment does not require~~
34 ~~reestablishment of the school corporation's election districts to~~
35 ~~comply with section 4 of this chapter.~~

36 ~~(B) If the plan amendment requires reestablishment of the~~
37 ~~school corporation's election districts to comply with section~~
38 ~~4 of this chapter, a map of the new district boundaries.~~

39 (d) A plan amendment or recertification under this section must be
40 filed not later than thirty (30) days after the amendment or
41 recertification occurs.

42 (e) If a conflict exists between:



1 (1) a map showing the boundaries of a district; and

2 (2) a description of the boundaries of that district set forth in the
3 plan or plan amendment;

4 the district boundaries are the description of the boundaries set forth in
5 the plan or plan amendment, not the boundaries shown on the map, to
6 the extent there is a conflict between the description and the map.

7 SECTION 14. IC 20-23-7-5, AS ADDED BY P.L.1-2005,
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2015]: Sec. 5. (a) The rights, powers, and duties of the
10 metropolitan school district shall be vested in the governing body that
11 must be composed of:

12 (1) three (3);

13 (2) five (5); or

14 (3) seven (7) members;

15 who have resided in the district for at least two (2) years before taking
16 office. The resolution or petition provided by section 2(a) or 2(b) of
17 this chapter may designate the number of members of the governing
18 body. If a designation is not made concerning the number of members
19 of a governing body, the governing body is composed of five (5)
20 members.

21 (b) If section 4(a) of this chapter applies to a metropolitan school
22 district, the following rules apply:

23 (1) If the governing body consists of three (3) members, one (1)
24 member shall reside in each residence district.

25 (2) If the governing body consists of five (5) members, not more
26 than two (2) shall reside in any one (1) residence district.

27 (3) If the governing body consists of seven (7) members, at least
28 two (2) shall reside in any one (1) residence district.

29 (c) (b) If a governing body member moves the member's residence
30 within the metropolitan school district from one (1) governing body
31 member district to another or when governing body member district
32 boundaries are moved so that the member's place of residence changes
33 from one (1) governing body member district to another, the member
34 does not on this account become disqualified as a governing body
35 member but may continue to hold office as a member of the governing
36 body.

37 SECTION 15. IC 20-23-7-6 IS REPEALED [EFFECTIVE JULY 1,
38 2015]. Sec. 6. (a) The first metropolitan board of education shall be
39 composed of the:

40 (1) trustees; and

41 (2) members of school boards;

42 of the school corporations forming the metropolitan board of education:



1 (b) The members of the metropolitan board of education shall serve
 2 ex officio as members subject to the laws concerning length of terms;
 3 powers of election; or appointment and filling vacancies applicable to
 4 their respective offices.

5 (c) If a metropolitan school district is comprised of only two (2)
 6 board members; the two (2) members shall appoint a third board
 7 member not more than ten (10) days after the creation of the
 8 metropolitan school district. If the two (2) members are unable to agree
 9 on or do not make the appointment of a third board member within the
 10 ten (10) day period after the creation of the metropolitan school district;
 11 the third member shall be appointed not more than twenty (20) days
 12 after the creation of the metropolitan school district by the judge of the
 13 circuit court of the county in which the metropolitan school district is
 14 located. If the metropolitan school district is located in two (2) or more
 15 counties; the judge of the circuit court of the county containing that part
 16 of the metropolitan school district having more students than the part
 17 or parts located in another county or counties shall appoint the third
 18 member. The members of the metropolitan board of education serve
 19 until their successors are elected or appointed and qualified.

20 (d) The first meeting of the first metropolitan board of education
 21 shall be held not more than one (1) month after the creation of the
 22 metropolitan school district. The first meeting shall be called by the
 23 superintendent of schools or township trustee of a school township; of
 24 the school corporation in the district having the largest number of
 25 students. At the first meeting; the board shall organize; and each year
 26 during the first ten (10) days after the board members that are elected
 27 or appointed to a new term take office; the board shall reorganize; by
 28 electing a president; a vice president; a secretary; and a treasurer.

29 (e) The secretary of the board shall keep an accurate record of the
 30 minutes of the metropolitan board of education; and the minutes shall
 31 be kept in the superintendent's office. When a metropolitan school
 32 district is formed; the metropolitan superintendent shall act as
 33 administrator of the board and shall carry out the acts and duties as
 34 designated by the board. A quorum consists of a majority of the
 35 members of the board. A quorum is required for the transaction of
 36 business. The vote of a majority of those present is required for a:

- 37 (1) motion;
- 38 (2) ordinance; or
- 39 (3) resolution;

40 to pass.

41 (f) The board shall conduct its affairs in the manner described in this
 42 section. Except in unusual cases; the board shall hold its meetings at



1 the office of the metropolitan superintendent or at a place mutually
 2 designated by the board and the superintendent. Board records are to
 3 be maintained and board business is to be conducted from the office of
 4 the metropolitan superintendent or a place designated by the board and
 5 the superintendent.

6 (g) The metropolitan board of education shall have the power to pay
 7 to a member of the board:

8 (1) a reasonable per diem for service on the board not to exceed
 9 one hundred twenty-five dollars (\$125) per year; and

10 (2) for travel to and from a member's home to the place of the
 11 meeting within the district, a sum for mileage equal to the amount
 12 per mile paid to state officers and employees. The rate per mile
 13 shall change when the state government changes its rate per mile.

14 SECTION 16. IC 20-23-7-10 IS REPEALED [EFFECTIVE JULY
 15 1, 2015]. Sec. 10: (a) The metropolitan board of education shall appoint
 16 a metropolitan superintendent of schools who shall serve under
 17 contract in the same manner and under the same laws that govern the
 18 employment and service of other licensed school personnel. However,
 19 the metropolitan superintendent of schools is not required to hold a
 20 license under IC 20-28-5. The metropolitan superintendent of schools'
 21 salary and expense allowance is fixed by the metropolitan board of
 22 education. The metropolitan superintendent of schools' original
 23 contract:

24 (1) must be for a period of one (1) to five (5) years; and

25 (2) may be changed or extended by mutual agreement.

26 (b) Appointments to fill a vacancy for a metropolitan superintendent
 27 of schools shall be made under this chapter.

28 (c) The board shall:

29 (1) act upon the recommendations of the metropolitan
 30 superintendent of schools; and

31 (2) make other decisions and perform other duties as required by
 32 law.

33 (d) A:

34 (1) county superintendent;

35 (2) city school superintendent; or

36 (3) town superintendent;

37 in a metropolitan school district shall continue in the superintendents'
 38 respective employment at the same salary; paid in the same manner and
 39 according to the same terms as agreed to before the formation of the
 40 metropolitan school district.

41 (e) A metropolitan board of education shall:

42 (1) assign administrative duties; and



- 1 (2) designate:
- 2 (A) one (1) of the superintendents in the metropolitan school
- 3 district; or
- 4 (B) a competent and qualified person as determined by the
- 5 board;
- 6 to perform the duties of the metropolitan superintendent of the
- 7 metropolitan school district as set forth in this chapter.
- 8 (f) A metropolitan board of education shall appoint a superintendent
- 9 of the metropolitan school district and other administrative supervisory
- 10 officers as provided in this chapter if:
- 11 (1) the previous superintendent's term expired;
- 12 (2) the previous superintendent's contract of employment ended;
- 13 or
- 14 (3) the previous superintendent:
- 15 (A) died; or
- 16 (B) resigned.
- 17 (g) The appointment and salary of the metropolitan superintendent
- 18 of schools appointed under subsection (f) shall be made, set, and paid
- 19 as provided in this chapter.
- 20 SECTION 17. IC 20-24-9-2, AS AMENDED BY P.L.33-2014,
- 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2015]: Sec. 2. An annual report under this chapter must
- 23 contain the following information:
- 24 (1) Results of all ~~standardized testing, including~~ ISTEP program
- 25 testing **and** end of course assessments. ~~and any other assessments~~
- 26 ~~used for each authorized school.~~
- 27 (2) Student growth and improvement data for each authorized
- 28 school.
- 29 (3) Attendance rates for each authorized school.
- 30 (4) Graduation rates (if appropriate), including attainment of Core
- 31 40 and academic honors diplomas for each authorized school.
- 32 (5) Student enrollment data for each authorized school, including
- 33 the following:
- 34 (A) The number of students enrolled.
- 35 (B) The number of students expelled.
- 36 (6) Status of the authorizer's charter schools, identifying each of
- 37 the authorizer's charter schools that are in the following
- 38 categories:
- 39 (A) Approved but not yet open.
- 40 (B) Open and operating.
- 41 (C) Closed or having a charter that was not renewed,
- 42 including:



- 1 (i) the year closed or not renewed; and
- 2 (ii) the reason for the closure or nonrenewal.
- 3 (7) Names of the authorizer's board members or ultimate decision
- 4 making body.
- 5 (8) Evidence that the authorizer is in compliance with
- 6 IC 20-24-2.2-1.5.
- 7 (9) A report summarizing the total amount of administrative fees
- 8 collected by the authorizer and how the fees were expended, if
- 9 applicable.
- 10 (10) Total amount of other fees or funds not included in the report
- 11 under subdivision (9) received by the authorizer from a charter
- 12 school and how the fees or funds were expended.
- 13 (11) The most recent audits for each authorized school submitted
- 14 to the authorizer under IC 5-11-1-9.

