



April 3, 2015

ENGROSSED SENATE BILL No. 267

DIGEST OF SB 267 (Updated April 2, 2015 11:07 am - DI 116)

Citations Affected: IC 20-20; IC 20-30; IC 20-34; noncode.

Synopsis: Education matters. Provides that prior to coaching football to individuals who are less than 20 years of age and are in grades 1 through 12, each head football coach and assistant football coach shall complete a certified coaching education course. Creates the state certificate of biliteracy. Requires that the appropriate designation appear on the student's transcript. Requires the state board of education to adopt rules and to direct the department of education to administer the state biliteracy program. Provides that a school corporation or charter school is not required to participate in the biliteracy program. Establishes the dual language immersion pilot program to provide grants to school corporations and charter schools that establish dual language immersion programs in certain foreign languages. Makes an appropriation.

Effective: July 1, 2015.

**Kruse, Lanane, Rogers, Stoops,
Tomes, Randolph**

(HOUSE SPONSORS — BEHNING, AUSTIN, LAWSON L, MOED,
MAYFIELD)

January 7, 2015, read first time and referred to Committee on Education & Career Development.

January 29, 2015, amended, reported favorably — Do Pass.

February 2, 2015, read second time, ordered engrossed. Engrossed.

February 3, 2015, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Education.

April 2, 2015, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

ES 267—LS 6815/DI 71



April 3, 2015

First Regular Session 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.

ENGROSSED SENATE BILL No. 267

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-20-41 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:

4 **Chapter 41. Dual Language Pilot Program**
5 **Sec. 1. The department, with the approval of the state board,**
6 **shall establish and maintain a dual language immersion pilot**
7 **program to provide grants to school corporations and charter**
8 **schools that establish dual language immersion programs in:**

9 (1) Chinese;
10 (2) Spanish;
11 (3) French; or
12 (4) any other language approved by the department.

13 **Sec. 2. A school corporation or charter school may be eligible to**
14 **receive a grant under this chapter if:**

15 (1) the school corporation or charter school uses an
16 instructional model that provides at least fifty percent (50%)

ES 267—LS 6815/DI 71



- 1 of its instruction in English and fifty percent (50%) of its
 2 instruction in a language described in section 1 of this
 3 chapter;
 4 (2) the program that uses an instructional model described in
 5 subdivision (1) begins either in kindergarten or in grade 1;
 6 and
 7 (3) the program described in subdivision (2) meets any other
 8 requirements established by the department, with the
 9 approval of the state board.
- 10 **Sec. 3.** A school corporation or charter school desiring to receive
 11 a grant under this chapter shall apply to the department for a
 12 grant in the manner and on a form prescribed by the department.
- 13 **Sec. 4. (a)** The dual language immersion pilot program fund is
 14 established to be used to provide grants under this chapter.
- 15 (b) The fund consists of:
 16 (1) appropriations made by the general assembly; and
 17 (2) gifts and donations to the fund.
- 18 (c) The fund shall be administered by the department.
- 19 (d) The expenses of administering the fund shall be paid from
 20 money in the fund.
- 21 (e) Money in the fund at the end of a state fiscal year does not
 22 revert to the state general fund.
- 23 (f) The treasurer of state shall invest the money in the fund not
 24 currently needed to meet the obligations of the fund in the same
 25 manner as other public funds may be invested.
- 26 **Sec. 5.** The state board may establish rules necessary to
 27 administer this chapter.
- 28 SECTION 2. IC 20-30-14.5 IS ADDED TO THE INDIANA CODE
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]:
- 31 **Chapter 14.5. State Certificate of Biliteracy**
- 32 **Sec. 1.** As used in this chapter, "foreign language" refers to any
 33 language other than English, including:
 34 (1) modern languages;
 35 (2) Latin;
 36 (3) American Sign Language;
 37 (4) Native American languages; and
 38 (5) native languages.
- 39 **Sec. 2.** As used in this chapter, "certificate" refers to the state
 40 certificate of biliteracy created under section 3 of this chapter.
- 41 **Sec. 3. (a)** The state certificate of biliteracy is created to:
 42 (1) encourage students to study languages;



- 1 (2) certify the attainment of biliteracy;
 2 (3) provide employers with a method of identifying
 3 individuals with language and biliteracy skills;
 4 (4) provide postsecondary educational institutions with an
 5 additional method to recognize applicants for admission;
 6 (5) prepare students with twenty-first century skills;
 7 (6) recognize the value of foreign language and native
 8 language instruction in public schools; and
 9 (7) strengthen intergroup relationships, affirm the value of
 10 diversity, and honor the multiple cultures and languages of a
 11 community.

