



February 13, 2015

SENATE BILL No. 500

DIGEST OF SB 500 (Updated February 11, 2015 3:14 pm - DI 116)

Citations Affected: Numerous provisions throughout the Indiana Code.

Synopsis: Education deregulation. Makes comprehensive revisions to the Indiana Code relating to all aspects of the administration of schools and school corporations and the education of students from pre-kindergarten through grade 12. Repeals various obsolete provisions and provisions that limit local control of schools. Establishes a school reporting oversight committee to review all reporting requirements by the state for schools. Authorizes public agencies to charge a search and detection fee of \$20 per hour for certain public information requests. Expands the list of items for which a state agency may not impose a fee under the public records law, and further regulates the public records fees that state agencies may charge. Makes changes to provisions relating to suspension of a teacher without pay. Provides that school accreditation is optional for schools. Makes conforming and technical amendments.

Effective: Upon passage; July 1, 2015.

Miller Pete, Kruse

January 14, 2015, read first time and referred to Committee on Education & Career Development.
February 12, 2015, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

SB 500—LS 6972/DI 116



February 13, 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.

SENATE BILL No. 500

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 3-8-1-34 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2015]: Sec. 34. (a) A candidate for a school
3 board office must have resided in the school corporation for at least one
4 (1) year before the election. ~~unless a longer period is required under~~
5 ~~IC 20.~~

6 (b) This subsection applies to a candidate for school board office
7 seeking to represent an election district that consists of less than the
8 entire school corporation. The candidate must have resided in the
9 election district for at least one (1) year before the election. ~~unless a~~
10 ~~longer period is required under IC 20.~~

11 SECTION 2. IC 3-12-11-25, AS AMENDED BY P.L.225-2011,
12 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 25. (a) Except as provided in subsection (b),
14 whenever the commission makes a final determination under section
15 18 of this chapter that the candidate who is subject to a contest
16 proceeding is not eligible to serve in the office to which the candidate

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1 is nominated or elected, the candidate who received the second highest
 2 number of votes for the office is entitled to a certificate of nomination
 3 or certificate of election even though a certificate may have been issued
 4 to another candidate upon the tabulation of the votes.

5 (b) This subsection applies to a contest proceeding for a state office
 6 other than the offices of governor, lieutenant governor, justice of the
 7 supreme court, judge of the court of appeals, and judge of the tax court.
 8 Whenever the commission makes a final determination under section
 9 18(b) of this chapter that the candidate who is subject to a contest
 10 proceeding is not eligible to serve in the office to which the candidate
 11 is elected the following apply:

12 (1) This subdivision does not apply to the filling of a state office
 13 following a contest proceeding or court action that resulted from
 14 an election held before January 1, 2011. The office is considered
 15 vacant, and the governor shall fill the vacancy as provided in
 16 IC 3-13-4-3(e) by the appointment of a person of the same
 17 political party as the candidate who is not eligible to serve.

18 (2) The commission's determination that the candidate is not
 19 eligible to serve in the office does not affect the votes cast for the
 20 candidate for purposes of determining the number or percentage
 21 of votes cast for purposes of other statutes, including IC 3-5-2-30,
 22 IC 3-6-2-1, IC 3-6-4.1-6, IC 3-6-5.2-7, IC 3-6-6-8, IC 3-6-7-1,
 23 IC 3-6-8-1, IC 3-8-4, IC 3-8-6, IC 3-10-1-2, IC 3-10-2-15,
 24 IC 3-10-4-2, IC 3-10-6, IC 3-10-7-26, IC 3-11-2-6, IC 3-11-13-11,
 25 IC 3-11-14-3.5, IC 3-13-9-4.5, IC 6-9-2-3, ~~IC 20-23-7-12~~, and
 26 IC 36-4-1.5-2.

27 SECTION 3. IC 3-14-5-8, AS ADDED BY P.L.164-2006,
 28 SECTION 134, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) As used in this section,
 30 "governmental entity" refers to any of the following:

31 (1) A city.

32 (2) A town.

33 ~~(3) A school corporation.~~

34 ~~(4)~~ **(3)** An agency of a governmental entity referred to in any of
 35 subdivisions (1) through ~~(3)~~: **(2)**.

36 (b) As used in this section, "date of conviction" refers to the date
 37 when:

38 (1) in a jury trial, a jury publicly announces a verdict against a
 39 person for a felony or Class A misdemeanor;

40 (2) in a bench trial, the court publicly announces a verdict against
 41 a person for a felony or Class A misdemeanor; or

42 (3) in a guilty plea hearing, a person pleads guilty or nolo



- 1 contendere to a felony or Class A misdemeanor.
- 2 (c) A person who is convicted under IC 3-14-2 of a felony or Class
- 3 A misdemeanor that relates to an election for an office for a
- 4 governmental entity shall not:
- 5 (1) continue employment with;
- 6 (2) obtain future employment with;
- 7 (3) contract with; or
- 8 (4) be a subcontractor under a contract with;
- 9 any governmental entity for at least twenty (20) years after the date of
- 10 conviction.
- 11 (d) For at least twenty (20) years after the person's date of
- 12 conviction, a governmental entity may not:
- 13 (1) employ;
- 14 (2) offer employment to;
- 15 (3) contract with; or
- 16 (4) maintain a contractual relationship when a subcontractor is;
- 17 a person who is convicted under IC 3-14-2 of a felony or Class A
- 18 misdemeanor that relates to an election for an office for any
- 19 governmental entity.
- 20 (e) If:
- 21 (1) a person was employed by a governmental entity;
- 22 (2) the person was convicted under IC 3-14-2 of a felony or Class
- 23 A misdemeanor relating to an election for an office for a
- 24 governmental entity;
- 25 (3) the person's employment with the governmental entity was
- 26 discontinued under subsection (c) or (d); and
- 27 (4) the person's conviction is reversed, vacated, or set aside;
- 28 the governmental entity shall reemploy the person in the same position
- 29 the person held before the person's conviction or in another position
- 30 equivalent in benefits, pay, and working conditions to the position the
- 31 person held before the person's conviction, and the person is entitled to
- 32 receive any salary or other remuneration that the person would have
- 33 received if the person's employment had not been discontinued under
- 34 subsection (c) or (d).
- 35 (f) The attorney general may petition a court with jurisdiction for an
- 36 injunction against a person who violates subsection (c) or a
- 37 governmental entity that violates subsection (d).
- 38 (g) The attorney general may petition a court with jurisdiction to
- 39 impose a civil penalty of not more than one thousand dollars (\$1,000)
- 40 on a person who violates subsection (c).
- 41 SECTION 4. IC 4-12-1-2 IS AMENDED TO READ AS FOLLOWS
- 42 [EFFECTIVE JULY 1, 2015]: Sec. 2. As used in this chapter unless a



