



January 29, 2016

## SENATE BILL No. 93

DIGEST OF SB 93 (Updated January 27, 2016 3:58 pm - DI 71)

**Citations Affected:** IC 6-1.1; IC 20-18; IC 20-20; IC 20-24; IC 20-26; IC 20-27; IC 20-28; IC 20-32; noncode.

**Synopsis:** Various education matters. Provides that the financial specialist appointed for the Gary Community School Corporation may perform the duties authorized under the statute for not more than 24 consecutive months (rather than 12 consecutive months, under current law). Amends the definition of "secondary school" to include certain elementary grades for purposes of a federal student loan forgiveness program for highly qualified teachers in high needs areas. Makes changes to the "school report card". Provides that a charter school organizer must establish certain requirements for the distribution of funds or assets of a charter school that ceases operation. (Current law provides that a charter school organizer must establish certain requirements for the distribution of funds or assets upon dissolution of a charter school.) Provides that an authorizer's closure protocol shall require that student records of students who no longer attend the charter school or have graduated on or before the date a charter school closes are transferred to the school corporation whose attendance area includes the charter school. Provides that if a school corporation or a charter school does not pay taxes due under the Federal Insurance Contributions Act within 30 days after the due date (and any known accrued penalties and interest on those taxes) or does not pay withheld state income taxes (and any known accrued penalties and interest on those taxes) within 30 days after the due date: (1) the school business  
(Continued next page)

**Effective:** Upon passage; July 1, 2016.

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### Kruse, Rogers, Mrvan

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January 5, 2016, read first time and referred to Committee on Education & Career Development.  
January 28, 2016, amended, reported favorably — Do Pass.

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official or financial officer shall report the failure to pay the taxes and the penalties and interest to the governing body of the school corporation or charter school; and (2) the governing body shall report at a public meeting on the failure to pay the taxes and the penalties and interest. Specifies that if during the following 365 days the school corporation or charter school has a subsequent failure to pay the taxes and known accrued penalties and interest within 30 days after the due date, the school corporation or charter school shall provide notice of its subsequent delinquency to the department of education, the budget agency, and the distressed unit appeal board. Adds an additional measure by which the depth perception of a school bus driver may be determined. Provides for the revocation of a school bus driver's certificate of completion of school bus driver safety education under certain circumstances. Provides that an individual may enroll in a transition to teaching program and receive a transition to teaching license without passing a content area examination before admission to the program. Provides that the department of education may not add additional requirements to obtain a teacher's license for an individual who is a graduate of an accredited teacher training program located outside of Indiana or for a teacher who holds a teaching license issued by another jurisdiction if the individual or teacher otherwise meets the requirements for a license or is a national board certified teacher. After June 30, 2016, requires a contract entered into by the department of education (department) for the development, administration, and scoring of an ISTEP program examination to provide for the return of test scores to the department in a timely manner so that test results may be provided to the state board of education (state board) before July 1 following the administration of the examination. Provides that after essay questions from ISTEP program examinations have been released to the public, the state board and department shall post the questions and exemplary student answers on their Internet web sites, and publicize the posting. Provides that the identities of students who provided the exemplary answers may not be disclosed, and that parental permission must be obtained before posting. Establishes the work ethic certification program under which a student who develops skills necessary for success in higher education or employment receives a work ethic certificate upon graduation. Voids administrative rules that require passing a content area examination before being admitted to a transition to teaching program. Requests the legislative council to assign the following topics to an appropriate study committee: (1) Whether a new charter school should be required to establish an escrow account for expenses if the charter school closes, and who should control the account. (2) Graduation rates, including the feasibility of amending the definition of "cohort" for purposes of determining graduation rates to exclude students who are pursuing a certificate of completion under an individualized education program. (3) Methods to ensure opportunities for secondary school students to earn college credits while enrolled in high school and to provide incentives for a teacher to obtain a master's degree or at least 18 hours of graduate coursework in the subject matter the teacher is teaching or wishes to teach as part of a dual credit course. (4) The feasibility of allowing a school corporation and an individual teacher to voluntarily enter into an employment contract that contains terms that differ from the terms set forth in a collective bargaining agreement, and issues related to the topic. (5) The feasibility of allowing a school corporation to allow a student to receive elective credits for released time religious education, and the conditions under which the credits may be awarded. (6) Issues related to the establishment of special education scholarship accounts and a special education scholarship account fund.



January 29, 2016

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

## SENATE BILL No. 93

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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 6-1.1-20.3-6.9, AS ADDED BY P.L.213-2015,  
2 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 6.9. (a) The board may do the following:  
4 (1) Hold a public hearing to review the budget, tax levies,  
5 assessed value, debt service requirements, and other financial  
6 information for the Gary Community School Corporation.  
7 (2) After reviewing the information described in subdivision (1)  
8 and subject to subdivision (3), the board may, with the consent of  
9 the governing body of the Gary Community School Corporation,  
10 select a financial specialist to take financial control of the Gary  
11 Community School Corporation, who shall act in consultation  
12 with the governing body of the Gary Community School  
13 Corporation and the city of Gary.  
14 (3) In selecting a financial specialist to take financial control of  
15 the Gary Community School Corporation under subdivision (2):

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- 1 (A) the board shall recommend three (3) persons as potential  
 2 candidates for the financial specialist position to take financial  
 3 control of the Gary Community School Corporation; and  
 4 (B) the governing body of the Gary Community School  
 5 Corporation may, within twenty-one (21) days after the board  
 6 makes the recommendations under clause (A), choose one (1)  
 7 of the persons recommended by the board under clause (A)  
 8 that the board may then select as a financial specialist to take  
 9 financial control of the Gary Community School Corporation  
 10 as provided in subdivision (2).
- 11 If the governing body of the Gary Community School Corporation  
 12 does not choose a financial specialist as provided in clause (B)  
 13 from the persons recommended by the board within twenty-one  
 14 (21) days, the board's authority under this section is terminated.
- 15 (4) A financial specialist selected under this section:  
 16 (A) shall be paid out of the funds appropriated to the board;  
 17 (B) may perform the duties authorized under this section for  
 18 not more than ~~twelve (12)~~ **twenty-four (24)** consecutive  
 19 months; and  
 20 (C) may request the Indiana Association of School Business  
 21 Officials to provide technical consulting services to the  
 22 financial specialist and the Gary Community School  
 23 Corporation on the following issues:  
 24 (i) Debt management.  
 25 (ii) Cash management.  
 26 (iii) Facility management.  
 27 (iv) Other school business management issues.
- 28 The Indiana Association of School Business Officials will  
 29 determine the appropriate individuals to consult with the  
 30 financial specialist and the Gary Community School  
 31 Corporation. Any consulting expenses will be paid out of the  
 32 funds appropriated to the board.
- 33 (b) The board may do any of the following if the board selects a  
 34 financial specialist to take financial control of the Gary Community  
 35 School Corporation under subsection (a):  
 36 (1) The board may work jointly with the city of Gary and the  
 37 financial specialist to develop a financial plan for the Gary  
 38 Community School Corporation.  
 39 (2) The board may delay or suspend, for a period determined by  
 40 the board, any payments of principal or interest, or both, that  
 41 would otherwise be due from the Gary Community School  
 42 Corporation on loans or advances from the common school fund.