15 SECTION 18. IC 20-25-13-5, AS AMENDED BY P.L.13-2013,
 16 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 5. Development and implementation of a staff
 18 performance evaluation plan for each school is a condition for
 19 accreditation for the school under ~~IC 20-19-2-8(a)(4)~~. **IC 20-19-2-8.**

20 SECTION 19. IC 20-26-4-1, AS AMENDED BY P.L.35-2012,
 21 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) As used in this section,
 23 "electronic funds transfer" means a transfer of funds, other than a
 24 transaction originated by check, draft, or similar paper instrument, that
 25 is initiated through an electronic terminal, telephone, or computer or
 26 magnetic tape to order, instruct, or authorize a financial institution to
 27 debit or credit an account.

28 (b) The governing body of each school corporation shall organize by
 29 electing:

- 30 (1) a president;
- 31 (2) a vice president; and
- 32 (3) a secretary;

33 each of whom is a different member, not more than fifteen (15) days
 34 after the commencement date of the members' terms of office. ~~as~~
 35 ~~provided in section 4 of this chapter.~~

36 (c) A governing body shall, at the time that officers are elected
 37 under subsection (b), appoint a treasurer of the governing body and of
 38 the school corporation who is a person, other than the superintendent
 39 of schools, who is not a member of the governing body. The treasurer
 40 may, with the approval of the governing body, appoint a deputy who
 41 must be a person, other than the superintendent of schools, who is not
 42 a member of the governing body and who has the same powers and



1 duties as the treasurer, or lesser duties as provided by the governing
2 body by rule.

3 (d) The treasurer is the official custodian of all funds of the school
4 corporation and is responsible for the proper safeguarding and
5 accounting for the funds. The treasurer shall:

- 6 (1) issue a receipt for money received by the treasurer;
7 (2) deposit money described in subdivision (1) in accordance with
8 the laws governing the deposit of public funds; and
9 (3) issue all warrants in payment of expenses lawfully incurred on
10 behalf of the school corporation. However, except as otherwise
11 provided by law, warrants described in this subdivision must be
12 issued only after proper allowance or approval by the governing
13 body. The governing body may not require an allowance or
14 approval for amounts lawfully due in payment of indebtedness or
15 payments due the state, the United States government, or agencies
16 and instrumentalities of the state or the United States government.

17 A verification, other than a properly itemized invoice, may not be
18 required for any claim. ~~of one hundred dollars (\$100) or less.~~ A claim
19 ~~that exceeds one hundred dollars (\$100)~~ is sufficient as to form if the
20 bill or statement for the claim has printed or stamped on the face of the
21 bill or statement a verification of the bill or statement in language
22 approved by the state board of accounts.

23 (e) Notwithstanding subsection (d), a treasurer may transact school
24 corporation financial business with a financial institution or a public
25 retirement fund through the use of electronic funds transfer. The
26 treasurer must provide adequate documentation to the governing body
27 of transfers made under this subsection. This subsection applies only
28 to agreements for joint investment of money under IC 5-13-9 and to
29 payments to the Indiana public retirement system for:

- 30 (1) the Indiana state teachers' retirement fund; or
31 (2) the public employees' retirement fund;

32 from participating employers.

33 (f) A treasurer is not personally liable for an act or omission
34 occurring in connection with the performance of the duties set forth in
35 this section, unless the act or omission constitutes gross negligence or
36 an intentional disregard of the treasurer's duties.

37 (g) A governing body may establish the position of executive
38 secretary to the governing body. The executive secretary:

- 39 (1) must be an employee of the school corporation;
40 (2) may not be a member of the governing body; and
41 (3) must be appointed by the governing body upon the
42 recommendation of the superintendent of the school corporation.



1 The governing body shall determine the duties of the executive
 2 secretary, which may include all or part of the duties of the secretary of
 3 the board.

4 SECTION 20. IC 20-26-4-3, AS ADDED BY P.L.1-2005,
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 3. (a) Regular meetings must be held by each
 7 governing body at a time and place established by resolution of the
 8 board or may be incorporated in the rules provided in IC 20-26-5-4. A
 9 notice need not be given a member for holding or taking any action at
 10 a regular meeting.

11 (b) If a meeting is held according to a procedure set forth by statute
 12 or rule and if publication of notice of the meeting is required, notice of
 13 the meeting is not required and need not be given a member for holding
 14 or taking any action at the meeting contemplated by the notice. The
 15 meeting must be held at the time and place specified in the published
 16 notice.

17 (c) Special meetings of a governing body must be held on call by the
 18 governing body's president or by the superintendent of the school
 19 corporation. The call must be evidenced by a written notice specifying
 20 the date, time, and place of the meeting, delivered to each member
 21 personally or sent by mail or telegram so that each member has at least
 22 seventy-two (72) hours notice of the special meeting. Special meetings
 23 must be held at the regular meeting place of the board.

24 (d) All meetings of a governing body must be open to the public to
 25 the extent required by IC 5-14-1.5. The governing body shall comply
 26 with IC 5-14-1.5.

27 (e) If notice of a meeting is required and each member of a
 28 governing body has waived notice of the meeting, as provided in this
 29 subsection, notice of the meeting is not necessary. Waiver of notice of
 30 a meeting by a member consists of the following:

- 31 (1) The member's presence at the meeting.
- 32 (2) The member's execution of a written notice waiving the date,
 33 time, and place of the meeting, executed either before or after the
 34 meeting. ~~However, if notice is executed after the meeting, the~~
 35 ~~waiver must also state in general terms the purpose of the~~
 36 ~~meeting.~~ If a waiver specifies that the waiver was executed before
 37 the meeting, third persons are entitled to rely on the statement.

38 (f) At a meeting of the governing body, a majority of the members
 39 constitutes a quorum. Action may not be taken unless a quorum is
 40 present. Except where a larger vote is required by statute or rule with
 41 respect to any matter, a majority of the members present may adopt a
 42 resolution or take any action.



1 (g) All meetings of the governing body for the conduct of business
2 must be held within the school corporation, except as follows:

3 (1) Meetings may be held at the administrative offices of the
4 school corporation if the offices are outside the geographic limits
5 of the school corporation but are within a county where all or a
6 part of the school corporation is located.

7 (2) Meetings may be held at a place where the statute or rule
8 according to which a statutory meeting is held permits meeting
9 outside the school corporation, as may occur when the meeting is
10 held jointly with another governing body.

11 SECTION 21. IC 20-26-4-4, AS AMENDED BY P.L.219-2013,
12 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 4. (a) This section does not apply to a school city
14 of the first class or to a school corporation succeeding to all or the
15 major part in area of a school city of the first class:

16 (b) The commencement and termination of terms of members of a
17 governing body are as follows:

18 (1) Except as provided in subdivisions (2) and (3), the governing
19 body of each school corporation shall determine whether the term
20 of office for the governing body's members extends from January
21 1 to December 31 or from July 1 to June 30. A governing body
22 that makes a change in the commencement date of the governing
23 body's members' terms shall report the change to the state board
24 before August 1 preceding the year in which the change takes
25 place. An ex officio member of a governing body shall take office
26 at the time the ex officio member takes the oath of the office by
27 virtue of which the ex officio member is entitled to become an ex
28 officio member.