- 1 different meaning appears from the context:
- 2 (a) The word "committee" means the budget committee.
- 3 (b) The word "director" or the term "budget director" means the
4 person who is director of the budget agency.
- 5 (c) The term "appointing authority" means the head of an agency of
6 the state.
- 7 (d) The terms "agency of the state" or "agencies of the state" or
8 "state agency" or "state agencies" mean and include every office,
9 officer, board, commission, department, division, bureau, committee,
10 fund, agency, and, without limitation by reason of any enumeration
11 herein, every other instrumentality of the state of Indiana, now existing
12 or which may be created hereafter; every hospital, every penal
13 institution and every other institutional enterprise and activity of the
14 state of Indiana, wherever located; the universities and colleges
15 supported in whole or in part by state funds; the judicial department of
16 the state of Indiana; and all non-governmental organizations receiving
17 financial support or assistance from the state of Indiana; but shall not
18 mean nor include cities, towns, townships, school cities, school towns,
19 ~~school townships~~, school districts, nor other municipal corporations or
20 political subdivisions of the state.
- 21 (e) The terms "budget bill," or "budget bills," shall mean a bill for
22 an act, or two (2) or more such bills, prepared as authorized in this
23 chapter, by which substantially all of the appropriations are made that
24 are necessary and required to carry on state government for the budget
25 period, if and when such bill is, or such bills are, enacted into law.
- 26 (f) The term "budget report" shall mean a written explanation of the
27 budget bill or bills, and a general statement of the reasons for the
28 appropriations therein and of the sources and extent of state income to
29 meet such appropriations, together with such further parts as are
30 required by law.
- 31 (g) The term "budget period" means that period of time for which
32 appropriations are made in the budget bill or budget bills.
- 33 SECTION 5. IC 5-1-6-2 IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2015]: Sec. 2. The following terms wherever
35 used or referred to in this chapter shall have the following meanings,
36 unless a different meaning appears from the context:
- 37 (a) The term "issuing body" shall mean counties, cities, towns,
38 townships, school cities, school towns, ~~school townships~~, districts,
39 political or civil subdivisions, or other public corporate bodies of this
40 state.
- 41 (b) The term "governing body" shall mean the council, commission,
42 board, or other body, officer, or officers which constitutes the



- 1 governing body of an issuing body.
- 2 (c) The term "law" shall mean any law, act, or statute, general,
3 special, or local, of this state.
- 4 (d) The term "enterprise" shall mean any work or works,
5 undertaking, utility, or project which the issuing body is authorized to
6 construct and from which the municipality derives revenues for the
7 refinancing, or the refinancing and improving of which enterprise,
8 refunding bonds are issued under this chapter, and such enterprise shall
9 include all improvements, betterments, extensions and replacements
10 thereto, and all appurtenances, facilities, lands, rights in land, water
11 rights, franchises, and structures in connection therewith or incidental
12 thereto.
- 13 (e) The term "federal agency" shall include the United States of
14 America, the President of the United States of America, or any agency,
15 instrumentality or corporation of the United States of America,
16 designated or created by or pursuant to any act or acts or joint
17 resolution or joint resolutions of the Congress of the United States of
18 America, or which may be owned or controlled, directly or indirectly,
19 by the United States of America.
- 20 (f) The term "improving" shall mean reconstructing, replacing,
21 extending, repairing, bettering, equipping, developing, embellishing or
22 improving or any one (1) or more or all of the foregoing.
- 23 (g) The term "refunding bonds" shall mean notes, bonds, or other
24 obligations of an issuing body issued pursuant to this chapter, or
25 pursuant to any other law, as supplemented by, or in conjunction with
26 this chapter.
- 27 (h) The term "refinancing" shall mean funding, refunding, paying,
28 or discharging, by means of refunding bonds or the proceeds received
29 from the sale thereof, all or any part of any notes, bonds, or other
30 obligations issued to finance or to aid in financing the acquisition,
31 construction or improving of an enterprise and payable solely from all
32 or any part of the revenues thereof, including interest thereon in arrears
33 or about to become due, whether or not represented by coupons or
34 interest certificates.
- 35 (i) The term "revenues" shall mean all fees, tolls, rates, rentals and
36 charges to be levied and collected in connection with and all other
37 income and receipts of whatever kind or character derived by the
38 issuing body from the operation of any enterprise or arising from any
39 enterprise.
- 40 (j) The term "holder of bonds" or "bondholders" or any similar term
41 shall mean any person who shall be the bearer of any outstanding
42 refunding bond or refunding bonds registered to bearer or not



1 registered, or the registered owner of any such outstanding bond or
2 bonds which shall at the time be registered other than to bearer.

3 (k) Words importing the singular number shall include the plural
4 number in each case and vice versa, and words importing persons shall
5 include firms, limited liability companies, and corporations.

6 SECTION 6. IC 5-1-10-1 IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2015]: Sec. 1. Any civil ~~or school~~ township in
8 the state whose indebtedness is evidenced by bonds, notes, judgments,
9 or other obligations issued or negotiated by such township, or rendered
10 against such township, may for the purpose of funding or refunding
11 such indebtedness, or any part thereof, reducing the rate of interest
12 thereon, extending the time of payment and canceling so much thereof
13 as may be or become due, by the vote of two-thirds (2/3) of the
14 members of the township board, and with the approval of the township
15 trustee, issue its bonds, with interest coupons attached, for an amount
16 not exceeding in the aggregate the whole amount of the indebtedness
17 of such township.

18 SECTION 7. IC 5-1-14-16 IS REPEALED [EFFECTIVE JULY 1,
19 2015]. Sec. 16: (a) This section applies to obligations that are:

- 20 (1) issued after June 30, 2008, by a local issuing body; and
21 (2) payable from ad valorem property taxes, special benefit taxes
22 on property, or tax increment revenues derived from property
23 taxes;

24 including obligations that are issued under a statute that permits the
25 bonds to be issued without complying with any other law or otherwise
26 expressly exempts the bonds from the requirements of this section.

27 (b) An agreement for the issuance of obligations must provide for
28 the payment of principal and interest on the obligations in nearly equal
29 payment amounts and at regular designated intervals over the
30 maximum term of the obligations except to the extent that:

- 31 (1) interest for a particular repayment period has been paid from
32 the proceeds of the obligations under section 6 of this chapter; or
33 (2) the local issuing body authorizes a different payment schedule
34 to:

35 (A) maintain substantially equal payments, in the aggregate, in
36 any period in which the local issuing body pays the interest
37 and principal on outstanding obligations;

38 (B) provide for the payment of principal on the obligations in
39 amounts and at intervals that will produce an aggregate
40 amount of principal payments greater than or equal to the
41 aggregate amount that would otherwise be paid as of the same
42 date;



1 (C) provide for level principal payments over the term of the
2 obligations; in order to reduce total interest costs;

3 (D) with respect to obligations wholly or partially payable
4 from tax increment revenues derived from property taxes;
5 provide for the payment of principal and interest in varying
6 amounts over the term of the obligations as necessary due to
7 the variation in the amount of tax increment revenues available
8 for those payments; or

9 (E) provide for a repayment schedule that will result in the
10 same or a lower amount of interest being paid on obligations
11 that would be issued using nearly equal payment amounts:

12 SECTION 8. IC 5-2-10.1-6, AS AMENDED BY P.L.40-2014,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 6. (a) A school corporation, school corporation
15 career and technical education school described in IC 20-37-1-1, or
16 charter school (as defined in IC 20-24-1-4) may receive a grant from
17 the fund for programs, equipment, services, or activities included in a
18 safety plan submitted with the application for funds to the institute.