1 (3) The board may recommend to the state board of finance that  
 2 the state board of finance make an interest free loan to the Gary  
 3 Community School Corporation from the common school fund.  
 4 If the board makes a recommendation that such a loan be made,  
 5 the state board of finance may, notwithstanding IC 20-49, make  
 6 such a loan for a term of not more than six (6) years.

7 SECTION 2. IC 20-18-2-18, AS ADDED BY P.L.1-2005,  
 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2016]: Sec. 18. (a) **Except as provided in subsection (b),**  
 10 "secondary school" means a high school.

11 **(b) For purposes of IC 20-28-9-25, "secondary school" has the**  
 12 **meaning set forth in IC 20-28-9-25.**

13 SECTION 3. IC 20-20-8-8, AS AMENDED BY P.L.213-2015,  
 14 SECTION 159, AND AS AMENDED BY P.L.220-2015, SECTION 2,  
 15 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The report must include  
 17 the following information:

- 18 (1) Student enrollment.  
 19 (2) Graduation rate (as defined in IC 20-26-13-6) *and the*  
 20 *graduation rate excluding students that receive a graduation*  
 21 *waiver under IC 20-32-4-4.*  
 22 (3) Attendance rate.  
 23 (4) The following test scores, including the number and  
 24 percentage of students meeting academic standards:  
 25 (A) *ISTEP program test scores: All state standardized*  
 26 *assessment scores.*  
 27 (B) Scores for assessments under IC 20-32-5-21, if  
 28 appropriate.  
 29 (C) For a freeway school, scores on a locally adopted  
 30 assessment program, if appropriate.  
 31 (5) Average class size.  
 32 (6) *The school's performance category or designation of school*  
 33 *improvement assigned under IC 20-31-8.*  
 34 ~~(6)~~ (7) The number and percentage of students in the following  
 35 groups or programs:  
 36 (A) Alternative education, if offered.  
 37 (B) Career and technical education.  
 38 (C) Special education.  
 39 (D) High ability.  
 40 ~~(E)~~ Remediation.  
 41 ~~(F)~~ (E) Limited English language proficiency.  
 42 ~~(G)~~ (F) Students receiving free or reduced price lunch under



- 1 the national school lunch program.
- 2 ~~(H) School flex program, if offered.~~
- 3 ~~(7) (8) Advanced placement, including the following:~~
- 4 (A) For advanced placement tests, the percentage of students:
- 5 (i) scoring three (3), four (4), and five (5); and
- 6 (ii) taking the test.
- 7 (B) For the Scholastic Aptitude Test:
- 8 (i) **the average** test scores for all students taking the test;
- 9 (ii) **the average** test scores for students completing the
- 10 academic honors diploma program; and
- 11 (iii) the percentage of students taking the test.
- 12 ~~(8) (9) Course completion, including the number and percentage~~
- 13 ~~of students completing the following programs:~~
- 14 (A) Academic honors diploma.
- 15 (B) Core 40 curriculum.
- 16 (C) Career and technical programs.
- 17 ~~(9) (10) The percentage of grade 8 students enrolled in algebra I.~~
- 18 ~~(10) The percentage of graduates who pursue higher education.~~
- 19 ~~(H) (10) The percentage of graduates considered college and~~
- 20 ~~career ready in a manner prescribed by the state board.~~
- 21 ~~(11) (12) School safety, including:~~
- 22 (A) the number of students receiving suspension or expulsion
- 23 for the possession of alcohol, drugs, or weapons;
- 24 (B) the number of incidents reported under IC 20-33-9; and
- 25 (C) the number of bullying incidents reported under
- 26 IC 20-34-6 by category.
- 27 ~~(12) (13) Financial information and various school cost factors~~
- 28 ~~including the following: **required to be provided to the office of**~~
- 29 ~~**management and budget under IC 20-42.5-3-5.**~~
- 30 (A) Expenditures per pupil.
- 31 (B) Average teacher salary.
- 32 (C) Remediation funding.
- 33 ~~(13) Technology accessibility and use of technology in~~
- 34 ~~instruction.~~
- 35 ~~(14) Interdistrict and intradistrict student mobility rates, if that~~
- 36 ~~information is available.~~
- 37 ~~(15) (13) The number and percentage of each of the following~~
- 38 ~~within the school corporation:~~
- 39 (A) Teachers who are certificated employees (as defined in
- 40 IC 20-29-2-4).
- 41 (B) Teachers who teach the subject area for which the teacher
- 42 is certified and holds a license.



- 1 (C) Teachers with national board certification.
- 2 ~~(16)~~ **(14)** The percentage of grade 3 students reading at grade 3
- 3 level.
- 4 ~~(17)~~ **(15)** The number of students expelled, **including the number**
- 5 **participating in other recognized education programs during their**
- 6 **expulsion**, including the percentage of students expelled by race,
- 7 grade, gender, free or reduced **price** lunch status, and eligibility
- 8 for special education.
- 9 ~~(18)~~ **(16)** Chronic absenteeism, which includes the number of
- 10 students who have been absent from school for ten percent (10%)
- 11 or more of a school year for any reason.
- 12 ~~(19)~~ **(17)** Habitual truancy, which includes the number of students
- 13 who have been absent ten (10) days or more from school within
- 14 a school year without being excused or without being absent
- 15 under a parental request that has been filed with the school.
- 16 ~~(20)~~ **(18)** The number of students who have dropped out of
- 17 school, including the reasons for dropping out, *including the*
- 18 *percentage of students who have dropped out by race, grade,*
- 19 *gender, free or reduced price lunch status, and eligibility for*
- 20 *special education.*
- 21 ~~(21)~~ **(19)** *The number of out of school suspensions assigned,*
- 22 *including the percentage of students suspended by race, grade,*
- 23 *gender, free or reduced price lunch status, and eligibility for*
- 24 *special education.*
- 25 ~~(22)~~ **(20)** *The number of in school suspensions assigned,*
- 26 *including the percentage of students suspended by race, grade,*
- 27 *gender, free or reduced price lunch status, and eligibility for*
- 28 *special education.*
- 29 ~~(21)~~ ~~(23)~~ **(21)** The number of student work permits revoked.
- 30 ~~(22)~~ *The number of student driver's licenses revoked.*
- 31 ~~(23)~~ *The number of students who have not advanced to grade 10*
- 32 *due to a lack of completed credits.*
- 33 ~~(24)~~ *The number of students suspended for any reason.*
- 34 ~~(25)~~ ~~(24)~~ **(22)** The number of students receiving an international
- 35 baccalaureate diploma.
- 36 ~~(26)~~ ~~(25)~~ *Other indicators of performance as recommended by the*
- 37 *education roundtable under IC 20-19-4.*
- 38 (b) *This subsection applies to schools, including charter schools,*
- 39 *located in a county having a consolidated city, including schools*
- 40 *located in excluded cities (as defined in IC 36-3-1-7). The information*
- 41 *reported under subsection (a) must be disaggregated by race, grade,*
- 42 *gender, free or reduced price lunch status, and eligibility for special*



