

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1398

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-18-2-16, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-28-11.5, IC 20-30-8, **IC 20-30-16**, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) consolidated school corporation;
- (4) metropolitan school district;
- (5) township school corporation;
- (6) county school corporation;
- (7) united school corporation; or
- (8) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of IC 20-20-33, **IC 20-26-5**, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

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(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3.

(f) "School corporation", for purposes of IC 20-35, has the meaning set forth in IC 20-35-1-6.

(g) "School corporation", for purposes of IC 20-30-16, has the meaning set forth in IC 20-30-16-4.

SECTION 2. IC 20-26.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 26.5. COALITION OF CONTINUOUS IMPROVEMENT SCHOOL DISTRICTS

Chapter 1. Definitions

Sec. 1. As used in this article, "coalition" refers to a coalition of continuous improvement school districts approved by the state board under IC 20-26.5-2.

Sec. 2. As used in this article, "coalition member" refers to a school corporation, eligible school (as defined in IC 20-51-1-4.7), or accredited nonpublic school that is approved by the state board under IC 20-26.5-2 to become a member of a coalition established under IC 20-26.5-2.

Chapter 2. Establishment of Coalition of Continuous Improvement School Districts

Sec. 1. (a) The state board may approve not more than one (1) coalition of continuous improvement school districts under this chapter to offer flexibility and innovation to schools to improve student outcomes.

(b) To establish a coalition under this chapter, at least four (4), but not more than a total of eight (8), of any of the following must jointly submit a plan to the state board in a manner prescribed by the state board:

- (1) A school corporation.**
- (2) An eligible school (as defined in IC 20-51-1-4.7).**
- (3) An accredited nonpublic school.**

(c) The plan submitted under subsection (b) must include:

- (1) a description of the various educational programs that will be offered by members of the proposed coalition;**
- (2) a description that identifies potential coalition member partnerships with:**
 - (A) business or industry;**
 - (B) postsecondary educational institutions; or**
 - (C) community partners;**
- (3) the specific goals and the measurable student outcomes to**



be obtained by the proposed coalition members; and

(4) an explanation of how student performance in achieving the specific outcomes will be measured, evaluated, and reported.

If a plan submitted to the state board includes a request to suspend all or portions of IC 20-30 for a proposed coalition, the plan must include how the specific goal of the proposed coalition will be achieved by suspending all or portions of IC 20-30. The state board may approve a plan that proposes to suspend all or portions of IC 20-30 only if the suspension is related to a specific goal of the proposed coalition.

(d) The state board may approve a coalition under this chapter if the state board determines that the coalition will:

- (1) improve student performance and outcomes;
- (2) offer coalition members flexibility in the administration of educational programs; and
- (3) promote innovative educational approaches to student learning.

(e) The plan approved by the state board under subsection (d) must apply uniformly for each member of the coalition.

(f) Upon approval of the coalition by the state board under subsection (d), the state board shall post the following on the state board's Internet web site:

- (1) A copy of the plan approved by the state board under subsection (d).
- (2) Information describing how a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or an accredited nonpublic school may submit an application to become a coalition member to the coalition under section 2(b) of this chapter.

Sec. 2. (a) Subject to subsection (b), if the state board approves a coalition under section 1(d) of this chapter, the applicants that jointly submitted an application under section 1 of this chapter become coalition members.

(b) In addition to the coalition members described in subsection (a), a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or an accredited nonpublic school may become a coalition member by submitting an application to the coalition, in a manner prescribed by the coalition. The coalition may submit a recommendation to the state board that an applicant under this subsection should be approved to participate in the coalition. Subject to subsection (c), the state board shall approve an



application submitted under this subsection.

(c) For:

- (1) the 2018-2019 school year, not more than a total of eight (8) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or accredited nonpublic schools may participate in the coalition;
- (2) the 2019-2020 school year, not more than a total of twelve (12) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or accredited nonpublic schools may participate in the coalition; and
- (3) the 2020-2021 school year, not more than a total of sixteen (16) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or accredited nonpublic schools may participate in the coalition.

(d) Beginning in the 2021-2022 school year and each school year thereafter, the state board shall limit the number of coalition members to thirty (30) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or accredited nonpublic schools.

