

SENATE BILL No. 363

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-2-2.2.

Synopsis: State board of education. Provides that the state superintendent of public instruction shall serve as the chairperson for the state board of education (state board). Makes changes to the composition of membership to the state board. Reduces the number, from eight to six, of governor appointees to the state board. Provides that the minority leaders of the house of representatives and the senate shall each appoint one member to the state board.

Effective: Upon passage.

Rogers

January 11, 2016, read first time and referred to Committee on Education & Career Development.



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. 363

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 20-19-2-2.2, AS ADDED BY P.L.224-2015,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2.2. (a) ~~Beginning June 1, 2015~~, The state
4 board consists of the following members:
5 (1) The state superintendent.
6 (2) **Before July 1, 2016**, eight (8) members appointed by the
7 governor. The following provisions apply to members of the state
8 board appointed under this subdivision:
9 (A) At least six (6) members appointed under this subdivision
10 must have professional experience in the field of education as
11 provided in subsection (b).
12 (B) Members shall be appointed from different parts of
13 Indiana with not more than one (1) member being appointed
14 from a particular congressional district.
15 (C) Not more than five (5) members of the state board may be
16 appointed from the membership of any one (1) political party.
17 (3) **After June 30, 2016, six (6) members appointed by the**



1 **governor. The following provisions apply to members of the**
 2 **state board appointed under this subdivision:**

3 **(A) At least four (4) members appointed under this**
 4 **subdivision must have professional experience in the field**
 5 **of education as provided in subsection (b).**

6 **(B) Members shall be appointed from different parts of**
 7 **Indiana with not more than one (1) member being**
 8 **appointed from a particular congressional district.**

9 **(C) Not more than four (4) members of the state board**
 10 **may be appointed from the membership of any one (1)**
 11 **political party.**

12 ~~(3)~~ **(4) One (1) member, who is not a member of the general**
 13 **assembly, appointed by the speaker of the house of**
 14 **representatives.**

15 ~~(4)~~ **(5) One (1) member, who is not a member of the general**
 16 **assembly, appointed by the president pro tempore of the senate.**

17 **(6) After June 30, 2016, one (1) member, who is not a member**
 18 **of the general assembly, appointed by the minority floor**
 19 **leader of the house of representatives.**

20 **(7) After June 30, 2016, one (1) member, who is not a member**
 21 **of the general assembly, appointed by the minority floor**
 22 **leader of the senate.**

23 (b) For purposes of subsection (a), an individual is considered to
 24 have professional experience in the field of education if the individual
 25 has teaching or leadership experience at a postsecondary educational
 26 institution or is currently employed as, or is retired from a position as:

- 27 (1) a teacher;
 28 (2) a principal;
 29 (3) an assistant superintendent; or
 30 (4) a superintendent.

31 (c) A quorum consists of six (6) members of the state board. An
 32 action of the state board is not official unless the action is authorized
 33 by at least six (6) members.

34 (d) ~~Subject to subsection (e),~~ **The state superintendent serves as**
 35 **chairperson for the state board.** The members of the state board shall
 36 elect a ~~chairperson~~ and vice chairperson annually from the members of
 37 the state board. The vice chairperson shall act as chairperson in the
 38 absence of the chairperson.

39 ~~(e) Notwithstanding subsection (d), the state superintendent shall~~
 40 ~~serve as the chairperson of the state board until a chairperson is elected~~
 41 ~~under subsection (d) at the first meeting of the state board after~~
 42 ~~December 31, 2016; which shall be held not later than January 15;~~



1 2017. A vice chairperson shall be elected at the first meeting of the
 2 state board after June 30, 2015, which shall be held not later than
 3 August 1, 2015. This subsection expires July 1, 2018.

4 ~~(f)~~ (e) Except as otherwise provided in subsection ~~(g)~~; (f), each
 5 member appointed under subsection (a)(2) through ~~(a)(4)~~ (a)(7) serves
 6 a four (4) year term. The term begins on July 1.

7 ~~(g)~~ (f) A member appointed under subsection (a)(2) through ~~(a)(4)~~
 8 (a)(7) may be removed from the state board by the member's
 9 appointing authority for just cause. Vacancies in the appointments to
 10 the state board shall be filled by the appointing authority. A member
 11 appointed under this subsection serves for the remainder of the
 12 unexpired term.

13 ~~(h)~~ (g) The state board shall meet at a minimum at least one (1) time
 14 each month. The state board shall establish the date of the next monthly
 15 meeting during the monthly meeting of the state board. In addition to
 16 the monthly meeting required under this subsection, the state board
 17 shall meet at the call of the chairperson.

18 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **The definitions**
 19 **in IC 20 apply throughout this SECTION.**

20 (b) **State board members appointed by the minority floor**
 21 **leaders of the house of representatives and the senate under**
 22 **IC 20-19-2-2.2(a)(6) and IC 20-19-2-2.2(a)(7), as amended by this**
 23 **act, shall replace state board members appointed by the governor**
 24 **under IC 20-19-2-2.2(a)(2), as amended by this act, whose terms**
 25 **expire July 1, 2016.**

26 (c) **This SECTION expires January 1, 2017.**

27 SECTION 3. **An emergency is declared for this act.**