1 *education.*

2 SECTION 4. IC 20-24-3-3, AS AMENDED BY P.L.280-2013,  
3 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2016]: Sec. 3. The organizer's constitution, charter, articles,  
5 or bylaws must contain a clause providing that upon ~~dissolution~~: **the**  
6 **cessation of operation of the charter school:**

7 (1) the remaining assets of the charter school shall be distributed  
8 first to satisfy outstanding payroll obligations for employees of the  
9 charter school, then to creditors of the charter school, then to any  
10 outstanding debt to the common school fund; and

11 (2) ~~the~~ remaining funds received from the department shall be  
12 returned to the department not more than thirty (30) days after  
13 ~~dissolution~~: **the charter school ceases operation due to:**

14 **(A) closure of the charter school;**

15 **(B) nonrenewal of the charter school's charter; or**

16 **(C) revocation of the charter school's charter.**

17 If the assets of the charter school are insufficient to pay all parties to  
18 whom the charter school owes compensation under subdivision (1), the  
19 priority of the distribution of assets may be determined by a court.

20 SECTION 5. IC 20-24-9-4.5, AS ADDED BY P.L.280-2013,  
21 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2016]: Sec. 4.5. (a) Before any charter school closure  
23 decision, an authorizer shall develop a charter school closure protocol  
24 to ensure timely notification to parents, orderly transition of students  
25 ~~and student records~~ to new schools, and proper disposition of school  
26 funds, property, and assets. **The closure protocol must ensure**  
27 **orderly transition of student records to new schools and require**  
28 **that student records of students who no longer attend the charter**  
29 **school or have graduated on or before the date the charter school**  
30 **closes are transferred to the school corporation whose attendance**  
31 **area includes the charter school. The school corporation that**  
32 **receives student records under this subsection shall store the**  
33 **records in the same manner that student records are stored for**  
34 **students who have attended a school within the school corporation.**

35 (b) If a charter school closes for any reason, the authorizer shall  
36 oversee and work with the closing charter school to ensure a smooth  
37 and orderly closure and transition for students and parents, as guided  
38 by the closure protocol.

39 SECTION 6. IC 20-26-5-37 IS ADDED TO THE INDIANA CODE  
40 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
41 1, 2016]: **Sec. 37. (a) This section applies to school corporations and**  
42 **charter schools that are required to do any of the following:**

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1 (1) Pay to the Internal Revenue Service employer and  
2 employee taxes imposed after June 30, 2016, under FICA.

3 (2) Pay to the department of state revenue amounts that are  
4 deducted and withheld as taxes after June 30, 2016, under  
5 IC 6-3-4-8.

6 (b) As used in this section, "delinquency" or "delinquent" refers  
7 to either of the following:

8 (1) Failing to pay FICA taxes within thirty (30) days after the  
9 taxes are due.

10 (2) Failing to pay to the department of state revenue amounts  
11 that are deducted and withheld as taxes under IC 6-3-4-8 after  
12 June 30, 2016, (including any known accrued interest and  
13 penalties on those taxes) within thirty (30) days after the  
14 payment of those withheld taxes is due.

15 (c) As used in this section, "due date" refers to:

16 (1) the date by which employer and employee taxes owed by  
17 a school corporation or a charter school under FICA must be  
18 paid to the Internal Revenue Service; or

19 (2) the date by which amounts that are deducted and withheld  
20 as taxes under IC 6-3-4-8 must be paid to the department of  
21 state revenue;

22 as applicable.

23 (d) As used in this section, "FICA" refers to the Federal  
24 Insurance Contributions Act.

25 (e) As used in this section, "FICA taxes" refers to employer and  
26 employee taxes imposed after June 30, 2016, under FICA. The  
27 term includes any known accrued interest and penalties.

28 (f) If a school corporation or a charter school:

29 (1) fails to pay FICA taxes in full to the Internal Revenue  
30 Service within thirty (30) days after the due date; or

31 (2) fails to pay amounts that are deducted and withheld as  
32 taxes under IC 6-3-4-8 after June 30, 2016, (including any  
33 known accrued interest and penalties on those taxes) within  
34 thirty (30) days after the due date;

35 the school business official or school financial officer responsible  
36 for ensuring that a school corporation's or charter school's tax  
37 payments are made shall report the school corporation's or charter  
38 school's delinquency to the governing body of the school  
39 corporation or charter school not later than forty-five (45) days  
40 after the due date. The school official or school financial officer  
41 shall make a report under this subsection each time the school  
42 corporation or charter school fails to pay FICA taxes within thirty



1 (30) days after the due date or fails to pay amounts that are  
 2 deducted and withheld as taxes under IC 6-3-4-8 (including any  
 3 known accrued interest and penalties on those taxes) within thirty  
 4 (30) days after the due date.

5 (g) Not later than thirty (30) days after receiving a report under  
 6 subsection (f), the governing body of the school corporation or  
 7 charter school shall hold a public meeting at which:

8 (1) the governing body shall provide a report on the school  
 9 corporation's or charter school's failure to pay:

10 (A) FICA taxes; or

11 (B) amounts that are deducted and withheld as taxes under  
 12 IC 6-3-4-8;

13 as applicable; and

14 (2) interested parties are permitted to testify regarding the  
 15 school corporation's or charter school's failure to pay FICA  
 16 taxes or amounts that are deducted and withheld as taxes  
 17 under IC 6-3-4-8 (as applicable).

18 (h) This subsection applies if, within a three hundred sixty-five  
 19 (365) day period, a school corporation or charter school is:

20 (1) delinquent in paying FICA taxes two (2) or more times; or

21 (2) delinquent in paying amounts that are deducted and  
 22 withheld as taxes under IC 6-3-4-8 after June 30, 2016, two (2)  
 23 or more times.

24 Not later than forty-five (45) days after a school corporation or  
 25 charter school is delinquent for the second or subsequent time, the  
 26 school corporation or charter school shall notify the department,  
 27 the budget agency, and the distressed unit appeal board of the  
 28 delinquency.

29 SECTION 7. IC 20-27-3-4, AS AMENDED BY P.L.107-2006,  
 30 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2016]: Sec. 4. (a) The committee has the following powers:

32 (1) The committee may adopt rules under IC 4-22-2 establishing  
 33 standards for the construction of school buses and special purpose  
 34 buses, including minimum standards for the construction of  
 35 school buses and special purpose buses necessary to be issued a:

36 (A) valid certificate of inspection decal; and

37 (B) temporary certificate of inspection decal described in  
 38 IC 20-27-7-10.