Sec. 3. (a) Notwithstanding any other law, the following may be suspended for a coalition member in accordance with the coalition's plan:

- (1) Subject to section 1(c) of this chapter, IC 20-30, concerning curriculum.
- (2) The following statutes and rules concerning curricular materials:
 - IC 20-26-12-1.
 - IC 20-26-12-2.
 - IC 20-26-12-24.
 - IC 20-26-12-26.
 - 511 IAC 6.1-5-5.
- (3) The following rules concerning teacher licenses:
 - 511 IAC 16.
 - 511 IAC 17.
- (4) IC 20-31-4, concerning the performance based accreditation system.
- (5) Except as provided in subsection (b), any other statute in IC 20 or rule in 511 IAC requested to be suspended as part of the plan that is approved by the state board under section 1 of this chapter.

(b) A coalition member may not suspend under subsection (a)(5) any of the following:

- (1) IC 20-26-5-10 (criminal history and child protection index



check).

- (2) IC 20-28 (school teachers).
- (3) IC 20-29 (collective bargaining).
- (4) IC 20-31 (accountability for performance and improvement), except for IC 20-31-4.
- (5) Subject to subsection (c), IC 20-32-4 (graduation requirements).
- (6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).
- (7) IC 20-33 (students).
- (8) IC 20-34 (student health and safety measures).
- (9) IC 20-35 (special education).
- (10) IC 20-36 (high ability students).
- (11) IC 20-39 (accounting and financial reporting procedures).
- (12) IC 20-40 (government funds and accounts).
- (13) IC 20-41 (extracurricular funds and accounts).
- (14) IC 20-42 (fiduciary funds and accounts).
- (15) IC 20-42.5 (allocation of expenditures to student instruction and learning).
- (16) IC 20-43 (state tuition support).
- (17) IC 20-44 (property tax levies).
- (18) IC 20-46 (levies other than general fund levies).
- (19) IC 20-47 (related entities; holding companies; lease agreements).
- (20) IC 20-48 (borrowing and bonds).
- (21) IC 20-49 (state management of common school funds; state advances and loans).
- (22) IC 20-50 (homeless children and foster care children).

(c) A coalition member must comply with the postsecondary readiness competency requirements under IC 20-32-4-1.5(b)(1). However, a coalition member may establish flexible course requirements pursuant to the coalition's plan that are not aligned with the course and credit requirements adopted by the state board under IC 20-30-10. If the coalition member school offers courses that are not aligned with requirements adopted by the state board under IC 20-30-10, a parent of a student and the student who intends to enroll in a course that is not aligned with requirements adopted by the state board under IC 20-30-10 must provide consent to the coalition member school to enroll in the course. The consent form used by the coalition, which shall be developed in collaboration with the commission for higher education, must



notify the parent and the student that enrollment in the course may affect the student's ability to attend a particular postsecondary educational institution or enroll in a particular course at a particular postsecondary educational institution because the course does not align with requirements established by the state board under IC 20-30-10.

Sec. 4. The state board may revoke a coalition member's membership in the coalition if the state board determines that the coalition member has not met the specific goals or measurable student outcomes set forth under section 1(c)(3) of this chapter.

Sec. 5. Not later than November 1, 2019, and not later than November 1 of each year thereafter, the department shall report to the legislative council annually in an electronic format under IC 5-14-6 regarding the following:

- (1) The fiscal impact on each coalition member of the member's participation in a coalition.
- (2) The qualifications of each teacher who teaches in a coalition, as follows:
 - (A) Whether the teacher holds a license under IC 20-28.
 - (B) Whether the teacher is paid by:
 - (i) a coalition member; or
 - (ii) another employer.
- (3) The type of future employment for which a student in a coalition is trained if the student is trained in a type of employment.
- (4) The amount and terms of compensation for each student who receives compensation from a member of business or industry through a coalition's partnership with an entity described in section 1(c)(2)(A) of this chapter.
- (5) The impact of a coalition member's participation in a coalition on the coalition member's graduation rates.
- (6) Information regarding where a student in a coalition obtains full-time employment when the student graduates or leaves school, if applicable.

SECTION 3. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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