29 (2) Except as provided in subdivision (3), in a county having a
30 population of more than four hundred thousand (400,000), the
31 terms of office for the members of a governing body who are
32 appointed commence on July 1 of the year in which the members
33 are to take office under the plan, resolution, or law under which
34 the school corporation is established, and terminate on the June
35 30 of the final year of the term for which the members are to serve
36 under the plan, resolution, or law.

37 (3) An elected member of a governing body takes office on the
38 date set in the school corporation's organization plan. The date set
39 in the organization plan for an elected member of the governing
40 body to take office may not be more than fourteen (14) months
41 after the date of the member's election. If the school corporation's
42 organization plan does not set a date for an elected member of the



1 governing body to take office, the member takes office January 1
2 immediately after the member's election.

3 (e) If a vacancy in the membership of a governing body occurs for
4 any reason (including the failure of a sufficient number of petitions for
5 candidates for governing body membership being filed for an election
6 and whether the vacancy was of an elected or appointed member), the
7 remaining members of the governing body shall by majority vote fill
8 the vacancy by appointing a person from within the boundaries of the
9 school corporation, with the residence and other qualifications
10 provided for a regularly elected or appointed board member filling the
11 membership, to serve for the term or the balance of the term. However,
12 this subsection does not apply to a vacancy:

13 (1) of a member who serves on a governing body in an ex officio
14 capacity; or

15 (2) a vacancy in an appointed board membership if a plan,
16 resolution, or law under which the school corporation operates
17 specifically provides for filling vacancies by the appointing
18 authority.

19 SECTION 22. IC 20-26-4-4.5, AS ADDED BY P.L.119-2005,
20 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 4.5. (a) This section applies to a school
22 corporation subject to section 4 of this chapter.

23 (b) (a) The definitions in IC 3-5-2 apply to this section.

24 (c) (b) If a vacancy in a school board office exists because of the
25 death of a school board member, the remaining members of the
26 governing body shall meet and select an individual to fill the vacancy
27 after the secretary of the governing body receives notice of the death
28 under IC 5-8-6 and in accordance with section 4 of this chapter.

29 SECTION 23. IC 20-26-11-17 IS REPEALED [EFFECTIVE JULY
30 1, 2015]. Sec. 17: (a) Each year before the date specified in the rules
31 adopted by the state board, a school corporation shall report the
32 information specified in subsection (b) for each student:

33 (1) for whom tuition support is paid by another school
34 corporation;

35 (2) for whom tuition support is paid by the state; and

36 (3) who is enrolled in the school corporation but has the
37 equivalent of a legal settlement in another state or country;

38 to the department.

39 (b) Each school corporation shall provide the following information
40 for each school year for each category of student described in
41 subsection (a):

42 (1) The amount of tuition support and other support received for



1 the students described in subsection (a):

2 (2) The operating expenses, as determined under section 13 of
3 this chapter, incurred for the students described in subsection (a):

4 (3) Special equipment expenditures that are directly related to
5 educating students described in subsection (a):

6 (4) The number of transfer students described in subsection (a):

7 (5) Any other information required under the rules adopted by the
8 state board after consultation with the office of the secretary of
9 family and social services:

10 (c) The information required under this section shall be reported in
11 the format and on the forms specified by the state board:

12 (d) Not later than November 30 of each year the department shall
13 compile the information required from school corporations under this
14 section and submit the compiled information in the form specified by
15 the office of the secretary of family and social services to the office of
16 the secretary of family and social services:

17 (e) Not later than December 31 of each year, the office of the
18 secretary of family and social services shall submit a report to the
19 members of the budget committee and the executive director of the
20 legislative services agency that compiles and analyzes the information
21 required from school corporations under this section. The report must
22 identify the types of state and local funding changes that are needed to
23 provide adequate state and local money to educate transfer students. A
24 report submitted under this subsection to the executive director of the
25 legislative services agency must be in an electronic format under
26 IC 5-14-6.

27 SECTION 24. IC 20-26-12-1 IS REPEALED [EFFECTIVE JULY
28 1, 2015]. Sec. 1: (a) Except as provided in subsections (b) and (c) and
29 notwithstanding any other law, each governing body shall purchase
30 from a publisher, either individually or through a purchasing
31 cooperative of school corporations, the curricular materials selected by
32 the proper local officials, and shall rent the curricular materials to each
33 student enrolled in a public school that is:

34 (1) in compliance with the minimum certification standards of the
35 state board; and

36 (2) located within the attendance unit served by the governing
37 body:

38 (b) This section does not prohibit the purchase of curricular
39 materials at the option of a student or the providing of free curricular
40 materials by the governing body under sections 6 through 21 of this
41 chapter.

42 (c) This section does not prohibit a governing body from suspending



1 the operation of this section under a contract entered into under
2 ~~IC 20-26-15~~.

3 SECTION 25. IC 20-26-12-3, AS AMENDED BY P.L.286-2013,
4 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 3. (a) Upon a written determination by the
6 governing body of a school corporation that curricular materials are no
7 longer scheduled for use in the school corporation, the governing body
8 may sell, exchange, transfer, or otherwise convey the curricular
9 materials. However, before a governing body may mutilate or otherwise
10 destroy curricular materials, the governing body must first comply with
11 the following provisions:

12 (1) Subsection (b).

13 (2) Subsection (c).

14 ~~(3) Section 4 of this chapter.~~

15 ~~(4) Section 5 of this chapter.~~

16 (b) Before a governing body may mutilate or otherwise destroy
17 curricular materials, the governing body shall provide at no cost and
18 subject to availability one (1) copy of any curricular material that is no
19 longer scheduled for use in the school corporation to:

20 (1) the parent of each student who is enrolled in the school
21 corporation and who wishes to receive a copy of the curricular
22 material; and

23 (2) if any curricular materials remain after distribution under
24 subdivision (1), to any resident of the school corporation who
25 wishes to receive a copy of the curricular material.

26 (c) If a governing body does not sell, exchange, transfer, or
27 otherwise convey unused curricular materials under subsection (a) or
28 (b), each public elementary and secondary school in the governing
29 body's school corporation shall provide storage for at least three (3)
30 months for the curricular materials in the school corporation. A school
31 corporation may sell or otherwise convey the curricular materials to
32 another school corporation at any time during the period of storage.

33 SECTION 26. IC 20-26-12-4 IS REPEALED [EFFECTIVE JULY
34 1, 2015]. Sec. 4: ~~(a) A school corporation shall compile a list of
35 curricular materials in storage under section 3 of this chapter. The list
36 must include the names of the publishers and the number of volumes
37 being stored. The list must be mailed to the department. The
38 department shall maintain a master list of all curricular materials being
39 stored by school corporations.~~

40 ~~(b) Upon request, the state superintendent shall mail to a nonprofit
41 corporation or institution located in Indiana a list of curricular
42 materials available for access. A nonprofit corporation or institution~~



1 may acquire the curricular materials from the appropriate school
2 corporation by paying only the cost of shipping and mailing:

3 SECTION 27. IC 20-26-12-5 IS REPEALED [EFFECTIVE JULY
4 1, 2015]. Sec. 5: Curricular materials stored for at least three (3)
5 months under section 3 of this chapter may not be mutilated or
6 destroyed and must be maintained and stored according to regulations
7 prescribed by local and state health authorities. Curricular materials
8 that have not been requested after at least three (3) months may be
9 mutilated, destroyed, or otherwise disposed of by the school
10 corporation.

11 SECTION 28. IC 20-26-12-6 IS REPEALED [EFFECTIVE JULY
12 1, 2015]. Sec. 6: (a) Sections 7 through 21 of this chapter apply to
13 school libraries that contain free curricular materials. The curricular
14 materials must be selected by the proper local officials:

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

19 SECTION 29. IC 20-26-12-7 IS REPEALED [EFFECTIVE JULY
20 1, 2015]. Sec. 7: (a) If a petition requesting the establishment of an
21 elementary school library is filed with a governing body, the governing
22 body shall provide a library containing curricular materials in sufficient
23 numbers to meet the needs of every resident student in each of the eight
24 (8) grades of each elementary school. The petition must be signed by
25 at least fifty-one percent (51%) of the registered voters of the governing
26 body's school corporation.