39 (2) The committee may adopt rules under IC 4-22-2 establishing  
 40 standards for the equipment of school buses and special purpose  
 41 buses, including minimum standards for the equipment of school  
 42 buses and special purpose buses necessary to be issued a:



- 1 (A) valid certificate of inspection decal; and  
 2 (B) temporary certificate of inspection decal described in  
 3 IC 20-27-7-10.
- 4 (3) The committee may adopt rules under IC 4-22-2 specifying  
 5 the minimum standards that must be met to avoid the issuance of  
 6 an out-of-service certificate of inspection decal.
- 7 (4) The committee may provide for the inspection of all school  
 8 buses and special purpose buses, new or old, that are offered for  
 9 sale, lease, or contract.
- 10 (5) The committee may provide for the annual inspection of all  
 11 school buses and special purpose buses and the issuance of  
 12 certificate of inspection decals.
- 13 (6) The committee may maintain an approved list of school buses  
 14 and special purpose buses that have passed inspection tests under  
 15 subdivision (4) or (5).
- 16 (7) The committee may, subject to approval by the state board of  
 17 accounts, prescribe standard forms for school bus driver contracts.
- 18 (8) The committee may hear appeals brought under IC 20-27-7-15  
 19 **and IC 20-27-8-15.**
- 20 (b) The committee shall adopt rules under IC 4-22-2 to set  
 21 performance standards and measurements for determining the physical  
 22 ability necessary for an individual to be a school bus driver.
- 23 (c) The certificate of inspection decals shall be issued to correspond  
 24 with each school year. Each certificate of inspection decal expires on  
 25 September 30 following the school year in which the certificate of  
 26 inspection decal is effective. However, for buses that are described in  
 27 IC 20-27-7-7, the certificate of inspection decal expires on a date that  
 28 is not later than seven (7) months after the date of the first inspection  
 29 for the particular school year.
- 30 SECTION 8. IC 20-27-8-1, AS AMENDED BY P.L.219-2015,  
 31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2016]: Sec. 1. (a) An individual may not drive a school bus for  
 33 the transportation of students or be employed as a school bus monitor  
 34 unless the individual satisfies the following requirements:
- 35 (1) Is of good moral character.  
 36 (2) Does not use intoxicating liquor during school hours.  
 37 (3) Does not use intoxicating liquor to excess at any time.  
 38 (4) Is not addicted to any narcotic drug.  
 39 (5) Is at least:
- 40 (A) twenty-one (21) years of age for driving a school bus; or  
 41 (B) eighteen (18) years of age for employment as a school bus  
 42 monitor.



- 1 (6) In the case of a school bus driver, holds a valid public
- 2 passenger chauffeur's license or commercial driver's license
- 3 issued by the state or any other state.
- 4 (7) Possesses the following required physical characteristics:
- 5 (A) Sufficient physical ability to be a school bus driver, as
- 6 determined by the committee.
- 7 (B) The full normal use of both hands, both arms, both feet,
- 8 both legs, both eyes, and both ears.
- 9 (C) Freedom from any communicable disease that:
- 10 (i) may be transmitted through airborne or droplet means; or
- 11 (ii) requires isolation of the infected person under 410
- 12 IAC 1-2.3.
- 13 (D) Freedom from any mental, nervous, organic, or functional
- 14 disease that might impair the person's ability to properly
- 15 operate a school bus.
- 16 (E) This clause does not apply to a school bus monitor. Visual
- 17 acuity, with or without glasses, of at least 20/40 in each eye
- 18 and a field of vision with one hundred fifty (150) degree
- 19 minimum and with depth perception of at least eighty percent
- 20 (80%) **or thirty-three (33) seconds of arc or less angle of**
- 21 **stereopsis.**
- 22 (b) This subsection applies to a school bus monitor.
- 23 Notwithstanding subsection (a)(5)(B), a school corporation or school
- 24 bus driver may not employ an individual who is less than twenty-one
- 25 (21) years of age as a school bus monitor unless the school corporation
- 26 or school bus driver does not receive a sufficient number of qualified
- 27 applicants for employment as a school bus monitor who are at least
- 28 twenty-one (21) years of age. A school corporation or school bus driver
- 29 shall maintain a record of applicants, their ages, and their qualifications
- 30 to show compliance with this subsection.
- 31 SECTION 9. IC 20-27-8-15, AS ADDED BY P.L.1-2005,
- 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2016]: Sec. 15. (a) The driver of a school bus for a public or
- 34 nonpublic school that is accredited by the state board shall have in the
- 35 school bus driver's possession, while transporting passengers, a
- 36 certificate that states the school bus driver has:
- 37 (1) enrolled in or completed a course in school bus driver safety
- 38 education as required under sections 9 and 10 of this chapter; or
- 39 (2) operated a school bus at least thirty (30) days during the three
- 40 (3) year period preceding the effective date of the school bus
- 41 driver's employment.
- 42 (b) A certificate of enrollment in or completion of the course or



1 courses in school bus driver safety education shall be prescribed by the  
 2 committee and completed by the designated representative of the  
 3 committee.

4 (c) A driver of a school bus who fails to complete the school bus  
 5 driver safety education course or courses, as required, shall be reported  
 6 by the person who conducted the course to the committee and to the  
 7 school corporation where the school bus driver is employed or under  
 8 contract.

9 (d) A driver of a school bus who fails to complete the school bus  
 10 driver safety education course or courses, as required, may not drive a  
 11 school bus within Indiana while transporting a student.

12 (e) **The department may at any time order the revocation of a**  
 13 **driver's certificate of completion of the school bus driver safety**  
 14 **education training due to:**

15 (1) **fraudulent completion of the annual safety meeting**  
 16 **required under section 9 of this chapter; or**

17 (2) **circumstances endangering the safe transportation of**  
 18 **students, including the following:**

19 (A) **Permanent revocation for a:**

20 (i) **conviction for a felony or Class A misdemeanor; or**

21 (ii) **positive drug or alcohol test result that does not fall**  
 22 **under the return to duty policy of the employing school**  
 23 **corporation.**

24 (B) **A two (2) year revocation for a conviction for a Class**  
 25 **B misdemeanor.**

26 (C) **A one (1) year revocation for a conviction for a Class**  
 27 **C misdemeanor or a judgement for a Class A infraction.**

28 (D) **A six (6) month revocation for a judgment for a Class**  
 29 **B or Class C infraction.**

30 SECTION 10. IC 20-28-4-12 IS ADDED TO THE INDIANA  
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 32 [EFFECTIVE UPON PASSAGE]: **Sec. 12. Unless otherwise required**  
 33 **under this chapter, an individual may enroll in a program and**  
 34 **receive a transition to teaching license without passing a content**  
 35 **area examination before admission to the program.**

36 SECTION 11. IC 20-28-5-3, AS AMENDED BY P.L.6-2012,  
 37 SECTION 135, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The department shall  
 39 designate the grade point average required for each type of license.

40 (b) The department shall determine details of licensing not provided  
 41 in this chapter, including requirements regarding the following:

42 (1) The conversion of one (1) type of license into another.