19 (b) A safety plan submitted under this section must include
20 provisions for zero (0) tolerance for alcohol; tobacco; drugs; and
21 weapons on school property. If the institute approves the safety plan
22 and application; the treasurer of state shall disburse from the fund to
23 the applicant the amount of the grant certified to the treasurer of state
24 by the institute:

25 SECTION 9. IC 5-2-10.1-12 IS REPEALED [EFFECTIVE JULY
26 1, 2015]. Sec. 12: (a) Each school within a school corporation and each
27 school corporation career and technical education school described in
28 IC 20-37-1-1 shall establish a safe school committee. The committee
29 may be a subcommittee of the committee that develops the strategic
30 and continuous school improvement and achievement plan under
31 IC 20-31-5:

32 (b) The department of education; the school corporation's school
33 safety specialist; and; upon request; a school resource officer (as
34 described in IC 20-26-18.2-1) shall provide materials and guidelines to
35 assist a safe school committee in developing a plan and policy for the
36 school that addresses the following issues:

37 (1) Unsafe conditions; crime prevention; school violence;
38 bullying; criminal gang activity; and other issues that prevent the
39 maintenance of a safe school:

40 (2) Professional development needs for faculty and staff to
41 implement methods that decrease problems identified under
42 subdivision (1):



1 (3) Methods to encourage:

2 (A) involvement by the community and students;

3 (B) development of relationships between students and school
4 faculty and staff; and

5 (C) use of problem solving teams:

6 (e) As a part of the plan developed under subsection (b), each safe
7 school committee shall provide a copy of the floor plans for each
8 building located on the school's property that clearly indicates each
9 exit, the interior rooms and hallways, and the location of any hazardous
10 materials located in the building to the law enforcement agency and the
11 fire department that have jurisdiction over the school:

12 (d) The guidelines developed under subsection (b) must include age
13 appropriate, research based information that assists school corporations
14 and safe school committees in:

15 (1) developing and implementing bullying prevention programs;

16 (2) establishing investigation and reporting procedures related to
17 bullying; and

18 (3) adopting discipline rules that comply with IC 20-33-8-13.5.

19 (e) In addition to developing guidelines under subsection (b), the
20 department of education shall establish categories of types of bullying
21 incidents to allow school corporations to use the categories in making
22 reports under IC 20-20-8-8 and IC 20-34-6-1.

23 SECTION 10. IC 5-3-1-0.7 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 0.7. (a) As used in this
25 chapter, "qualified publication" means:

26 (1) a publication that:

27 (1) (A) is published daily, weekly, semiweekly, or triweekly;

28 (2) (B) is of general circulation to the public;

29 (3) (C) has been published for at least three (3) consecutive
30 years in the same city or town;

31 (4) (D) has continuity as to title and general nature of content
32 from issue to issue;

33 (5) (E) contains news of general or community interest,
34 community notices, or editorial commentary;

35 (6) (F) contains advertisements from unrelated advertisers in
36 each issue;

37 (7) (G) has, in more than one-half (1/2) of its issues published
38 during the previous twelve (12) month period, not more than
39 seventy-five percent (75%) advertising content;

40 (8) (H) has a known office location in the county in which it
41 is published; and

42 (9) (I) has been entered, authorized, and accepted by the



1 United States Postal Service as mailable matter of standard
 2 mail (A) class for the time published; or
 3 **(2) after December 31, 2015, for a school corporation or a**
 4 **charter school, an Internet web site administered by the**
 5 **school corporation or charter school.**

6 (b) A publication **described in subsection (a)(1)** is not a qualified
 7 publication if any of the following apply:

8 (1) The publication is owned by, or under the control of, the
 9 owners or lessees of a shopping center or a merchant's
 10 association.

11 (2) The publication is owned by, or under the control of, a
 12 business that sells property or services (other than advertising)
 13 and the predominant advertising in the publication is advertising
 14 for the business's sales of property or services.

15 (3) The publication is a mail order catalog or other catalog,
 16 advertising flier, travel brochure, house organ, theater program,
 17 telephone directory, restaurant guide, shopping center advertising
 18 sheet, or other similar publication.

19 (4) The publication is primarily devoted to matters of specialized
 20 interest such as a labor, fraternal, society, political, religious,
 21 sporting, or trade news publication or journal.

22 (5) The publication is a magazine, racing form, or tip sheet.

23 SECTION 11. IC 5-3-1-1, AS AMENDED BY P.L.141-2009,
 24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 1. **(a) This section does not apply to a qualified**
 26 **publication described in section 0.7(a)(2) of this chapter.**

27 ~~(a)~~ **(b)** The cost of all public notice advertising which any elected or
 28 appointed public official or governmental agency is required by law to
 29 have published, or orders published, for which the compensation to the
 30 newspapers or qualified publications publishing such advertising is
 31 drawn from and is the ultimate obligation of the public treasury of the
 32 governmental unit concerned with the advertising shall be charged to
 33 and collected from the proper fund of the public treasury and paid over
 34 to the newspapers or qualified publications publishing such
 35 advertising, after proof of publication and claim for payment has been
 36 filed.

37 ~~(b)~~ **(c)** The basic charges for publishing public notice advertising
 38 shall be by the line and shall be computed based on a square of two
 39 hundred and fifty (250) ems at the following rates:

40 (1) Before January 1, 1996, three dollars and thirty cents (\$3.30)
 41 per square for the first insertion in newspapers or qualified
 42 publications plus one dollar and sixty-five cents (\$1.65) per



- 1 square for each additional insertion in newspapers or qualified
2 publications.
- 3 (2) After December 31, 1995, and before December 31, 2005, a
4 newspaper or qualified publication may, effective January 1 of
5 any year, increase the basic charges by five percent (5%) more
6 than the basic charges that were in effect during the previous year.
7 However, the basic charges for the first insertion of a public
8 notice in a newspaper or qualified publication may not exceed the
9 lowest classified advertising rate charged to advertisers by the
10 newspaper or qualified publication for comparable use of the
11 same amount of space for other purposes.
- 12 (3) After December 31, 2009, a newspaper or qualified
13 publication may, effective January 1 of any year, increase the
14 basic charges by not more than two and three-quarters percent
15 (2.75%) more than the basic charges that were in effect during the
16 previous year. However, the basic charges for the first insertion
17 of a public notice in a newspaper or qualified publication may not
18 exceed the lowest classified advertising rate charged to
19 advertisers by the newspaper or qualified publication for
20 comparable use of the same amount of space for other purposes
21 and must include all multiple insertion discounts extended to the
22 newspaper's other advertisers.
- 23 An additional charge of fifty percent (50%) shall be allowed for the
24 publication of all public notice advertising containing rule or tabular
25 work.
- 26 ~~(c)~~ (d) All public notice advertisements shall be set in solid type that
27 is at least 7 point type, without any leads or other devices for increasing
28 space. All public notice advertisements shall be headed by not more
29 than two (2) lines, neither of which shall total more than four (4) solid
30 lines of the type in which the body of the advertisement is set. Public
31 notice advertisements may be submitted by an appointed or elected
32 official or a governmental agency to a newspaper or qualified
33 publication in electronic form, if the newspaper or qualified publication
34 is equipped to accept information in compatible electronic form.
- 35 ~~(d)~~ (e) Each newspaper or qualified publication publishing public
36 notice advertising shall submit proof of publication and claim for
37 payment in duplicate on each public notice advertisement published.
38 For each additional proof of publication required by a public official,
39 a charge of one dollar (\$1) per copy shall be allowed each newspaper
40 or qualified publication furnishing proof of publication.
- 41 ~~(e)~~ (f) The circulation of a newspaper or qualified publication is
42 determined as follows:



1 (1) For a newspaper, by the circulation stated on line 10.C. (Total
2 Paid and/or Requested Circulation of Single Issue Published
3 Nearest to Filing Date) of the Statement of Ownership,
4 Management and Circulation required by 39 U.S.C. 3685 that was
5 filed during the previous year.