27 (b) This subsection applies to a governing body that has established
28 an elementary school library under subsection (a). If a petition
29 requesting establishment of a high school library is filed with the
30 governing body, the governing body shall provide a library containing
31 curricular materials in sufficient numbers to meet the needs of every
32 resident student in each of the four (4) grades of each high school. The
33 petition must be signed by at least twenty percent (20%) of the voters
34 of the school corporation as determined by the total vote cast at the last
35 general election for the trustee of the township, clerk of the town, or
36 mayor of the city.

37 SECTION 30. IC 20-26-12-8 IS REPEALED [EFFECTIVE JULY
38 1, 2015]. Sec. 8: A petition for an elementary or a high school library
39 under section 7 of this chapter must be in substantially the following
40 form:

41 To the governing body of the school corporation of _____
42 We, the undersigned voters of the school corporation of _____



1 respectfully petition the governing body of the school corporation of
2 _____ to establish an elementary school (or high school, as
3 appropriate) library and to lend its school curricular materials free of
4 charge to the resident students of the school corporation of
5 _____, under IC 20-26-12:

6 NAME ADDRESS DATE
7 _____
8 _____
9 STATE OF INDIANA)
10) SS:
11 _____ COUNTY)

12 _____ being duly sworn, deposes and says that he or she is
13 the circulator of this petition paper and that the appended signatures
14 were made in his or her presence and are the genuine signatures of the
15 persons whose names they purport to be. Signed _____
16 Subscribed and sworn to before me this ____ day of _____,
17 20 __. _____ Notary Public

18 SECTION 31. IC 20-26-12-9 IS REPEALED [EFFECTIVE JULY
19 1, 2015]. Sec. 9: The signatures to each petition may be appended to
20 one (1) petition paper. An affidavit of the circulator must be attached
21 to each petition paper. The affidavit must state that each signature was
22 made in the circulator's presence and is the genuine signature of the
23 person whose name it purports to be. Each signature must be made in
24 ink or indelible pencil. Each signer shall state the signer's name, the
25 signer's residence by street and number, or any other description
26 sufficient to identify the place and the date of the signing.

27 SECTION 32. IC 20-26-12-10 IS REPEALED [EFFECTIVE JULY
28 1, 2015]. Sec. 10: A person who signs a petition under this chapter
29 must be registered to vote in the precinct in which the person resides
30 to be qualified to sign and to have the signature count.

31 SECTION 33. IC 20-26-12-11 IS REPEALED [EFFECTIVE JULY
32 1, 2015]. Sec. 11: All petition papers requesting the establishment of
33 a library under this chapter must be assembled and filed as one (1)
34 instrument before July 2.

35 SECTION 34. IC 20-26-12-12 IS REPEALED [EFFECTIVE JULY
36 1, 2015]. Sec. 12: (a) A governing body shall examine petition papers
37 filed under section 11 of this chapter and shall have the names checked
38 against the voter registration records in the county in which the
39 governing body's school corporation is located.

40 (b) A governing body may employ clerks to check voter registration
41 records under this section. The governing body may pay these expenses
42 from the school corporation's general fund without a specific



1 appropriation:

2 (c) A clerk employed under subsection (b) shall take an oath to
3 perform honestly and faithfully. The clerk is entitled to daily
4 compensation of not more than three dollars (\$3) for this work:

5 SECTION 35. IC 20-26-12-13 IS REPEALED [EFFECTIVE JULY
6 1, 2015]. Sec. 13: If a sufficient petition is filed under section 11 of this
7 chapter, a governing body shall note on the records of the governing
8 body's school corporation that by filing the petition the school
9 corporation must maintain:

10 (1) an elementary school library containing curricular materials
11 in sufficient numbers to meet the needs of every resident student
12 in each of the first eight (8) grades of each elementary school
13 located within the school corporation; or

14 (2) a high school library containing curricular materials in
15 sufficient numbers to meet the needs of every resident student
16 in each of the four (4) grades of each high school located within
17 the school corporation;

18 as applicable.

19 SECTION 36. IC 20-26-12-14 IS REPEALED [EFFECTIVE JULY
20 1, 2015]. Sec. 14: (a) This subsection applies to a school corporation
21 described in section 13(1) of this chapter. The governing body shall
22 make the first appropriation from the school corporation's general fund
23 in August following the petition's filing. Not later than the school term
24 following the first appropriation, the library must be established and
25 curricular materials must be loaned to resident students enrolled in the
26 first five (5) grades of the elementary school. Not later than the second
27 school term following the first appropriation, curricular materials must
28 be procured and loaned to resident students enrolled in the eight (8)
29 grades of the elementary school:

30 (b) This subsection applies to a school corporation described in
31 section 13(2) of this chapter. The governing body shall make the first
32 appropriation from the school corporation's general fund in September
33 following the petition's filing. Not later than the second school term
34 following the first appropriation, the library must be established and
35 curricular materials of the library must be loaned to resident students
36 enrolled in grade nine of the high school. During each following school
37 term, curricular materials must be procured and loaned to resident
38 students for an additional high school grade, in addition to the earlier
39 high school grades.

40 SECTION 37. IC 20-26-12-15 IS REPEALED [EFFECTIVE JULY
41 1, 2015]. Sec. 15: (a) A governing body shall purchase the necessary
42 curricular materials from publishers. The publisher shall ship the



1 curricular materials to the governing body not more than ninety (90)
 2 days after the requisition. On receipt of the curricular materials, the
 3 governing body's school corporation has custody of the curricular
 4 materials. The governing body shall provide a receipt to the contracting
 5 publisher and reimburse the contracting publisher the amount owed by
 6 the school corporation from the school corporation's general fund:

7 (b) A governing body shall purchase curricular materials:

8 (1) from a resident student who presents the curricular materials
 9 for sale on or before the beginning of the school term in which
 10 the curricular materials are to be used;

11 (2) with money from the school corporation's general fund; and

12 (3) at a price based on the original price to the school
 13 corporation minus a reasonable reduction for damage from
 14 usage:

15 SECTION 38. IC 20-26-12-16 IS REPEALED [EFFECTIVE JULY
 16 1, 2015]. Sec. 16: Upon receipt of the curricular materials, a governing
 17 body shall loan the curricular materials at no charge to each resident
 18 student. Library curricular materials are available to each resident
 19 student under this chapter and under regulations prescribed by the
 20 superintendent and governing body of the school corporation:

21 SECTION 39. IC 20-26-12-17 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. Sec. 17: (a) If a student transfers to a school corporation other
 23 than the one in which the student resides under IC 20-26-11, the
 24 governing body of the school corporation to which the student transfers
 25 shall purchase a sufficient supply of curricular materials for the
 26 transferred student:

27 (b) In the annual settlement between the school corporations for
 28 tuition of transferred students, the amounts must include rental of the
 29 curricular materials furnished to the transferred students. The state
 30 board shall determine the rental rate:

31 SECTION 40. IC 20-26-12-18 IS REPEALED [EFFECTIVE JULY
 32 1, 2015]. Sec. 18: A governing body may provide a sufficient amount
 33 of curricular materials for sale to resident students at the price
 34 stipulated in the contracts under which the curricular materials are
 35 supplied to the governing body's school corporation. Proceeds from
 36 sales under this section must be paid into the school corporation's
 37 general fund:

38 SECTION 41. IC 20-26-12-19 IS REPEALED [EFFECTIVE JULY
 39 1, 2015]. Sec. 19: A governing body shall provide sufficient library
 40 facilities for the curricular materials to best accommodate the resident
 41 students:

42 SECTION 42. IC 20-26-12-20 IS REPEALED [EFFECTIVE JULY



1 1, 2015]. Sec. 20: A governing body shall prescribe reasonable rules
 2 and regulations for the care, custody, and return of library curricular
 3 materials: A resident student using library curricular materials is
 4 responsible for the loss, mutilation, or defacement of the library
 5 curricular materials; other than reasonable wear.