- 1 (2) The accreditation of teacher education schools and  
 2 departments.  
 3 (3) The exchange and renewal of licenses.  
 4 (4) The endorsement of another state's license. **In endorsing**  
 5 **another state's license held by a practitioner, the department**  
 6 **shall grant the practitioner an Indiana license if the**  
 7 **practitioner:**  
 8 (A) **has met the requirements for an Indiana license,**  
 9 **whether or not the requirements were met in Indiana; or**  
 10 **(B) is certified by the National Board for Professional**  
 11 **Teaching Standards.**  
 12 (5) The acceptance of credentials from teacher education  
 13 institutions of another state.  
 14 (6) The academic and professional preparation for each type of  
 15 license.  
 16 (7) The granting of permission to teach a high school subject area  
 17 related to the subject area for which the teacher holds a license.  
 18 (8) The issuance of licenses on credentials.  
 19 (9) The type of license required for each school position.  
 20 (10) The size requirements for an elementary school requiring a  
 21 licensed principal.  
 22 (11) Any other related matters.  
 23 The department shall establish at least one (1) system for renewing a  
 24 teaching license that does not require a graduate degree.  
 25 (c) This subsection does not apply to an applicant for a substitute  
 26 teacher license. After June 30, 2011, the department may not issue an  
 27 initial practitioner license at any grade level to an applicant for an  
 28 initial practitioner license unless the applicant shows evidence that the  
 29 applicant:  
 30 (1) has successfully completed training approved by the  
 31 department in:  
 32 (A) cardiopulmonary resuscitation that includes a test  
 33 demonstration on a mannequin;  
 34 (B) removing a foreign body causing an obstruction in an  
 35 airway;  
 36 (C) the Heimlich maneuver; and  
 37 (D) the use of an automated external defibrillator;  
 38 (2) holds a valid certification in each of the procedures described  
 39 in subdivision (1) issued by:  
 40 (A) the American Red Cross;  
 41 (B) the American Heart Association; or  
 42 (C) a comparable organization or institution approved by the



1            advisory board; or  
 2            (3) has physical limitations that make it impracticable for the  
 3            applicant to complete a course or certification described in  
 4            subdivision (1) or (2).

5            The training in this subsection applies to a teacher (as defined in  
 6            IC 20-18-2-22(b)).

7            (d) This subsection does not apply to an applicant for a substitute  
 8            teacher license. After June 30, 2013, the department may not issue an  
 9            initial teaching license at any grade level to an applicant for an initial  
 10           teaching license unless the applicant shows evidence that the applicant  
 11           has successfully completed education and training on the prevention of  
 12           child suicide and the recognition of signs that a student may be  
 13           considering suicide.

14           (e) This subsection does not apply to an applicant for a substitute  
 15           teacher license. After June 30, 2012, the department may not issue a  
 16           teaching license renewal at any grade level to an applicant unless the  
 17           applicant shows evidence that the applicant:

18           (1) has successfully completed training approved by the  
 19           department in:

20           (A) cardiopulmonary resuscitation that includes a test  
 21           demonstration on a mannequin;  
 22           (B) removing a foreign body causing an obstruction in an  
 23           airway;  
 24           (C) the Heimlich maneuver; and  
 25           (D) the use of an automated external defibrillator;

26           (2) holds a valid certification in each of the procedures described  
 27           in subdivision (1) issued by:

28           (A) the American Red Cross;  
 29           (B) the American Heart Association; or  
 30           (C) a comparable organization or institution approved by the  
 31           advisory board; or

32           (3) has physical limitations that make it impracticable for the  
 33           applicant to complete a course or certification described in  
 34           subdivision (1) or (2).

35           (f) The department shall periodically publish bulletins regarding:

36           (1) the details described in subsection (b);  
 37           (2) information on the types of licenses issued;  
 38           (3) the rules governing the issuance of each type of license; and  
 39           (4) other similar matters.

40           SECTION 12. IC 20-28-5-5, AS ADDED BY P.L.1-2005,  
 41           SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42           JULY 1, 2016]: Sec. 5. If a teacher who is a graduate of an accredited



1 institution outside Indiana does not meet certain technical requirements  
 2 for a license, the teacher may be granted ~~a the~~ particular type of license  
 3 and a reasonable amount of time to fulfill the requirements of the  
 4 license ~~granted~~. **sought.**

5 SECTION 13. IC 20-28-9-25 IS ADDED TO THE INDIANA  
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2016]: **Sec. 25. For purposes of the federal**  
 8 **teacher loan forgiveness program provided under 34 CFR**  
 9 **682.216(a)(4), "secondary school" includes any eligible elementary**  
 10 **or secondary school at which a highly qualified teacher in a high**  
 11 **needs area (as defined in 34 CFR 682.216(b)) is employed.**

12 SECTION 14. IC 20-32-5-4, AS AMENDED BY P.L.213-2015,  
 13 SECTION 198, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) The state board shall:

15 (1) authorize the development and implementation of the ISTEP  
 16 program and any other statewide assessment, including:

17 (A) establishment of criteria for requests for proposals;

18 (B) establishment of criteria for membership of evaluation  
 19 teams; and

20 (C) establishment of criteria for content and format of the  
 21 ISTEP program, including the graduation examination;

22 (2) authorize the development and establishment of passing  
 23 scores; and

24 (3) determine the date on which the statewide testing is  
 25 administered in each school corporation.

26 (b) The state superintendent is responsible for the overall  
 27 development, implementation, and monitoring of the ISTEP program.

28 (c) The department shall prepare detailed design specifications for  
 29 the ISTEP program that must do the following:

30 (1) Take into account the academic standards adopted under  
 31 IC 20-31-3.

32 (2) Include testing of students' higher level cognitive thinking in  
 33 each subject area tested.

34 **(d) After June 30, 2016, whenever the department enters into a**  
 35 **contract for the development, administration, and scoring of an**  
 36 **ISTEP program examination, the contract must specify that test**  
 37 **scores are returned to the department in a timely manner that**  
 38 **ensures the test results may be provided to the state board before**  
 39 **July 1 following the administration of the ISTEP program**  
 40 **examination.**

41 SECTION 15. IC 20-32-5-9, AS AMENDED BY P.L.219-2015,  
 42 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE





1 JULY 1, 2016]: Sec. 9. (a) After reports of student scores are returned  
 2 to a school corporation, the school corporation shall promptly do the  
 3 following:

4 (1) Give each student and the student's parent the student's ISTEP  
 5 program test scores.

6 (2) Make available for inspection to each student and the student's  
 7 parent the following:

8 (A) A copy of all questions that are not multiple choice or true  
 9 and false and prompts used in assessing the student.

10 (B) A copy of the student's scored responses.

11 (C) A copy of the anchor papers and scoring rubrics used to  
 12 score the student's responses.

13 A student's parent may request a rescoring of a student's responses to  
 14 an ISTEP program test, including a student's essay.

15 (b) A student's ISTEP program test scores may not be disclosed to  
 16 the public.