12 (b) The receipt of the certificate demonstrates the attainment of
 13 a high level of proficiency by a public high school graduate,
 14 sufficient for meaningful use in college and a career, in one (1) or
 15 more languages in addition to English.

16 (c) A school corporation or charter school is not required to
 17 participate in the certificate program.

18 **Sec. 4. The state board shall:**

- 19 (1) establish the criteria for earning a certificate, including:
 20 (A) the number of credits a student must earn in English
 21 and language arts and in a language other than English;
 22 and
 23 (B) assessments of foreign language and English
 24 proficiency the state board considers necessary;
 25 (2) direct the department to prepare and deliver to
 26 participating school corporations and charter schools an
 27 appropriate mechanism for awarding the certificate and
 28 designating the certificate on a student's transcript indicating
 29 the student has been awarded a certificate; and
 30 (3) direct the department to provide any other information
 31 the state board considers necessary for school corporations
 32 and charter schools to successfully participate in the
 33 certificate program.

34 **Sec. 5. A participating school corporation or charter school**
 35 **shall:**

- 36 (1) maintain appropriate records to identify students who
 37 have earned a certificate; and
 38 (2) make the appropriate designation on the transcript of each
 39 student who earns a certificate.

40 **Sec. 6. (a) Except as provided in subsection (b), a student may**
 41 **not be charged a fee to receive a certificate under this chapter.**

- 42 (b) If necessary, a student may be required to pay a fee to



1 **demonstrate proficiency in a language, including the cost of a**
 2 **standardized test to determine proficiency.**

3 **Sec. 7. The state board shall adopt rules under IC 4-22-2 to**
 4 **carry out this chapter.**

5 SECTION 3. IC 20-34-7-6, AS ADDED BY P.L.34-2014,
 6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 6. (a) As used in this section, "football" does not
 8 include flag football.

9 (b) ~~Beginning July 1, 2014,~~ Prior to coaching football to individuals
 10 who are less than twenty (20) years of age **and are in grades 1**
 11 **through 12**, each head football coach and assistant football coach shall
 12 complete a certified coaching education course that:

13 (1) is sport specific;

14 (2) contains player safety content, including content on:

15 (A) concussion awareness;

16 (B) equipment fitting;

17 (C) heat emergency preparedness; and

18 (D) proper technique;

19 (3) requires a coach to complete a test demonstrating
 20 comprehension of the content of the course; and

21 (4) awards a certificate of completion to a coach who successfully
 22 completes the course.

23 (c) For a coach's completion of a course to satisfy the requirement
 24 imposed by subsection (b), the course must have been approved by the
 25 department.

26 (d) A coach shall complete a course not less than once during a two
 27 (2) year period. However, if the coach receives notice from the
 28 organizing entity that new information has been added to the course
 29 before the end of the two (2) year period, the coach must:

30 (1) complete instruction; and

31 (2) successfully complete a test;

32 concerning the new information to satisfy the requirement imposed by
 33 subsection (b).

34 (e) An organizing entity shall maintain a file of certificates of
 35 completion awarded under subsection (b)(4) to any of the organizing
 36 entity's head coaches and assistant coaches.

37 (f) A coach who complies with this section and provides coaching
 38 services in good faith is not personally liable for damages in a civil
 39 action as a result of a concussion or head injury incurred by an athlete
 40 participating in an athletic activity in which the coach provided
 41 coaching services, except for an act or omission by the coach that
 42 constitutes gross negligence or willful or wanton misconduct.



1 SECTION 4. [EFFECTIVE JULY 1, 2015] (a) There is
2 appropriated to the dual language immersion pilot program fund
3 established by IC 20-20-41-4, as added by this act, five hundred
4 thousand dollars (\$500,000) from the state general fund for use in
5 carrying out the purposes of the dual language immersion pilot
6 program fund as described in IC 20-20-41-4, as added by this act.
7 (b) This SECTION expires January 1, 2016.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 267, 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, line 4, delete "Seal" and insert "**Certificate**".