6 SECTION 43. IC 20-26-12-21 IS REPEALED [EFFECTIVE JULY
 7 1, 2015]. Sec. 21: A governing body shall provide for the fumigation
 8 or destruction of library curricular materials at the times and under
 9 regulations prescribed by local and state health authorities. Before a
 10 governing body may mutilate or otherwise destroy curricular materials;
 11 the governing body shall provide at no cost and subject to availability
 12 one (1) copy of any curricular material that is no longer scheduled for
 13 use in the school corporation to:

14 (1) the parent of each child who is enrolled in the school
 15 corporation and who wishes to receive a copy of the curricular
 16 material; and

17 (2) if any curricular materials remain after distribution under
 18 subdivision (1), to any resident of the school corporation who
 19 wishes to receive a copy of the curricular material.

20 SECTION 44. IC 20-26-12-22 IS REPEALED [EFFECTIVE JULY
 21 1, 2015]. Sec. 22: If a school corporation purchases curricular materials
 22 on a time basis:

23 (1) the schedule for payments shall coincide with student
 24 payments to the school corporation for curricular material rental;
 25 and

26 (2) the schedule must not require the school corporation to
 27 assume a greater burden than payment of twenty-five percent
 28 (25%) within thirty (30) days after the beginning of the school
 29 year immediately following delivery by the contracting publisher
 30 with the school corporation's promissory note evidencing the
 31 unpaid balance.

32 SECTION 45. IC 20-26-12-23, AS AMENDED BY P.L.286-2013,
 33 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 23. (a) A school corporation may:

35 (1) borrow money to buy curricular materials; and

36 (2) issue notes, maturing serially in not more than six (6) years
 37 and payable from its general fund, to secure the loan.

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

41 (b) Notwithstanding subsection (a), a school township may not
 42 borrow money to purchase curricular materials unless a petition



1 requesting such an action and bearing the signatures of twenty-five
 2 percent (25%) of the resident taxpayers of the school township has
 3 been presented to and approved by the township trustee and township
 4 board.

5 SECTION 46. IC 20-26-12-24, AS AMENDED BY P.L.286-2013,
 6 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 24. (a) The superintendent shall establish
 8 procedures for adoption of curricular materials.

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

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

18 ~~(d) Curricular materials selected shall be used for the 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 the curricular materials are aligned.~~

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

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

28 ~~(g) (e)~~ The superintendent, advisory committee, and governing body
 29 may consider using the list of curricular materials provided by the
 30 department under IC 20-20-5.5.

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

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

41 (1) large type;

42 (2) Braille; and



- 1 (3) audio format.
- 2 SECTION 47. IC 20-26-14-6, AS AMENDED BY P.L.92-2010,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 6. (a) The association must establish a case review
5 panel that meets the following requirements:
- 6 ~~(1) The panel has nine (9) members.~~
- 7 ~~(2) (1) The state superintendent or the state superintendent's~~
8 ~~designee is a member of the panel and is the chairperson of the~~
9 ~~panel.~~
- 10 ~~(3) (2) The state superintendent appoints as members of the~~
11 ~~panel persons having the following qualifications:~~
- 12 (A) Four (4) parents of high school students.
13 (B) Two (2) high school principals.
14 (C) Two (2) high school athletic directors.
- 15 ~~(4) (3) The state superintendent shall administer the functions of~~
16 ~~the panel.~~
- 17 ~~(5) (4) A member of the panel serves for a four (4) year term,~~
18 ~~subject to the following:~~
- 19 (A) An appointee who ceases to meet the member's
20 qualification under subdivision (3) ceases to be a member
21 of the panel.
- 22 (B) The state superintendent shall appoint fifty percent
23 (50%) of the initial appointees under each clause in
24 subdivision (3) for terms of two (2) years, so that terms of
25 the panel are staggered.
- 26 ~~(6) (5) The panel must meet monthly, unless there are no cases~~
27 ~~before the panel. The panel may meet more frequently at the call~~
28 ~~of the chairperson. However, the chairperson must call a~~
29 ~~meeting within five (5) business days, or as soon thereafter as a~~
30 ~~quorum can be assembled, after the panel receives a case in~~
31 ~~which time is a factor in relation to the scheduling of an athletic~~
32 ~~competition.~~
- 33 ~~(7) (6) A quorum of the panel is five (5) members. The~~
34 ~~affirmative vote of the greater of the majority present or four (4)~~
35 ~~members of the panel is required for the panel to take action.~~
- 36 (b) A student's parent who disagrees with a decision of the
37 association concerning the application or interpretation of a rule of the
38 association to the student shall have the right to do one (1) of the
39 following:
- 40 (1) Accept the decision.
41 (2) Refer the case to the panel. The parent must refer the case to
42 the panel not later than thirty (30) days after the date of the



- 1 association's decision.
- 2 (c) After a case is referred under subsection (b)(2), the panel must do
- 3 the following:
- 4 (1) Collect testimony and information on the case, including
- 5 testimony and information from both the association and the
- 6 parent.
- 7 (2) Place the case on the panel's agenda and consider the case at
- 8 a meeting of the panel.
- 9 (3) Not later than ten (10) business days after the meeting at
- 10 which the panel considers the case, issue a written decision that
- 11 does one (1) of the following:
- 12 (A) Upholds the association's decision on the case.
- 13 (B) Modifies the association's decision on the case.
- 14 (C) Nullifies the association's decision on the case.
- 15 (d) Subject to section 7 of this chapter, the association must
- 16 implement the decision of the panel on each case. However, a decision
- 17 of the panel:
- 18 (1) applies only to the case before the panel; and
- 19 (2) does not affect any rule of the association or decision under
- 20 any rule concerning any student other than the student whose
- 21 parent referred the case to the panel.
- 22 (e) The association shall pay all costs attributable to the operation of
- 23 the panel, including travel and a stipend of at least fifty dollars (\$50)
- 24 for each meeting for panel members.
- 25 SECTION 48. IC 20-26-15-5, AS AMENDED BY P.L.286-2013,
- 26 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2015]: Sec. 5. Notwithstanding any other law, the operation
- 28 of the following is suspended for a freeway school corporation or a
- 29 freeway school if the governing body of the school corporation elects
- 30 to have the specific statute or rule suspended in the contract:
- 31 (1) The following statutes and rules concerning curriculum and
- 32 instructional time:
- 33 IC 20-30-2-7
- 34 IC 20-30-5-8
- 35 IC 20-30-5-9
- 36 IC 20-30-5-11
- 37 511 IAC 6-7-6
- 38 511 IAC 6.1-5-0.5
- 39 511 IAC 6.1-5-1
- 40 511 IAC 6.1-5-2.5
- 41 511 IAC 6.1-5-3.5
- 42 511 IAC 6.1-5-4.



- 1 (2) The following rule concerning pupil/teacher ratios:
- 2 511 IAC 6.1-4-1.
- 3 (3) The following statutes and rules concerning curricular
- 4 materials:
- 5 IC 20-26-12-24
- 6 IC 20-26-12-26
- 7 ~~IC 20-26-12-1~~
- 8 IC 20-26-12-2
- 9 511 IAC 6.1-5-5.
- 10 (4) 511 IAC 6-7, concerning graduation requirements.
- 11 (5) IC 20-31-4, concerning the performance based accreditation
- 12 system.
- 13 (6) IC 20-32-5, concerning the ISTEP program established under
- 14 IC 20-32-5-15, if an alternative locally adopted assessment
- 15 program is adopted under section 6(7) of this chapter.
- 16 SECTION 49. IC 20-28-8-2, AS ADDED BY P.L.1-2005, SECTION
- 17 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 18 2015]: Sec. 2. A contract of employment shall be entered into between
- 19 the governing body of the school corporation and a principal or
- 20 assistant principal subject to the following conditions:
- 21 ~~(1) The basic contract must be the regular teacher's contract as~~
- 22 ~~prescribed by the state superintendent.~~
- 23 ~~(2) (1)~~ (1) The term of the initial contract must be the equivalent of
- 24 at least two (2) school years.
- 25 ~~(3) (2)~~ (2) The contract may be altered, modified, or rescinded in
- 26 favor of a new contract at any time by mutual consent of the
- 27 governing body of the school corporation and the principal or
- 28 assistant principal, if the contract, when reduced to writing, is
- 29 consistent with this chapter.
- 30 SECTION 50. IC 20-28-8-3, AS AMENDED BY P.L.253-2013,
- 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2015]: Sec. 3. (a) Before March 1 of the year during which the
- 33 contract of an assistant superintendent, a principal, or an assistant
- 34 principal is due to expire, the governing body of the school corporation,
- 35 or an employee at the direction of the governing body, shall give
- 36 written notice of renewal or refusal to renew the individual's contract
- 37 for the ensuing school year.
- 38 ~~(b) If notice is not given before March 1 of the year during which the~~
- 39 ~~contract is due to expire, the contract then in force shall be reinstated~~
- 40 ~~only for the ensuing school year.~~
- 41 ~~(c) (b)~~ (b) This section does not prevent the modification or termination
- 42 of a contract by mutual agreement of the assistant superintendent, the



1 principal, or the assistant principal and the governing body.