17 **(c) After the questions described in subsection (a)(2)(A) are**  
 18 **released for inspection, the state board and department shall:**

19 **(1) post:**

20 **(A) the questions; and**

21 **(B) with the permission of each student's parent, student**  
 22 **answers that are exemplary responses to the released**  
 23 **questions;**

24 **on the Internet web sites of the state board and department;**  
 25 **and**

26 **(2) publicize the availability of the questions and answers to**  
 27 **school corporations, educators, and the public.**

28 **A student answer posted under this subsection may not identify the**  
 29 **student who provided the answer.**

30 SECTION 16. IC 20-32-10 IS ADDED TO THE INDIANA CODE  
 31 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2016]:

33 **Chapter 10. Work Ethic Certification**

34 **Sec. 1. Working with local employers, a local workforce**  
 35 **investment board, or both, each school corporation may develop a**  
 36 **program in which students develop work ethic skills necessary for**  
 37 **success in higher education or employment, which may include the**  
 38 **following:**

39 **(1) Attendance and punctuality.**

40 **(2) Academic success.**

41 **(3) Organization and efficiency.**

42 **(4) Initiative.**



- 1           (5) Respect for others.
- 2           (6) Persistence.
- 3           (7) Dependability.
- 4           (8) Teamwork.
- 5           (9) Community service.
- 6           **Sec. 2. A graduating student who successfully completes the**
- 7           **program shall be awarded a work ethic certificate.**
- 8           **Sec. 3. The department of workforce development, in**
- 9           **consultation with the state workforce innovation council**
- 10           **established under IC 22-4.1-22-3, shall adopt rules:**
- 11           (1) establishing model criteria for work ethic certification
- 12           programs as a part of the state's college and career readiness
- 13           standards; and
- 14           (2) developing a standard work ethic certificate.
- 15           **SECTION 17. [EFFECTIVE UPON PASSAGE] (a) The following**
- 16           **portions of rules are void:**
- 17           (1) 511 IAC 10.1-3-3(2).
- 18           (2) 511 IAC 10.1-3-4(2).
- 19           (3) 511 IAC 10.1-3-5(2).
- 20           (4) 511 IAC 10.1-3-6(2).
- 21           (5) 511 IAC 16-4-2(b)(3).
- 22           (6) 511 IAC 16-4-2(b)(5).
- 23           (7) 511 IAC 16-4-2(f).
- 24           **The publisher of the Indiana Administrative Code and the Indiana**
- 25           **Register shall remove these provisions from the Indiana**
- 26           **Administrative Code.**
- 27           **(b) This SECTION expires June 30, 2017.**
- 28           **SECTION 18. [EFFECTIVE UPON PASSAGE] (a) The legislative**
- 29           **council is urged to assign the following topics to an appropriate**
- 30           **study committee during the 2016 legislative interim:**
- 31           (1) Whether a newly authorized charter school should be
- 32           required to establish an escrow account for closing expenses,
- 33           and, if so, the amount of the account and control of the
- 34           account.
- 35           (2) Determining graduation rates, including the feasibility of
- 36           amending the definition of "cohort" for purposes of
- 37           determining graduation rates to exclude students who are
- 38           pursuing a certificate of completion under an individualized
- 39           education program.
- 40           (3) Methods to ensure opportunities for secondary school
- 41           students to earn college credits while enrolled in high school
- 42           and to provide incentives for a teacher to obtain a master's



1 degree or at least eighteen (18) hours of graduate course work  
2 in the subject matter the teacher is teaching or wishes to teach  
3 as part of a dual credit course, including:  
4 (A) providing graduate programs that combine summer,  
5 evening, online, and weekend classes;  
6 (B) completing a supervised practicum while teaching;  
7 (C) encouraging primary and secondary schools to  
8 establish programs to mentor new teachers;  
9 (D) offering scholarships for returning dual credit  
10 teachers; and  
11 (E) providing flexibility to school corporations to establish  
12 pay scales that reflect the value of teachers with master's  
13 degrees.  
14 (4) The feasibility of allowing a school corporation and an  
15 individual teacher to voluntarily enter into an employment  
16 contract that contains terms that differ from the terms set  
17 forth in a collective bargaining agreement, and issues related  
18 to the topic.  
19 (5) The feasibility of allowing a school corporation to allow a  
20 student to receive elective credits for released time religious  
21 education, and the conditions under which the credits may be  
22 awarded.  
23 (6) Issues related to the establishment of special education  
24 scholarship accounts and a special education scholarship  
25 account fund.  
26 (b) This SECTION expires December 31, 2016.  
27 SECTION 19. An emergency is declared for this act.



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 93, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-6.9, AS ADDED BY P.L.213-2015, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.9. (a) The board may do the following:

(1) Hold a public hearing to review the budget, tax levies, assessed value, debt service requirements, and other financial information for the Gary Community School Corporation.

(2) After reviewing the information described in subdivision (1) and subject to subdivision (3), the board may, with the consent of the governing body of the Gary Community School Corporation, select a financial specialist to take financial control of the Gary Community School Corporation, who shall act in consultation with the governing body of the Gary Community School Corporation and the city of Gary.

(3) In selecting a financial specialist to take financial control of the Gary Community School Corporation under subdivision (2):

(A) the board shall recommend three (3) persons as potential candidates for the financial specialist position to take financial control of the Gary Community School Corporation; and

(B) the governing body of the Gary Community School Corporation may, within twenty-one (21) days after the board makes the recommendations under clause (A), choose one (1) of the persons recommended by the board under clause (A) that the board may then select as a financial specialist to take financial control of the Gary Community School Corporation as provided in subdivision (2).

If the governing body of the Gary Community School Corporation does not choose a financial specialist as provided in clause (B) from the persons recommended by the board within twenty-one (21) days, the board's authority under this section is terminated.

(4) A financial specialist selected under this section:

(A) shall be paid out of the funds appropriated to the board;

(B) may perform the duties authorized under this section for not more than ~~twelve (12)~~ **twenty-four (24)** consecutive



months; and

(C) may request the Indiana Association of School Business Officials to provide technical consulting services to the financial specialist and the Gary Community School Corporation on the following issues:

- (i) Debt management.
- (ii) Cash management.
- (iii) Facility management.
- (iv) Other school business management issues.

The Indiana Association of School Business Officials will determine the appropriate individuals to consult with the financial specialist and the Gary Community School Corporation. Any consulting expenses will be paid out of the funds appropriated to the board.

(b) The board may do any of the following if the board selects a financial specialist to take financial control of the Gary Community School Corporation under subsection (a):

- (1) The board may work jointly with the city of Gary and the financial specialist to develop a financial plan for the Gary Community School Corporation.
- (2) The board may delay or suspend, for a period determined by the board, any payments of principal or interest, or both, that would otherwise be due from the Gary Community School Corporation on loans or advances from the common school fund.
- (3) The board may recommend to the state board of finance that the state board of finance make an interest free loan to the Gary Community School Corporation from the common school fund. If the board makes a recommendation that such a loan be made, the state board of finance may, notwithstanding IC 20-49, make such a loan for a term of not more than six (6) years."