Page 1, line 12, delete ""seal"" and insert ""**certificate**"".

Page 1, line 12, after "state" delete "seal" and insert "**certificate**".

Page 1, line 14, delete "seal" and insert "**certificate**".

Page 2, line 11, delete "seal certifies" and insert "**receipt of the certificate demonstrates**".

Page 2, line 16, delete "seal" and insert "**certificate**".

Page 2, line 18, delete "seal," and insert "**certificate,**".

Page 2, line 26, after "for" insert "**awarding the certificate and**".

Page 2, line 26, delete "seal" and insert "**certificate**".

Page 2, line 27, delete "diploma and".

Page 2, line 28, delete "seal;" and insert "**certificate;**".

Page 2, line 31, delete "seal" and insert "**certificate**".

Page 2, line 36, delete "seal;" and insert "**certificate;**".

Page 2, line 37, delete "diploma and".

Page 2, line 38, delete "seal." and insert "**certificate.**".

Page 2, line 40, delete "seal" and insert "**certificate**".

and when so amended that said bill do pass.

(Reference is to SB 267 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 9, Nays 0.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 267, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

"SECTION 1. IC 20-20-41 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 41. Dual Language Pilot Program

Sec. 1. The department, with the approval of the state board, shall establish and maintain a dual language immersion pilot program to provide grants to school corporations and charter schools that establish dual language immersion programs in:

- (1) Chinese;
- (2) Spanish;
- (3) French; or
- (4) any other language approved by the department.

Sec. 2. A school corporation or charter school may be eligible to receive a grant under this chapter if:

- (1) the school corporation or charter school uses an instructional model that provides at least fifty percent (50%) of its instruction in English and fifty percent (50%) of its instruction in a language described in section 1 of this chapter;
- (2) the program that uses an instructional model described in subdivision (1) begins either in kindergarten or in grade 1; and
- (3) the program described in subdivision (2) meets any other requirements established by the department, with the approval of the state board.

Sec. 3. A school corporation or charter school desiring to receive a grant under this chapter shall apply to the department for a grant in the manner and on a form prescribed by the department.

Sec. 4. (a) The dual language immersion pilot program fund is established to be used to provide grants under this chapter.

(b) The fund consists of:

- (1) appropriations made by the general assembly; and



(2) gifts and donations to the fund.

(c) The fund shall be administered by the department.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

Sec. 5. The state board may establish rules necessary to administer this chapter."

Page 2, line 22, after "language" insert "**and English**".

Page 3, after line 3, begin a new paragraph and insert:

"SECTION 2. IC 20-34-7-6, AS ADDED BY P.L.34-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) As used in this section, "football" does not include flag football.

(b) ~~Beginning July 1, 2014,~~ Prior to coaching football to individuals who are less than twenty (20) years of age **and are in grades 1 through 12**, each head football coach and assistant football coach shall complete a certified coaching education course that:

(1) is sport specific;

(2) contains player safety content, including content on:

(A) concussion awareness;

(B) equipment fitting;

(C) heat emergency preparedness; and

(D) proper technique;

(3) requires a coach to complete a test demonstrating comprehension of the content of the course; and

(4) awards a certificate of completion to a coach who successfully completes the course.

(c) For a coach's completion of a course to satisfy the requirement imposed by subsection (b), the course must have been approved by the department.

(d) A coach shall complete a course not less than once during a two (2) year period. However, if the coach receives notice from the organizing entity that new information has been added to the course before the end of the two (2) year period, the coach must:

(1) complete instruction; and

(2) successfully complete a test;

concerning the new information to satisfy the requirement imposed by subsection (b).



(e) An organizing entity shall maintain a file of certificates of completion awarded under subsection (b)(4) to any of the organizing entity's head coaches and assistant coaches.

(f) A coach who complies with this section and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by an athlete participating in an athletic activity in which the coach provided coaching services, except for an act or omission by the coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 3. [EFFECTIVE JULY 1, 2015] (a) There is appropriated to the dual language immersion pilot program fund established by IC 20-20-41-4, as added by this act, five hundred thousand dollars (\$500,000) from the state general fund for use in carrying out the purposes of the dual language immersion pilot program fund as described in IC 20-20-41-4, as added by this act.

(b) This SECTION expires January 1, 2016."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 267 as printed January 30, 2015.)

BEHNING

Committee Vote: yeas 10, nays 0.