2 SECTION 51. IC 20-28-8-6, AS AMENDED BY P.L.167-2013,
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 6. A contract entered into by a governing body
5 and its superintendent is subject to the following conditions:

6 ~~(1) If the superintendent holds a license under IC 20-28-5, the~~
7 ~~basic contract must be in the form of the regular teacher's~~
8 ~~contract.~~

9 ~~(2) (1) The contract must be for a term of at least thirty-six (36)~~
10 ~~months.~~

11 ~~(3) (2) The contract may be altered or rescinded for a new one~~
12 ~~at any time by mutual consent of the governing body and the~~
13 ~~superintendent. The consent of both parties must be in writing~~
14 ~~and must be expressed in a manner consistent with this section~~
15 ~~and sections section 7 through 8 of this chapter.~~

16 ~~(4) (3) If the superintendent holds a license under IC 20-28-5,~~
17 ~~the rights of a superintendent as a teacher under any other law~~
18 ~~are not affected by the contract.~~

19 SECTION 52. IC 20-28-8-8 IS REPEALED [EFFECTIVE JULY 1,
20 2015]. Sec. 8: ~~If the governing body fails to give a termination notice~~
21 ~~under section 7(3) of this chapter, the superintendent's contract is~~
22 ~~extended for twelve (12) months following the expiration date of the~~
23 ~~contract.~~

24 SECTION 53. IC 20-28-8-10, AS ADDED BY P.L.1-2005,
25 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2015]: Sec. 10. A contract of employment shall be entered
27 into between the managing body and a local director subject to the
28 following conditions:

29 ~~(1) The basic contract must be the regular teacher's contract as~~
30 ~~prescribed by the state superintendent.~~

31 ~~(2) (1) The minimum term of the initial contract must be the~~
32 ~~equivalent of two (2) school years.~~

33 ~~(3) (2) The contract may be altered, modified, or rescinded in~~
34 ~~favor of a new contract at any time by mutual consent of the~~
35 ~~managing body and the local director if the written contract is~~
36 ~~consistent with this chapter.~~

37 SECTION 54. IC 20-28-8-11, AS ADDED BY P.L.1-2005,
38 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2015]: Sec. 11. (a) Before February 1 of the year during which
40 the contract of a local director is due to expire, the managing body, or
41 an employee at the direction of the managing body, shall give written
42 notice of renewal or refusal to renew the local director's contract for the



1 ensuing school year.

2 (b) If notice is not given before February 1 of the year during which
3 the contract is due to expire, the contract then in force is reinstated only
4 for the ensuing school year.

5 (c) (b) This section does not prevent the modification or termination
6 of a contract by mutual agreement of the local director and the
7 managing body.

8 SECTION 55. IC 20-28-9-1.5, AS ADDED BY P.L.286-2013,
9 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2015]: Sec. 1.5. (a) This subsection applies to a contract in
11 effect July 1, 2012, or upon the expiration of a contract in existence on
12 July 1, 2011, whichever is earlier, and governs salary increases for a
13 teacher employed by a school corporation on or after the date this
14 subsection takes effect. Compensation attributable to additional
15 degrees or graduate credits earned before the effective date of the local
16 salary schedule created under this chapter shall continue.
17 Compensation attributable to additional degrees for which a teacher has
18 started course work before July 1, 2011, and completed course work
19 before September 2, 2014, shall also continue.

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

22 (1) ~~A combination of the following factors taken together~~ **The**
23 **number of years of a teacher's experience** may account for not
24 more than thirty-three percent (33%) of the calculation used to
25 determine a teacher's increase or increment.

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

27 (B) ~~The attainment of either:~~

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

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

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

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

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

38 (5) **The attainment of either:**

39 (A) **additional content area degrees beyond the**
40 **requirements for employment; or**

41 (B) **additional content area degrees and credit hours**
42 **beyond the requirements for employment, if required**



1 **under an agreement bargained under IC 20-29.**

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

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

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

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

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

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

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

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

31 SECTION 56. IC 20-30-3-1 IS REPEALED [EFFECTIVE JULY 1,
32 2015]. ~~Sec. 1. (a) The last Friday of April is designated for general
33 observance as Arbor Day to encourage the planting of shade and forest
34 trees, shrubs, and vines.~~

35 ~~(b) Each year the governor shall proclaim Arbor Day at least thirty
36 (30) days before it occurs.~~

37 ~~(c) Appropriate exercises giving due honor to:~~

38 ~~(1) the conservators of forestry;~~

39 ~~(2) the founders of the study and conservation of Indiana
40 forestry; and~~

41 ~~(3) a leading spirit of Indiana forestry conservation; Charles
42 Warren Fairbanks;~~



1 may be prepared by each superintendent and conducted in each school
2 and by communities throughout Indiana:

3 SECTION 57. IC 20-31-4-2, AS ADDED BY P.L.1-2005, SECTION
4 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2015]: Sec. 2. (a) A school in Indiana **that elects to be accredited** may
6 be accredited:

7 (1) under the performance based accreditation system
8 established by this chapter; or

9 (2) by implementing a quality focused approach to school
10 improvement such as the criteria for the Malcolm Baldrige
11 National Quality Award for Education or for a national or
12 regional accreditation agency that is recommended by the
13 education roundtable and approved by the state board.

14 (b) The state board shall establish the following:

15 (1) A performance based accreditation system for accrediting
16 schools in Indiana under this chapter.

17 (2) A procedure for determining whether a school is making
18 progress toward meeting the criteria for the Malcolm Baldrige
19 National Quality Award for Education or a national or regional
20 accreditation agency.

21 (c) The department shall establish a schedule for accrediting schools
22 **that elect to be accredited** under this chapter.

23 **(d) A school that elects to be accredited or to retain the school's**
24 **accreditation under the performance based accreditation system**
25 **shall comply with this chapter.**

26 SECTION 58. IC 20-31-4-7, AS ADDED BY P.L.1-2005, SECTION
27 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
28 2015]: Sec. 7. (a) If the department determines that:

29 (1) a school has complied with all the legal standards under
30 section 6 of this chapter; and

31 (2) the school's performance has met the expectations for that
32 school in the areas described in section 5 of this chapter;

33 the state board shall make a determination that the school has acquired
34 full accreditation status.

35 (b) The department shall conduct the next review under this chapter
36 of a school described under subsection (a) not later than five (5) years
37 after the state board's determination of full accreditation **if the school**
38 **elects to retain accreditation.**

39 SECTION 59. IC 20-31-4-8, AS ADDED BY P.L.1-2005, SECTION
40 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
41 2015]: Sec. 8. (a) If the department verifies that:

42 (1) a school **seeking accreditation** has not complied with all the



1 legal standards under section 6 of this chapter; or
 2 (2) the school's performance has not met the expectations for
 3 that school in the areas described in section 5 of this chapter;
 4 a review panel of at least three (3) members shall conduct an onsite
 5 evaluation of that school to make a recommendation to the state board
 6 as to the accreditation status of that school.

7 (b) The department may not publish or otherwise make available for
 8 public inspection any information concerning a school's compliance
 9 with legal standards under section 6 of this chapter, the meeting of
 10 performance expectations under section 5 of this chapter, the
 11 assignment of an onsite review panel under this section, or the
 12 recommended accreditation status of the school until all onsite reviews
 13 have taken place and recommendations to the state board concerning
 14 the accreditation status of the school have been made.