6 (2) For a qualified publication, by a verified affidavit filed with
7 each governmental agency that has public notices the qualified
8 publication wants to publish. The affidavit must:

9 (A) be filed with the governmental agency before January 1 of
10 each year; and

11 (B) attest to the circulation of the qualified publication for the
12 issue published nearest to October 1 of the previous year.

13 SECTION 12. IC 5-3-1-1.5, AS ADDED BY P.L.141-2009,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 1.5. (a) This section applies after June 30, 2009,
16 to a notice that must be published in accordance with this chapter.

17 (b) If a newspaper maintains an Internet web site, a notice that is
18 published in the newspaper must also be posted on the newspaper's
19 web site. The notice must appear on the web site on the same day the
20 notice appears in the newspaper.

21 (c) The state board of accounts shall develop a standard form for
22 notices posted:

- 23 (1) on a newspaper's Internet web site; or
- 24 (2) as a **qualified publication on a school corporation or**
- 25 **charter school's Internet web site.**

26 (d) A newspaper may not charge a fee for posting a notice on the
27 newspaper's Internet web site under this section.

28 SECTION 13. IC 5-3-1-3, AS AMENDED BY P.L.1-2005,
29 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2015]: Sec. 3. (a) Within sixty (60) days after the expiration
31 of each calendar year, the fiscal officer of each civil city and town in
32 Indiana shall publish an annual report of the receipts and expenditures
33 of the city or town during the preceding calendar year.

34 (b) Not earlier than August 1 or later than August 15 of each year,
35 the secretary of each school corporation in Indiana shall publish an
36 annual financial report.

37 (c) In the annual financial report the school corporation shall
38 include the following:

39 (1) Actual receipts and expenditures by major accounts as
40 compared to the budget advertised under IC 6-1.1-17-3 for the
41 prior calendar year.

42 (2) The salary schedule for all certificated employees (as defined



- 1 in IC 20-29-2-4) as of June 30; with the number of employees at
 2 each salary increment. However, the listing of salaries of
 3 individual teachers is not required.
- 4 ~~(3)~~ The extracurricular salary schedule as of June 30:
- 5 ~~(4)~~ **(2)** The range of rates of pay for all noncertificated employees
 6 by specific classification.
- 7 ~~(5)~~ **(3)** The number of employees who are full-time certificated,
 8 part-time certificated, full-time noncertificated, and part-time
 9 noncertificated.
- 10 ~~(6)~~ **(4)** The lowest, highest, and average salary for the
 11 administrative staff and the number of administrators without a
 12 listing of the names of particular administrators.
- 13 ~~(7)~~ The number of students enrolled at each grade level and the
 14 total enrollment:
- 15 ~~(8)~~ **(5)** The assessed valuation of the school corporation for the
 16 prior and current calendar year.
- 17 ~~(9)~~ The tax rate for each fund for the prior and current calendar
 18 year:
- 19 ~~(10)~~ **(6)** In the general fund, capital projects fund, and
 20 transportation fund, a report of the total payment made to each
 21 vendor for the specific fund in excess of two thousand five
 22 hundred dollars (\$2,500) during the prior calendar year. However,
 23 a school corporation is not required to include more than two
 24 hundred (200) vendors whose total payment to each vendor was
 25 in excess of two thousand five hundred dollars (\$2,500). A school
 26 corporation shall list the vendors in descending order from the
 27 vendor with the highest total payment to the vendor with the
 28 lowest total payment above the minimum listed in this
 29 subdivision.
- 30 ~~(11)~~ **(7)** A statement providing that the contracts, vouchers, and
 31 bills for all payments made by the school corporation are in its
 32 possession and open to public inspection.
- 33 ~~(12)~~ **(8)** The total indebtedness as of the end of the prior calendar
 34 year showing the total amount of notes, bonds, certificates, claims
 35 due, total amount due from such corporation for public
 36 improvement assessments or intersections of streets, and any and
 37 all other evidences of indebtedness outstanding and unpaid at the
 38 close of the prior calendar year.
- 39 (d) The school corporation may provide an interpretation or
 40 explanation of the information included in the financial report.
- 41 (e) The department of education shall do the following:
- 42 (1) Develop guidelines for the preparation and form of the



1 financial report.

2 (2) Provide information to assist school corporations in the
3 preparation of the financial report.

4 ~~(f)~~ The annual reports required by this section and IC 36-2-2-19 and
5 the abstract required by IC 36-6-4-13 shall each be published one (1)
6 time only, in accordance with this chapter.

7 ~~(g)~~ (f) Each school corporation shall submit to the department of
8 education a copy of the financial report required under this section. The
9 department of education shall make the financial reports available for
10 public inspection.

11 SECTION 14. IC 5-3-1-4, AS AMENDED BY P.L.141-2009,
12 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 4. (a) **This section does not apply to a qualified
14 publication described in section 0.7 of this chapter.**

15 ~~(a)~~ (b) Whenever officers of a political subdivision are required to
16 publish a notice affecting the political subdivision, they shall publish
17 the notice in two (2) newspapers published in the political subdivision.

18 ~~(b)~~ (c) This subsection applies to notices published by county
19 officers. If there is only one (1) newspaper published in the county,
20 then publication in that newspaper alone is sufficient.

21 ~~(c)~~ (d) This subsection applies to notices published by city, town, or
22 school corporation officers. If there is only one (1) newspaper
23 published in the municipality or school corporation, then publication
24 in that newspaper alone is sufficient. If no newspaper is published in
25 the municipality or school corporation, then publication shall be made
26 in a newspaper published in the county in which the municipality or
27 school corporation is located and that circulates within the municipality
28 or school corporation.

29 ~~(d)~~ (e) This subsection applies to notices published by officers of
30 political subdivisions not covered by subsection ~~(a)~~ or ~~(b)~~: (b) or (c).
31 If there is only one (1) newspaper published in the political
32 subdivision, then the notice shall be published in that newspaper. If no
33 newspaper is published in the political subdivision, then publication
34 shall be made in a newspaper published in the county and that
35 circulates within the political subdivision.

36 ~~(e)~~ (f) This subsection applies to a political subdivision, including
37 a city, town, or school corporation. Notwithstanding any other law, if
38 a political subdivision has territory in more than one (1) county, public
39 notices that are required by law or ordered to be published must be
40 given as follows:

41 (1) By publication in two (2) newspapers published within the
42 boundaries of the political subdivision.