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 2. IC 20-20-8-8, AS AMENDED BY P.L.213-2015, SECTION 159, AND AS AMENDED BY P.L.220-2015, SECTION 2, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The report must include the following information:

- (1) Student enrollment.
- (2) Graduation rate (as defined in IC 20-26-13-6) *and the graduation rate excluding students that receive a graduation waiver under IC 20-32-4-4.*
- (3) Attendance rate.
- (4) The following test scores, including the number and



percentage of students meeting academic standards:

- (A) ~~ISTEP program test scores~~: All state standardized assessment scores.
  - (B) Scores for assessments under IC 20-32-5-21, if appropriate.
  - (C) For a freeway school, scores on a locally adopted assessment program, if appropriate.
- (5) Average class size.
- (6) *The school's performance category or designation of school improvement assigned under IC 20-31-8.*
- ~~(6)~~ (7) The number and percentage of students in the following groups or programs:
- (A) Alternative education, if offered.
  - (B) Career and technical education.
  - (C) Special education.
  - (D) High ability.
  - ~~(E) Remediation.~~
  - ~~(F)~~ (E) Limited English language proficiency.
  - ~~(G)~~ (F) Students receiving free or reduced price lunch under the national school lunch program.
  - ~~(H) School flex program, if offered.~~
- ~~(7)~~ (8) Advanced placement, including the following:
- (A) For advanced placement tests, the percentage of students:
    - (i) scoring three (3), four (4), and five (5); and
    - (ii) taking the test.
  - (B) For the Scholastic Aptitude Test:
    - (i) **the average** test scores for all students taking the test;
    - (ii) **the average** test scores for students completing the academic honors diploma program; and
    - (iii) the percentage of students taking the test.
- ~~(8)~~ (9) Course completion, including the number and percentage of students completing the following programs:
- (A) Academic honors diploma.
  - (B) Core 40 curriculum.
  - (C) Career and technical programs.
- ~~(9)~~ ~~(10)~~ *The percentage of grade 8 students enrolled in algebra I.*
- ~~(10)~~ *The percentage of graduates who pursue higher education.*
- ~~(11)~~ (10) *The percentage of graduates considered college and career ready in a manner prescribed by the state board.*
- (11) ~~(12)~~ School safety, including:
- (A) the number of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons;



- (B) the number of incidents reported under IC 20-33-9; and  
 (C) the number of bullying incidents reported under IC 20-34-6 by category.
- ~~(12)~~ ~~(13)~~ Financial information and various school cost factors including the following: **required to be provided to the office of management and budget under IC 20-42.5-3-5.**
- (A) Expenditures per pupil.  
 (B) Average teacher salary.  
 (C) Remediation funding.
- ~~(13)~~ *Technology accessibility and use of technology in instruction.*
- ~~(14)~~ **Interdistrict and intradistrict student mobility rates, if that information is available.**
- ~~(15)~~ **(13)** The number and percentage of each of the following within the school corporation:
- (A) Teachers who are certificated employees (as defined in IC 20-29-2-4).  
 (B) Teachers who teach the subject area for which the teacher is certified and holds a license.  
 (C) Teachers with national board certification.
- ~~(16)~~ **(14)** The percentage of grade 3 students reading at grade 3 level.
- ~~(17)~~ **(15)** The number of students expelled, **including the number participating in other recognized education programs during their expulsion, including the percentage of students expelled by race, grade, gender, free or reduced price lunch status, and eligibility for special education.**
- ~~(18)~~ **(16)** Chronic absenteeism, which includes the number of students who have been absent from school for ten percent (10%) or more of a school year for any reason.
- ~~(19)~~ **(17)** Habitual truancy, which includes the number of students who have been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.
- ~~(20)~~ **(18)** The number of students who have dropped out of school, including the reasons for dropping out, *including the percentage of students who have dropped out by race, grade, gender, free or reduced price lunch status, and eligibility for special education.*
- ~~(21)~~ **(19)** *The number of out of school suspensions assigned, including the percentage of students suspended by race, grade, gender, free or reduced price lunch status, and eligibility for*



*special education.*

~~(22)~~ **(20)** *The number of in school suspensions assigned, including the percentage of students suspended by race, grade, gender, free or reduced price lunch status, and eligibility for special education.*

~~(21)~~ ~~(23)~~ **(21)** *The number of student work permits revoked.*

~~(22)~~ *The number of student driver's licenses revoked.*

~~(23)~~ *The number of students who have not advanced to grade 10 due to a lack of completed credits.*

~~(24)~~ *The number of students suspended for any reason.*

~~(25)~~ ~~(24)~~ **(22)** *The number of students receiving an international baccalaureate diploma.*

~~(26)~~ ~~(25)~~ *Other indicators of performance as recommended by the education roundtable under IC 20-19-4.*

*(b) This subsection applies to schools, including charter schools, located in a county having a consolidated city, including schools located in excluded cities (as defined in IC 36-3-1-7). The information reported under subsection (a) must be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education."*

Page 2, delete lines 10 through 42.

Page 3, delete lines 1 through 9.

Page 3, between lines 28 and 29, begin a new paragraph and insert:  
"SECTION 5. IC 20-26-5-37 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 37. (a) This section applies to school corporations and charter schools that are required to do any of the following:**

**(1) Pay to the Internal Revenue Service employer and employee taxes imposed after June 30, 2016, under FICA.**

**(2) Pay to the department of state revenue amounts that are deducted and withheld as taxes after June 30, 2016, under IC 6-3-4-8.**

**(b) As used in this section, "delinquency" or "delinquent" refers to either of the following:**

**(1) Failing to pay FICA taxes within thirty (30) days after the taxes are due.**

**(2) Failing to pay to the department of state revenue amounts that are deducted and withheld as taxes under IC 6-3-4-8 after June 30, 2016, (including any known accrued interest and penalties on those taxes) within thirty (30) days after the payment of those withheld taxes is due.**

**(c) As used in this section, "due date" refers to:**





- (1) the date by which employer and employee taxes owed by a school corporation or a charter school under FICA must be paid to the Internal Revenue Service; or
- (2) the date by which amounts that are deducted and withheld as taxes under IC 6-3-4-8 must be paid to the department of state revenue;

as applicable.

(d) As used in this section, "FICA" refers to the Federal Insurance Contributions Act.

(e) As used in this section, "FICA taxes" refers to employer and employee taxes imposed after June 30, 2016, under FICA. The term includes any known accrued interest and penalties.

(f) If a school corporation or a charter school:

- (1) fails to pay FICA taxes in full to the Internal Revenue Service within thirty (30) days after the due date; or
- (2) fails to pay amounts that are deducted and withheld as taxes under IC 6-3-4-8 after June 30, 2016, (including any known accrued interest and penalties on those taxes) within thirty (30) days after the due date;

the school business official or school financial officer responsible for ensuring that a school corporation's or charter school's tax payments are made shall report the school corporation's or charter school's delinquency to the governing body of the school corporation or charter school not later than forty-five (45) days after the due date. The school official or school financial officer shall make a report under this subsection each time the school corporation or charter school fails to pay FICA taxes within thirty (30) days after the due date or fails to pay amounts that are deducted and withheld as taxes under IC 6-3-4-8 (including any known accrued interest and penalties on those taxes) within thirty (30) days after the due date.

(g) Not later than thirty (30) days after receiving a report under subsection (f), the governing body of the school corporation or charter school shall hold a public meeting at which:

- (1) the governing body shall provide a report on the school corporation's or charter school's failure to pay:
  - (A) FICA taxes; or
  - (B) amounts that are deducted and withheld as taxes under IC 6-3-4-8;
 as applicable; and
- (2) interested parties are permitted to testify regarding the school corporation's or charter school's failure to pay FICA



taxes or amounts that are deducted and withheld as taxes under IC 6-3-4-8 (as applicable).