15 SECTION 60. IC 20-31-4-12, AS ADDED BY P.L.1-2005,
 16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 12. (a) Upon receipt of a review panel's
 18 recommendation, the state board shall make one (1) of the following
 19 determinations as to the accreditation status of the school:

20 (1) Full accreditation status with the next review being
 21 conducted five (5) years after the state board's determination of
 22 full accreditation **if the school elects to retain accreditation.**

23 (2) Full accreditation status with the next review being
 24 conducted earlier than five (5) years after the state board's
 25 determination of full accreditation **if the school elects to retain**
 26 **accreditation.**

27 (3) Probationary accreditation with the next review being
 28 conducted one (1) year after the state board's determination of
 29 probationary accreditation **if the school elects to retain**
 30 **accreditation.**

31 (b) A school that does not comply with all the legal standards may
 32 not be determined to have acquired full accreditation status.

33 SECTION 61. IC 20-31-4-13, AS ADDED BY P.L.1-2005,
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 13. If a school is assigned probationary
 36 accreditation status, **and the school elects to achieve full**
 37 **accreditation status**, the governing body of the school corporation
 38 shall:

39 (1) develop a plan, within one (1) year after the school is
 40 assigned probationary status, to raise the school's level of
 41 accreditation; and

42 (2) raise the school's level of accreditation within three (3) years



1 after the school is assigned probationary status.
 2 SECTION 62. IC 20-31-4-14, AS ADDED BY P.L.1-2005,
 3 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 14. (a) If a school having probationary status:
 5 (1) fails to make progress; or
 6 (2) at the end of three (3) years has not achieved full
 7 accreditation status;

8 the state board shall assign probationary accreditation status to the
 9 school corporation in which the school is located.

10 (b) A school corporation on probationary accreditation status **that**
 11 **elects to achieve full accreditation status** shall direct its efforts
 12 toward raising the level of accreditation of each of its schools that are
 13 on probationary accreditation status to full accreditation status within
 14 one (1) year after the school corporation is assigned probationary
 15 accreditation status.

16 SECTION 63. IC 20-31-4-15 IS REPEALED [EFFECTIVE JULY
 17 1, 2015]. ~~Sec. 15. If a school corporation on probationary accreditation~~
 18 ~~status does not raise the level of accreditation of each of its schools that~~
 19 ~~are on probationary accreditation status to full accreditation status~~
 20 ~~within one (1) year after the school corporation was assigned~~
 21 ~~probationary accreditation status; the department shall submit to the~~
 22 ~~general assembly recommendations concerning the operation and~~
 23 ~~administration of the school corporation and the schools within that~~
 24 ~~school corporation.~~

25 SECTION 64. IC 20-31-5-4, AS AMENDED BY P.L.246-2013,
 26 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 4. (a) A plan must:

28 (1) state objectives **that the school wants to achieve** for a three
 29 (3) year period; and
 30 (2) be annually reviewed and revised to accomplish the
 31 achievement objectives of the school.

32 (b) ~~A plan must~~ **school shall** establish **in the plan** objectives for **that**
 33 the school **wants** to achieve. **A school shall determine the form and**
 34 **content of the plan.**

35 (c) This subsection does not apply to a school that is designated in
 36 the top category or designation of school improvement under
 37 IC 20-31-8-4 in the year immediately preceding the year in which the
 38 school's initial plan is implemented. These achievement objectives
 39 must be consistent with academic standards and include improvement
 40 in at least the following areas:

41 (1) ~~Attendance rate; as set forth in the plan developed under~~
 42 ~~IC 20-19-3-12.2.~~



- 1 (2) The educational needs of students who have been identified
 2 to be chronically absent or habitually truant from school.
 3 (3) The percentage of students meeting academic standards
 4 under the ISTEP program (IC 20-31-3 and IC 20-32-5).
 5 (4) For a secondary school, graduation rate.
 6 (d) A plan must address the learning needs of all students, including
 7 programs and services for exceptional learners.
 8 (e) A plan must specify how and to what extent the school expects
 9 to make continuous improvement in all areas of the education system
 10 where results are measured by setting benchmarks for progress on an
 11 individual school basis.
 12 (f) A plan must note specific areas where improvement is needed
 13 immediately.
- 14 SECTION 65. IC 20-31-5-6 IS REPEALED [EFFECTIVE JULY 1,
 15 2015]. Sec. 6. (a) This section does not apply to a school that is
 16 designated in the top category or designation of school improvement
 17 under IC 20-31-8-4 in the year immediately preceding the year in
 18 which the school's initial plan is implemented. A plan must contain the
 19 following components for the school:
- 20 (1) A list of the statutes and rules that the school wishes to have
 21 suspended from operation for the school.
 22 (2) A description of the curriculum and information concerning
 23 the location of a copy of the curriculum that is available for
 24 inspection by members of the public.
 25 (3) A description and name of the assessments that will be used
 26 in the school in addition to ISTEP program assessments.
 27 (4) A plan to be submitted to the governing body and made
 28 available to all interested members of the public in an easily
 29 understood format.
 30 (5) A provision to maximize parental participation in the school;
 31 which may include providing parents with:
 32 (A) access to learning aids to assist students with school
 33 work at home;
 34 (B) information on home study techniques; and
 35 (C) access to school resources.
 36 (6) For a secondary school, a provision to do the following:
 37 (A) Offer courses that allow all students to become eligible
 38 to receive an academic honors diploma.
 39 (B) Encourage all students to earn an academic honors
 40 diploma or complete the Core 40 curriculum.
 41 (C) Reduce the number of graduation exam waivers granted
 42 to graduates.



1 (7) A provision to maintain a safe and disciplined learning
 2 environment for students and teachers that complies with the
 3 governing body's plan for improving student behavior and
 4 discipline developed under ~~IC 20-26-5-32~~.

5 (8) A provision for the coordination of technology initiatives and
 6 ongoing professional development activities.

7 (b) If, for a purpose other than a plan under this chapter, a school has
 8 developed materials that are substantially similar to a component listed
 9 in subsection (a), the school may substitute those materials for the
 10 component listed in subsection (a):

11 SECTION 66. IC 20-31-11-6, AS AMENDED BY P.L.146-2008,
 12 SECTION 474, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A public school that receives
 14 a monetary award under this chapter may expend that award for any
 15 educational purpose for that school. ~~except:~~

16 (1) ~~athletics;~~

17 (2) ~~salaries for school personnel; or~~

18 (3) ~~salary bonuses for school personnel.~~

19 (b) A monetary award may not be used to determine the state tuition
 20 support under IC 20-43 of the school corporation in which the school
 21 receiving the monetary award is located.

22 SECTION 67. IC 20-32-5-17, AS ADDED BY P.L.1-2005,
 23 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 17. (a) If a nonpublic school seeks accreditation
 25 as authorized under ~~IC 20-19-2-8(a)(5)~~, **IC 20-19-2-8**, the governing
 26 body of the nonpublic school is entitled to acquire at no charge from
 27 the department:

28 (1) the ISTEP program test; and

29 (2) the scoring reports used by the department.

30 (b) The nonpublic school seeking accreditation must:

31 (1) administer the ISTEP program test to its students at the same
 32 time that school corporations administer the test; and

33 (2) make available to the department the results of the ISTEP
 34 program testing.

35 SECTION 68. IC 20-33-3-7, AS ADDED BY P.L.1-2005, SECTION
 36 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 37 2015]: Sec. 7. (a) This chapter applies to a child less than eighteen (18)
 38 years of age who is employed or is seeking employment in Indiana.

39 (b) A child less than eighteen (18) years of age who is a resident of
 40 Indiana and who requires an employment certificate shall obtain the
 41 employment certificate from the issuing officer of the:

42 (1) accredited school (as described in ~~IC 20-19-2-8(a)(5)~~)



- 1 **IC 20-19-2-8**) that the child attends; or
 2 (2) school corporation in which the child resides.
 3 (c) A child less than eighteen (18) years of age who is not a resident
 4 of Indiana and who requires an employment certificate to work in
 5 Indiana shall obtain the certificate from the issuing officer of the school
 6 corporation in which the child is:
 7 (1) employed; or
 8 (2) seeking employment.

9 The judge of a court with juvenile jurisdiction may suspend the
 10 application of this chapter in cases involving juvenile delinquents or
 11 incorrigibles whenever, in the opinion of the judge, the welfare of a
 12 child warrants this action.