- 1 (2) If only one (1) newspaper is published within the boundaries
- 2 of the political subdivision, by publication in that newspaper and
- 3 in some other newspaper:
- 4 (A) published in any county in which the political subdivision
- 5 extends; and
- 6 (B) that has a general circulation in the political subdivision.
- 7 (3) If no newspaper is published within the boundaries of the
- 8 political subdivision, by publication in two (2) newspapers that:
- 9 (A) are published in any counties into which the political
- 10 subdivision extends; and
- 11 (B) have a general circulation in the political subdivision.
- 12 (4) If only one (1) newspaper is published in any of the counties
- 13 into which the political subdivision extends, by publication in that
- 14 newspaper if it circulates within the political subdivision.
- 15 ~~(f)~~ (g) A political subdivision may, in its discretion, publish public
- 16 notices in a qualified publication or additional newspapers to provide
- 17 supplementary notification to the public. The cost of publishing
- 18 supplementary notification is a proper expenditure of the political
- 19 subdivision.
- 20 SECTION 15. IC 5-10.3-7-12.5, AS AMENDED BY P.L.165-2009,
- 21 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2015]: Sec. 12.5. **(a) This section does not apply to a school**
- 23 **corporation.**
- 24 ~~(a)~~ (b) An employer or department shall make the reports,
- 25 membership records, or payments required by IC 5-10.3-6 or by
- 26 sections 10 through 12 of this chapter:
- 27 (1) not more than thirty (30) days after the end of the calendar
- 28 quarter, if applicable;
- 29 (2) another due date specified in sections 10 through 12 of this
- 30 chapter; or
- 31 (3) an alternate due date established by the rules of the board.
- 32 ~~(b)~~ (c) If the employer or department does not make the reports,
- 33 records, or payments within the time specified in subsection ~~(a)~~: (b):
- 34 (1) the board may fine the employer or department one hundred
- 35 dollars (\$100) for each additional day that the reports, records, or
- 36 payments are late, to be withheld under IC 5-10.3-6-7; and
- 37 (2) if the employer or department is habitually late, as determined
- 38 by the board, the board shall report the employer or the
- 39 department to the auditor of state for additional withholding under
- 40 IC 5-10.3-6-7.
- 41 ~~(c)~~ (d) After December 31, 2009, an employer or department shall
- 42 submit:



1 (1) the reports and records described in subsection ~~(a)~~ (b) in a
 2 uniform format through a secure connection over the Internet or
 3 through other electronic means specified by the board in
 4 accordance with IC 5-10.2-2-12.5; and

5 (2) both:

6 (A) employer contributions determined under IC 5-10.2-2-11;
 7 and

8 (B) contributions paid by or on behalf of a member under
 9 section 9 of this chapter;

10 by electronic funds transfer in accordance with IC 5-10.2-2-12.5.

11 SECTION 16. IC 5-10.4-1-8, AS ADDED BY P.L.2-2006,
 12 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 8. "Governing body" means:

14 ~~(1) a township trustee and the township board; of a school~~
 15 ~~township;~~

16 ~~(2)~~ (1) a board of school commissioners;

17 ~~(3)~~ (2) a metropolitan board of education;

18 ~~(4)~~ (3) a board of trustees; or

19 ~~(5)~~ (4) another board or commission;

20 charged by law with the responsibility of administering the affairs of a
 21 school corporation.

22 SECTION 17. IC 5-10.4-1-13, AS ADDED BY P.L.2-2006,
 23 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 13. "School corporation" means a public school
 25 corporation established by and under Indiana law. The term includes
 26 any:

27 (1) school city;

28 (2) school town;

29 ~~(3) school township;~~

30 ~~(4)~~ (3) consolidated school corporation;

31 ~~(5)~~ (4) metropolitan school district;

32 ~~(6)~~ (5) township school corporation;

33 ~~(7)~~ (6) county school corporation;

34 ~~(8)~~ (7) united school corporation; or

35 ~~(9)~~ (8) community school corporation.

36 SECTION 18. IC 5-10.4-7-6, AS AMENDED BY P.L.182-2009(ss),
 37 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 6. (a) As used in this section, "net contributions"
 39 means the gross amount of a member's contributions minus any refund
 40 paid or due a teacher.

41 (b) Not later than January 15, April 15, July 15, and October 15 of
 42 each year or an alternate due date established by the rules of the board,



1 the treasurer of a school corporation, the township trustee, or the
 2 appropriate officer of any other institution covered by the fund shall
 3 ~~make an employer report as provided in section 7 of this chapter; on a~~
 4 ~~form furnished by the board; submit~~ to the board ~~accompanied by a~~
 5 warrant for payment of:

6 (1) the total net contributions to the fund made for or by the
 7 members in the preceding three (3) months; and

8 (2) subject to IC 5-10.2-2-11.5, the employer contributions as
 9 required by section 11 of this chapter.

10 ~~(c) Amendatory reports to correct errors or omissions may be~~
 11 ~~required and made.~~

12 ~~(d) (c)~~ After December 31, 2009, the treasurer of a school
 13 corporation, the township trustee, or the appropriate officer of any other
 14 institution covered by the fund shall submit

15 ~~(1) the employer report described in section 7 of this chapter in a~~
 16 ~~uniform format through a secure connection over the Internet or~~
 17 ~~through other electronic means specified by the board in~~
 18 ~~accordance with IC 5-10.2-2-12.5; and~~

19 ~~(2) the:~~

20 ~~(A) (1) employer contributions; and~~

21 ~~(B) (2) contributions paid by or on behalf of a member;~~

22 described in subsection (b) by electronic funds transfer in accordance
 23 with IC 5-10.2-2-12.5.

24 SECTION 19. IC 5-10.4-7-7 IS REPEALED [EFFECTIVE JULY
 25 1, 2015]. Sec. 7. ~~(a) Not later than January 15, April 15, July 15, and~~
 26 ~~October 15 of each year or an alternate due date established by the~~
 27 ~~rules of the board; the treasurer of a school corporation; the township~~
 28 ~~trustee; or the appropriate officer of any other institution covered by the~~
 29 ~~fund shall make a report to the board on a form furnished by the board~~
 30 ~~and within the time set by the board. Amendatory reports to correct~~
 31 ~~errors or omissions may be required and made.~~

32 ~~(b) The report required by subsection (a) must include:~~

33 ~~(1) the name of each member employed in the preceding reporting~~
 34 ~~period; except substitute teachers;~~

35 ~~(2) the total salary and other compensation paid for personal~~
 36 ~~services to each member in the reporting period;~~

37 ~~(3) the sum of contributions made for or by each member; except~~
 38 ~~for a retired member who may not make contributions during a~~
 39 ~~period of reemployment as provided under IC 5-10.2-4-8(e);~~

40 ~~(4) the sum of employer contributions made by the school~~
 41 ~~corporation or other institution; except for a retired member for~~
 42 ~~whom or on whose behalf an employer may not make~~



1 contributions during a period of reemployment as provided under
2 ~~IC 5-10.2-4-8(e)~~;

3 (5) the number of days each member received salary or other
4 compensation for teaching services; and

5 (6) any other information that the board determines necessary for
6 the effective management of the fund.

7 (e) As often as the board determines necessary, the board may
8 review or cause to be reviewed the pertinent records of any public
9 entity contributing to the fund under this article.