(h) This subsection applies if, within a three hundred sixty-five (365) day period, a school corporation or charter school is:

- (1) delinquent in paying FICA taxes two (2) or more times; or
- (2) delinquent in paying amounts that are deducted and withheld as taxes under IC 6-3-4-8 after June 30, 2016, two (2) or more times.

Not later than forty-five (45) days after a school corporation or charter school is delinquent for the second or subsequent time, the school corporation or charter school shall notify the department, the budget agency, and the distressed unit appeal board of the delinquency."

Page 6, delete lines 30 through 42.

Delete page 7.

Page 8, delete lines 1 through 28, begin a new paragraph and insert:

"SECTION 11. IC 20-28-4-12 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. Unless otherwise required under this chapter, an individual may enroll in a program and receive a transition to teaching license without passing a content area examination before admission to the program.**

SECTION 12. IC 20-28-5-3, AS AMENDED BY P.L.6-2012, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The department shall designate the grade point average required for each type of license.

(b) The department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

- (1) The conversion of one (1) type of license into another.
- (2) The accreditation of teacher education schools and departments.
- (3) The exchange and renewal of licenses.
- (4) The endorsement of another state's license. **In endorsing another state's license held by a practitioner, the department shall grant the practitioner an Indiana license if the practitioner:**

- (A) has met the requirements for an Indiana license, whether or not the requirements were met in Indiana; or
- (B) is certified by the National Board for Professional Teaching Standards.

- (5) The acceptance of credentials from teacher education institutions of another state.



- (6) The academic and professional preparation for each type of license.
- (7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.
- (8) The issuance of licenses on credentials.
- (9) The type of license required for each school position.
- (10) The size requirements for an elementary school requiring a licensed principal.
- (11) Any other related matters.

The department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

(c) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2011, the department may not issue an initial practitioner license at any grade level to an applicant for an initial practitioner license unless the applicant shows evidence that the applicant:

- (1) has successfully completed training approved by the department in:
  - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
  - (B) removing a foreign body causing an obstruction in an airway;
  - (C) the Heimlich maneuver; and
  - (D) the use of an automated external defibrillator;
- (2) holds a valid certification in each of the procedures described in subdivision (1) issued by:
  - (A) the American Red Cross;
  - (B) the American Heart Association; or
  - (C) a comparable organization or institution approved by the advisory board; or
- (3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).

The training in this subsection applies to a teacher (as defined in IC 20-18-2-22(b)).

(d) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2013, the department may not issue an initial teaching license at any grade level to an applicant for an initial teaching license unless the applicant shows evidence that the applicant has successfully completed education and training on the prevention of child suicide and the recognition of signs that a student may be considering suicide.



(e) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2012, the department may not issue a teaching license renewal at any grade level to an applicant unless the applicant shows evidence that the applicant:

(1) has successfully completed training approved by the department in:

(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;

(B) removing a foreign body causing an obstruction in an airway;

(C) the Heimlich maneuver; and

(D) the use of an automated external defibrillator;

(2) holds a valid certification in each of the procedures described in subdivision (1) issued by:

(A) the American Red Cross;

(B) the American Heart Association; or

(C) a comparable organization or institution approved by the advisory board; or

(3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).

(f) The department shall periodically publish bulletins regarding:

(1) the details described in subsection (b);

(2) information on the types of licenses issued;

(3) the rules governing the issuance of each type of license; and

(4) other similar matters.

SECTION 13. IC 20-28-5-5, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. If a teacher who is a graduate of an accredited institution outside Indiana does not meet certain technical requirements for a license, the teacher may be granted ~~a the~~ particular type of license ~~and a reasonable amount of time to fulfill the requirements of the license granted: sought.~~

Page 10, line 3, after "(B)" insert "**with the permission of each student's parent,**".

Page 10, delete lines 11 through 42, begin a new paragraph and insert:

"SECTION 14. IC 20-32-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

**Chapter 10. Work Ethic Certification**

**Sec. 1. Working with local employers, a local workforce**



investment board, or both, each school corporation may develop a program in which students develop work ethic skills necessary for success in higher education or employment, which may include the following:

- (1) Attendance and punctuality.
- (2) Academic success.
- (3) Organization and efficiency.
- (4) Initiative.
- (5) Respect for others.
- (6) Persistence.
- (7) Dependability.
- (8) Teamwork.
- (9) Community service.

**Sec. 2.** A graduating student who successfully completes the program shall be awarded a work ethic certificate.

**Sec. 3.** The department of workforce development, in consultation with the state workforce innovation council established under IC 22-4.1-22-3, shall adopt rules:

- (1) establishing model criteria for work ethic certification programs as a part of the state's college and career readiness standards; and
- (2) developing a standard work ethic certificate.

**SECTION 15.** [EFFECTIVE UPON PASSAGE] (a) The following portions of rules are void:

- (1) 511 IAC 10.1-3-3(2).
- (2) 511 IAC 10.1-3-4(2).
- (3) 511 IAC 10.1-3-5(2).
- (4) 511 IAC 10.1-3-6(2).
- (5) 511 IAC 16-4-2(b)(3).
- (6) 511 IAC 16-4-2(b)(5).
- (7) 511 IAC 16-4-2(f).

The publisher of the Indiana Administrative Code and the Indiana Register shall remove these provisions from the Indiana Administrative Code.

(b) This SECTION expires June 30, 2017.

**SECTION 16.** [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign the following topics to an appropriate study committee during the 2016 legislative interim:

- (1) Whether a newly authorized charter school should be required to establish an escrow account for closing expenses, and, if so, the amount of the account and control of the account.



**(2) Determining graduation rates, including the feasibility of amending the definition of "cohort" for purposes of determining graduation rates to exclude students who are pursuing a certificate of completion under an individualized education program.**

**(3) Methods to ensure opportunities for secondary school students to earn college credits while enrolled in high school and to provide incentives for a teacher to obtain a master's degree or at least eighteen (18) hours of graduate course work in the subject matter the teacher is teaching or wishes to teach as part of a dual credit course, including:**

**(A) providing graduate programs that combine summer, evening, online, and weekend classes;**

**(B) completing a supervised practicum while teaching;**

**(C) encouraging primary and secondary schools to establish programs to mentor new teachers;**

**(D) offering scholarships for returning dual credit teachers; and**

**(E) providing flexibility to school corporations to establish pay scales that reflect the value of teachers with master's degrees.**

**(4) The feasibility of allowing a school corporation and an individual teacher to voluntarily enter into an employment contract that contains terms that differ from the terms set forth in a collective bargaining agreement, and issues related to the topic.**

**(5) The feasibility of allowing a school corporation to allow a student to receive elective credits for released time religious education, and the conditions under which the credits may be awarded.**

**(6) Issues related to the establishment of special education scholarship accounts and a special education scholarship account fund.**



**(b) This SECTION expires December 31, 2016.**  
**SECTION 17. An emergency is declared for this act."**  
Delete pages 11 through 13.  
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 93 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 1.