13 SECTION 69. IC 20-33-3-8, AS AMENDED BY P.L.1-2007,
 14 SECTION 147, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The issuing officer in each
 16 accredited school (as described in ~~IC 20-19-2-8(a)(5)~~ **IC 20-19-2-8**)
 17 shall be an individual who is:

- 18 (1) a guidance counselor;
 19 (2) a school social worker; or
 20 (3) an attendance officer for the school corporation and a teacher
 21 licensed by the division of professional standards of the
 22 department under IC 20-28-4 or IC 20-28-5;
 23 and designated in writing by the principal.

24 (b) During the times in which the individual described in subsection
 25 (a) is not employed by the school or when school is not in session, there
 26 shall be an issuing officer available:

- 27 (1) who is a teacher licensed by the division of professional
 28 standards of the department under IC 20-28-4 or IC 20-28-5; and
 29 (2) whose identity and hours of work shall be determined by the
 30 principal.

31 SECTION 70. IC 33-33-53-5, AS AMENDED BY P.L.179-2011,
 32 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 5. In accordance with rules adopted by the judges
 34 of the court under section 6 of this chapter, the presiding judge shall do
 35 the following:

- 36 (1) Ensure that the court operates efficiently and judicially under
 37 rules adopted by the court.
 38 (2) Annually submit to the fiscal body of Monroe County a
 39 budget for the court, including amounts necessary for:
 40 (A) the operation of the circuit's probation department;
 41 (B) the defense of indigents; and
 42 (C) maintaining an adequate law library.



- 1 (3) Make the appointments or selections required of a circuit or
- 2 superior court judge under the following statutes:
- 3 IC 8-4-21-2
- 4 IC 11-12-2-2
- 5 IC 16-22-2-4
- 6 IC 16-22-2-11
- 7 IC 16-22-7
- 8 IC 20-23-4
- 9 ~~IC 20-23-7-6~~
- 10 IC 20-23-7-8.1
- 11 IC 20-26-7-8
- 12 IC 20-26-7-14
- 13 IC 20-47-2-15
- 14 IC 20-47-3-13
- 15 IC 36-9
- 16 IC 36-10
- 17 IC 36-12-10-10.

18 (4) Make appointments or selections required of a circuit or
 19 superior court judge by any other statute, if the appointment or
 20 selection is not required of the court because of an action before
 21 the court.

22 SECTION 71. IC 34-13-3-3, AS AMENDED BY P.L.220-2013,
 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 3. A governmental entity or an employee acting
 25 within the scope of the employee's employment is not liable if a loss
 26 results from the following:

- 27 (1) The natural condition of unimproved property.
- 28 (2) The condition of a reservoir, dam, canal, conduit, drain, or
- 29 similar structure when used by a person for a purpose that is not
- 30 foreseeable.
- 31 (3) The temporary condition of a public thoroughfare or extreme
- 32 sport area that results from weather.
- 33 (4) The condition of an unpaved road, trail, or footpath, the
- 34 purpose of which is to provide access to a recreation or scenic
- 35 area.
- 36 (5) The design, construction, control, operation, or normal
- 37 condition of an extreme sport area, if all entrances to the
- 38 extreme sport area are marked with:
- 39 (A) a set of rules governing the use of the extreme sport
- 40 area;
- 41 (B) a warning concerning the hazards and dangers
- 42 associated with the use of the extreme sport area; and



- 1 (C) a statement that the extreme sport area may be used only
 2 by persons operating extreme sport equipment.
 3 This subdivision shall not be construed to relieve a
 4 governmental entity from liability for the continuing duty to
 5 maintain extreme sports areas in a reasonably safe condition.
 6 (6) The initiation of a judicial or an administrative proceeding.
 7 (7) The performance of a discretionary function; however, the
 8 provision of medical or optical care as provided in IC 34-6-2-38
 9 shall be considered as a ministerial act.
 10 (8) The adoption and enforcement of or failure to adopt or
 11 enforce:
 12 (A) a law (including rules and regulations); or
 13 (B) in the case of a public school or charter school, a policy;
 14 unless the act of enforcement constitutes false arrest or false
 15 imprisonment.
 16 (9) An act or omission performed in good faith and without
 17 malice under the apparent authority of a statute which is invalid
 18 if the employee would not have been liable had the statute been
 19 valid.
 20 (10) The act or omission of anyone other than the governmental
 21 entity or the governmental entity's employee.
 22 (11) The issuance, denial, suspension, or revocation of, or
 23 failure or refusal to issue, deny, suspend, or revoke any permit,
 24 license, certificate, approval, order, or similar authorization,
 25 where the authority is discretionary under the law.
 26 (12) Failure to make an inspection, or making an inadequate or
 27 negligent inspection, of any property, other than the property of
 28 a governmental entity, to determine whether the property
 29 complied with or violates any law or contains a hazard to health
 30 or safety.
 31 (13) Entry upon any property where the entry is expressly or
 32 impliedly authorized by law.
 33 (14) Misrepresentation if unintentional.
 34 (15) Theft by another person of money in the employee's official
 35 custody, unless the loss was sustained because of the employee's
 36 own negligent or wrongful act or omission.
 37 (16) Injury to the property of a person under the jurisdiction and
 38 control of the department of correction if the person has not
 39 exhausted the administrative remedies and procedures provided
 40 by section 7 of this chapter.
 41 (17) Injury to the person or property of a person under
 42 supervision of a governmental entity and who is:



- 1 (A) on probation; or
 2 (B) assigned to an alcohol and drug services program under
 3 IC 12-23, a minimum security release program under
 4 IC 11-10-8, a pretrial conditional release program under
 5 IC 35-33-8, or a community corrections program under
 6 IC 11-12.
- 7 (18) Design of a highway (as defined in IC 9-13-2-73), toll road
 8 project (as defined in IC 8-15-2-4(4)), tollway (as defined in
 9 IC 8-15-3-7), or project (as defined in IC 8-15.7-2-14) if the
 10 claimed loss occurs at least twenty (20) years after the public
 11 highway, toll road project, tollway, or project was designed or
 12 substantially redesigned; except that this subdivision shall not
 13 be construed to relieve a responsible governmental entity from
 14 the continuing duty to provide and maintain public highways in
 15 a reasonably safe condition.
- 16 (19) Development, adoption, implementation, operation,
 17 maintenance, or use of an enhanced emergency communication
 18 system.
- 19 (20) Injury to a student or a student's property by an employee
 20 of a school corporation if the employee is acting reasonably
 21 under a
 22 ~~(A) discipline policy adopted under IC 20-33-8-12. or~~
 23 ~~(B) restraint and seclusion plan adopted under~~
 24 ~~IC 20-20-40-14.~~
- 25 (21) An act or omission performed in good faith under the
 26 apparent authority of a court order described in IC 35-46-1-15.1
 27 that is invalid, including an arrest or imprisonment related to the
 28 enforcement of the court order, if the governmental entity or
 29 employee would not have been liable had the court order been
 30 valid.
- 31 (22) An act taken to investigate or remediate hazardous
 32 substances, petroleum, or other pollutants associated with a
 33 brownfield (as defined in IC 13-11-2-19.3) unless:
 34 (A) the loss is a result of reckless conduct; or
 35 (B) the governmental entity was responsible for the initial
 36 placement of the hazardous substances, petroleum, or other
 37 pollutants on the brownfield.
- 38 (23) The operation of an off-road vehicle (as defined in
 39 IC 14-8-2-185) by a nongovernmental employee, or by a
 40 governmental employee not acting within the scope of the
 41 employment of the employee, on a public highway in a county
 42 road system outside the corporate limits of a city or town, unless



1 the loss is the result of an act or omission amounting to:
2 (A) gross negligence;
3 (B) willful or wanton misconduct; or
4 (C) intentional misconduct.
5 This subdivision shall not be construed to relieve a
6 governmental entity from liability for the continuing duty to
7 maintain highways in a reasonably safe condition for the
8 operation of motor vehicles licensed by the bureau of motor
9 vehicles for operation on public highways.
10 (24) Any act or omission rendered in connection with a request,
11 investigation, assessment, or opinion provided under
12 IC 36-9-28.7.
13 SECTION 72. [EFFECTIVE JULY 1, 2015] **(a) The legislative**
14 **services agency shall prepare legislation for introduction in the**
15 **2016 regular session of the general assembly to organize and**
16 **correct statutes affected by this act.**
17 **(b) This SECTION expires December 31, 2015.**