10 SECTION 20. IC 5-10.4-7-8, AS ADDED BY P.L.2-2006,
11 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 8. If the treasurer of a school corporation, the
13 township trustee, or the appropriate officer of any other institution
14 covered by the fund fails to make the reports and payments as required
15 in section 6 ~~or~~ 7 of this chapter, the following apply:

16 (1) The officer has an additional thirty (30) days to make the
17 reports and payments without a penalty.

18 (2) If the reports and payments are not made within thirty (30)
19 days after the deadlines required by section 6 ~~or~~ 7 of this chapter,
20 the board may fine the school corporation, township, or institution
21 that the officer serves one hundred dollars (\$100) for each
22 additional day that the reports and payments are late.

23 (3) If the officer is habitually late, as determined by the board, the
24 school corporation, township, or institution that the officer serves
25 is ineligible to receive any distribution of money from the state for
26 school purposes until the reports and payments are received and
27 approved by the board.

28 SECTION 21. IC 5-11-6-5 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The provisions
30 of this chapter shall not be construed as repealing any laws in force on
31 March 7, 1923, but shall be construed only as conferring additional
32 duties and powers upon the state examiner, deputy examiners, field
33 examiners, and the attorney general of the state and providing
34 additional remedies as to the matters set forth in those laws, and all the
35 remedies provided in this chapter shall be additional and concurrent
36 and not exclusive.

37 (b) The term "municipality", as used in this chapter, shall be
38 construed to extend to and include any county, township, city, town,
39 school town, ~~school township~~, school city, or board of park
40 commissioners in this state.

41 SECTION 22. IC 5-13-4-19 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 19. (a) Except as



1 provided in subsections (b) and (c), "political subdivision" has the
2 meaning set forth in IC 36-1-2-13.

3 (b) A hospital organized or operated under IC 16-22-1 through
4 IC 16-22-5 or IC 16-23-1 is considered a political subdivision only for
5 purposes of IC 5-13-12 and IC 5-13-13.

6 (c) For purposes of IC 5-13-7, ~~and IC 5-13-8~~, the term does not
7 include a city or a town **or a school corporation.**

8 **(d) For purposes of IC 5-13-8, the term does not include a city**
9 **or a town.**

10 SECTION 23. IC 5-13-8-1 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) A political
12 subdivision may deposit public funds in a financial institution only if
13 the financial institution:

14 (1) is a depository eligible to receive state funds; and

15 (2) has a principal office or branch that qualifies under section 9
16 of this chapter to receive public funds of the political subdivision.

17 **This subdivision does not apply to a school corporation.**

18 (b) The state board of finance shall make available information
19 concerning financial institutions eligible to receive state funds as may
20 be requested by a local board of finance. A local board of finance may
21 rely on certificates described in IC 5-13-9.5-1(d) in determining to
22 deposit public funds or reinvest public funds in the financial institution.

23 SECTION 24. IC 5-13-8-7 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) As used in this
25 section, "Indiana resident" means any of the following:

26 (1) An individual who is a resident of Indiana.

27 (2) A political subdivision (as defined in IC 36-1-2-13) in Indiana.

28 (3) A corporation, a limited liability company, a partnership, a
29 limited partnership, a trust, an estate, or other legal entity that:

30 (A) is established under Indiana law; or

31 (B) maintains its principal office in Indiana.

32 (4) A corporation, a limited liability company, a partnership, a
33 limited partnership, a trust, an estate, or other legal entity that:

34 (A) is established under the law of a state other than Indiana;
35 and

36 (B) carries out substantial business activities in Indiana,
37 including the employment of individuals who reside in
38 Indiana.

39 (b) As used in this section, "investment in an Indiana resident"
40 means an investment in an interest-bearing obligation of a political
41 subdivision (as defined in IC 36-1-2-13) in Indiana.

42 (c) The local board of finance under which any depository operates



1 may at any time revoke the commission of any depository at a meeting
 2 called for the purpose of revoking a commission, of which the
 3 depository shall have been notified by advance written notice sent by
 4 first class or registered mail not less than twenty (20) days before the
 5 meeting and at which the depository has the right to be heard. Not later
 6 than thirty (30) days after a local board of finance revokes the
 7 commission of a depository, the local board of finance shall give
 8 written notice of the action to the board of depositories.

9 (d) **This subdivision does not apply to a school corporation.** The
 10 local board of finance may revoke the commission of any depository to
 11 do business with the political subdivision:

12 (1) if the depository is unwilling or unable to perform banking
 13 services reasonably required by the local board of finance,
 14 considering the volume of transactions, that are:

15 (A) related to the public funds deposited in a deposit account
 16 described in IC 5-13-9-4(a); and

17 (B) required by the political subdivision served by the local
 18 board of finance to carry out the responsibilities of the political
 19 subdivision, as determined by the local board of finance;

20 (2) if the depository is unwilling or unable to comply with a state
 21 or federal statute, rule, or other regulation that governs the records
 22 or handling of public funds of the political subdivision served by
 23 the local board of finance, as determined by the local board of
 24 finance;

25 (3) if the depository ceases to qualify as a depository under this
 26 chapter, as determined by the local board of finance;

27 (4) if the depository fails to conduct lending activities in Indiana
 28 to such an extent that, at the end of each quarter, pursuant to the
 29 depository's certification, the sum of:

30 (A) the total principal amount of outstanding loans to Indiana
 31 residents; plus

32 (B) the total value of investments in Indiana residents;

33 will at least equal the total amount of the public funds of the state
 34 and political subdivisions of the state that are on deposit in the
 35 financial institution; or

36 (5) for any cause that is adopted in the written rules of the local
 37 board of finance and that is directly related to the safe handling of
 38 public funds.

39 (e) Upon revocation, the depository shall immediately render an
 40 accounting and make settlement for all public funds deposited with the
 41 depository.

42 SECTION 25. IC 5-13-8-9 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. **(a) This section**
 2 **does not apply to a school corporation.**

3 ~~(a)~~ **(b)** All public funds of all political subdivisions shall be
 4 deposited in the designated depositories located in the respective
 5 territorial limits of the political subdivisions, except as provided in this
 6 section.

7 ~~(b)~~ **(c)** Each board of finance of a political subdivision:

8 (1) that is not a city, town, or school corporation; and

9 (2) whose jurisdiction crosses one (1) or more county lines;

10 may limit its boundaries for the purpose of this section to that portion
 11 of the political subdivision within the county where its principal office
 12 is located.

13 ~~(c)~~ **(d)** If there is no principal office or branch of a financial
 14 institution located in the county or political subdivision, or if no
 15 financial institution with a principal office or branch in the county or
 16 political subdivision will accept public funds under this chapter, the
 17 board of finance of the county and the boards of finance of the political
 18 subdivisions in the county shall designate one (1) or more financial
 19 institutions with a principal office or branch outside of the county or
 20 political subdivision, and in the state, as a depository or depositories.

21 ~~(d)~~ **(e)** The board of trustees for a hospital organized or operated
 22 under IC 16-22-1 through IC 16-22-5 or IC 16-23-1 may invest any
 23 money in the hospital fund anywhere in the state with any financial
 24 institution designated by the state board of finance as depositories for
 25 state deposits.

26 ~~(e)~~ **(f)** If only one (1) financial institution that has a branch or
 27 principal office in a county or political subdivision is willing to accept
 28 public funds, the board of finance for the county or political
 29 subdivision may:

30 (1) treat the financial institution that is located within the county
 31 or political subdivision as if the financial institution were not
 32 located within the county or political subdivision; and

33 (2) designate one (1) or more financial institutions to receive
 34 public funds under the requirements of subsection ~~(e)~~: **(d)**.

35 ~~(f)~~ **(g)** The investing officer shall maintain the deposits as follows:

36 (1) In one (1) or more depositories designated for the political
 37 subdivision, if the sum of the monthly average balances of all the
 38 transaction accounts for the political subdivision does not exceed
 39 one hundred thousand dollars (\$100,000).

40 (2) In each depository designated for the political subdivision, if
 41 subdivision (1) does not apply and fewer than three (3) financial
 42 institutions are designated by the local board of finance as a



1 depository.

2 (3) In at least two (2) depositories designated for the political
3 subdivision, if subdivision (1) does not apply and at least three (3)
4 financial institutions are designated by the local board of finance
5 as a depository.

6 SECTION 26. IC 5-13-8-14 IS REPEALED [EFFECTIVE JULY 1,
7 2015]. ~~Sec. 14. A financial institution may not be designated as a~~
8 ~~depository under this chapter if the financial institution would be~~
9 ~~disqualified from being awarded a contract under IC 5-22-16.5.~~

10 SECTION 27. IC 5-13-9-5.7, AS AMENDED BY P.L.13-2013,
11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 5.7. **(a) This section does not apply to a school**
13 **corporation.**

14 ~~(a)~~ **(b)** The fiscal body of a political subdivision may adopt an
15 investment policy authorizing the investment of public funds of the
16 political subdivision for more than two (2) years and not more than five
17 (5) years. The policy must:

18 (1) be in writing;

19 (2) be adopted at a public meeting;

20 (3) provide for the investment of public funds with the approval
21 of the investing officer;

22 (4) provide that the investments must be made in accordance with
23 this article;

24 (5) limit the total investments outstanding under this section to
25 not more than twenty-five percent (25%) of the total portfolio of
26 public funds invested by the political subdivision, including
27 balances in transaction accounts; and

28 (6) state a date on which the policy expires, which may not be
29 more than four (4) years after the date on which the policy takes
30 effect.

31 ~~(b)~~ **(c)** A policy adopted by a fiscal body under subsection ~~(a)~~ **(b)**
32 remains in effect only through the date of expiration established in the
33 policy, which may not be more than four (4) years after the date on
34 which the policy takes effect.

35 ~~(c)~~ **(d)** A fiscal body that has adopted a written investment policy
36 under subsection ~~(a)~~ **(b)** may adopt an ordinance authorizing its
37 investing officer to make investments having a stated final maturity that
38 is:

39 (1) more than two (2) years; but

40 (2) not more than five (5) years;

41 after the date of purchase or entry into a repurchase agreement.

42 ~~(d)~~ **(e)** An ordinance adopted by a fiscal body under subsection ~~(c)~~



1 (d) and the power to make an investment described in subsection (e)
 2 (d) expire on the date on which the policy expires, which may not be
 3 more than four (4) years after the date on which the policy takes effect.

4 (e) (f) After an investment of public funds of a political subdivision
 5 is made by the investing officer under this section, the total investments
 6 of the political subdivision outstanding under this section may not
 7 exceed twenty-five percent (25%) of the total portfolio of public funds
 8 invested by the political subdivision, including balances in transaction
 9 accounts. However, an investment that complies with this section when
 10 the investment is made remains legal even if:

- 11 (1) the investment policy has expired; or
- 12 (2) a subsequent decrease in the total portfolio of public funds
 13 invested by the political subdivision, including balances in
 14 transaction accounts, causes the percentage of investments
 15 outstanding under this section to exceed twenty-five percent
 16 (25%) of the total portfolio of public funds invested by the
 17 political subdivision.

18 (f) (g) An investing officer may contract with a federally regulated
 19 investment advisor or other institutional money manager to make
 20 investments under this section.

21 SECTION 28. IC 5-14-3-2, AS AMENDED BY P.L.248-2013,
 22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 UPON PASSAGE]: Sec. 2. (a) The definitions set forth in this section
 24 apply throughout this chapter.

25 (b) "Computer processing time" means the amount of time a
 26 computer takes to process a command or script to extract or copy
 27 electronically stored data that is the subject of a public records
 28 request.

29 (b) (c) "Copy" includes transcribing by handwriting, photocopying,
 30 xerography, duplicating machine, duplicating electronically stored data
 31 onto a disk, tape, drum, or any other medium of electronic data storage,
 32 and reproducing by any other means.

33 (e) (d) "Criminal intelligence information" means data that has been
 34 evaluated to determine that the data is relevant to:

- 35 (1) the identification of; and
- 36 (2) the criminal activity engaged in by;

37 an individual who or organization that is reasonably suspected of
 38 involvement in criminal activity.

39 (f) (e) "Direct cost" means one hundred five percent (105%) of the
 40 sum of the cost of:

- 41 (1) the initial development of a program, if any;
- 42 (2) the labor required to retrieve electronically stored data; and



1 (3) any medium used for electronic output;
 2 for providing a duplicate of electronically stored data onto a disk, tape,
 3 drum, or other medium of electronic data retrieval under section 8(g)
 4 of this chapter, or for reprogramming a computer system under section
 5 6(c) of this chapter.

6 ~~(e)~~ **(f)** "Electronic map" means copyrighted data provided by a
 7 public agency from an electronic geographic information system.

8 ~~(f)~~ **(g)** "Enhanced access" means the inspection of a public record
 9 by a person other than a governmental entity and that:

10 (1) is by means of an electronic device other than an electronic
 11 device provided by a public agency in the office of the public
 12 agency; or

13 (2) requires the compilation or creation of a list or report that does
 14 not result in the permanent electronic storage of the information.

15 ~~(g)~~ **(h)** "Facsimile machine" means a machine that electronically
 16 transmits exact images through connection with a telephone network.

17 ~~(h)~~ **(i)** "Inspect" includes the right to do the following:

18 (1) Manually transcribe and make notes, abstracts, or memoranda.

19 (2) In the case of tape recordings or other aural public records, to
 20 listen and manually transcribe or duplicate, or make notes,
 21 abstracts, or other memoranda from them.

22 (3) In the case of public records available:

23 (A) by enhanced access under section 3.5 of this chapter; or

24 (B) to a governmental entity under section 3(c)(2) of this
 25 chapter;

26 to examine and copy the public records by use of an electronic
 27 device.

28 (4) In the case of electronically stored data, to manually transcribe
 29 and make notes, abstracts, or memoranda or to duplicate the data
 30 onto a disk, tape, drum, or any other medium of electronic
 31 storage.

32 ~~(i)~~ **(j)** "Investigatory record" means information compiled in the
 33 course of the investigation of a crime.

34 ~~(j)~~ **(k)** "Offender" means a person confined in a penal institution as
 35 the result of the conviction for a crime.

36 ~~(k)~~ **(l)** "Patient" has the meaning set out in IC 16-18-2-272(d).

37 ~~(l)~~ **(m)** "Person" means an individual, a corporation, a limited
 38 liability company, a partnership, an unincorporated association, or a
 39 governmental entity.

40 ~~(m)~~ **(n)** "Provider" has the meaning set out in IC 16-18-2-295(b) and
 41 includes employees of the state department of health or local boards of
 42 health who create patient records at the request of another provider or



1 who are social workers and create records concerning the family
2 background of children who may need assistance.

3 ~~(n)~~ (o) "Public agency", except as provided in section 2.1 of this
4 chapter, means the following:

5 (1) Any board, commission, department, division, bureau,
6 committee, agency, office, instrumentality, or authority, by
7 whatever name designated, exercising any part of the executive,
8 administrative, judicial, or legislative power of the state.

9 (2) Any:

10 (A) county, township, school corporation, city, or town, or any
11 board, commission, department, division, bureau, committee,
12 office, instrumentality, or authority of any county, township,
13 school corporation, city, or town;

14 (B) political subdivision (as defined by IC 36-1-2-13); or

15 (C) other entity, or any office thereof, by whatever name
16 designated, exercising in a limited geographical area the
17 executive, administrative, judicial, or legislative power of the
18 state or a delegated local governmental power.

19 (3) Any entity or office that is subject to:

20 (A) budget review by either the department of local
21 government finance or the governing body of a county, city,
22 town, township, or school corporation; or

23 (B) an audit by the state board of accounts that is required by
24 statute, rule, or regulation.

25 (4) Any building corporation of a political subdivision that issues
26 bonds for the purpose of constructing public facilities.

27 (5) Any advisory commission, committee, or body created by
28 statute, ordinance, or executive order to advise the governing
29 body of a public agency, except medical staffs or the committees
30 of any such staff.

31 (6) Any law enforcement agency, which means an agency or a
32 department of any level of government that engages in the
33 investigation, apprehension, arrest, or prosecution of alleged
34 criminal offenders, such as the state police department, the police
35 or sheriff's department of a political subdivision, prosecuting
36 attorneys, members of the excise police division of the alcohol
37 and tobacco commission, conservation officers of the department
38 of natural resources, gaming agents of the Indiana gaming
39 commission, gaming control officers of the Indiana gaming
40 commission, and the security division of the state lottery
41 commission.

42 (7) Any license branch staffed by employees of the bureau of



1 motor vehicles commission under IC 9-16.

2 (8) The state lottery commission established by IC 4-30-3-1,
3 including any department, division, or office of the commission.

4 (9) The Indiana gaming commission established under IC 4-33,
5 including any department, division, or office of the commission.

6 (10) The Indiana horse racing commission established by IC 4-31,
7 including any department, division, or office of the commission.

8 ~~(o)~~ **(p)** "Public record" means any writing, paper, report, study, map,
9 photograph, book, card, tape recording, or other material that is
10 created, received, retained, maintained, or filed by or with a public
11 agency and which is generated on paper, paper substitutes,
12 photographic media, chemically based media, magnetic or machine
13 readable media, electronically stored data, or any other material,
14 regardless of form or characteristics.

15 ~~(p)~~ **(q)** "Standard-sized documents" includes all documents that can
16 be mechanically reproduced (without mechanical reduction) on paper
17 sized eight and one-half (8 1/2) inches by eleven (11) inches or eight
18 and one-half (8 1/2) inches by fourteen (14) inches.

19 ~~(q)~~ **(r)** "Trade secret" has the meaning set forth in IC 24-2-3-2.

20 ~~(r)~~ **(s)** "Work product of an attorney" means information compiled
21 by an attorney in reasonable anticipation of litigation. The term
22 includes the attorney's:

23 (1) notes and statements taken during interviews of prospective
24 witnesses; and

25 (2) legal research or records, correspondence, reports, or
26 memoranda to the extent that each contains the attorney's
27 opinions, theories, or conclusions.

28 This definition does not restrict the application of any exception under
29 section 4 of this chapter.

30 SECTION 29. IC 5-14-3-3, AS AMENDED BY P.L.134-2012,
31 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 UPON PASSAGE]: Sec. 3. (a) Any person may inspect and copy the
33 public records of any public agency during the regular business hours
34 of the agency, except as provided in section 4 of this chapter. A request
35 for inspection or copying must:

36 (1) identify with reasonable particularity the record being
37 requested; and

38 (2) be, at the discretion of the agency, in writing on or in a form
39 provided by the agency.

40 No request may be denied because the person making the request
41 refuses to state the purpose of the request, unless such condition is
42 required by other applicable statute.



1 (b) A public agency may not deny or interfere with the exercise of
 2 the right stated in subsection (a). Within a reasonable time after the
 3 request is received by the agency, the public agency shall either:

4 (1) provide the requested copies to the person making the request;

5 or

6 (2) allow the person to make copies:

7 (A) on the agency's equipment; or

8 (B) on the person's own equipment.

9 (c) Notwithstanding subsections (a) and (b), a public agency may or
 10 may not do the following:

11 (1) In accordance with a contract described in section 3.5 of this
 12 chapter, permit a person to inspect and copy through the use of
 13 enhanced access public records containing information owned by
 14 or entrusted to the public agency.

15 (2) Permit a governmental entity to use an electronic device to
 16 inspect and copy public records containing information owned by
 17 or entrusted to the public agency.

18 (d) Except as provided in subsection (e), a public agency that
 19 maintains or contracts for the maintenance of public records in an
 20 electronic data storage system shall make reasonable efforts to provide
 21 to a person making a request a copy of all disclosable data contained
 22 in the records on paper, disk, tape, drum, or any other method of
 23 electronic retrieval if the medium requested is compatible with the
 24 agency's data storage system. This subsection does not apply to an
 25 electronic map.

26 (e) A state agency may adopt a rule under IC 4-22-2, and a political
 27 subdivision may enact an ordinance, prescribing the conditions under
 28 which a person who receives information on disk or tape under
 29 subsection (d) may or may not use the information for commercial
 30 purposes, including to sell, advertise, or solicit the purchase of
 31 merchandise, goods, or services, or sell, loan, give away, or otherwise
 32 deliver the information obtained by the request to any other person for
 33 these purposes. Use of information received under subsection (d) in
 34 connection with the preparation or publication of news, for nonprofit
 35 activities, or for academic research is not prohibited. A person who
 36 uses information in a manner contrary to a rule or ordinance adopted
 37 under this subsection may be prohibited by the state agency or political
 38 subdivision from obtaining a copy or any further data under subsection
 39 (d).

40 (f) Notwithstanding the other provisions of this section, a public
 41 agency is not required to create or provide copies of lists of names and
 42 addresses (including electronic mail account addresses) unless the



1 public agency is required to publish such lists and disseminate them to
 2 the public under a statute. However, if a public agency has created a
 3 list of names and addresses (excluding electronic mail account
 4 addresses) it must permit a person to inspect and make memoranda
 5 abstracts from the list unless access to the list is prohibited by law. The
 6 lists of names and addresses (including electronic mail account
 7 addresses) described in subdivisions (1) through (3) may not be
 8 disclosed by public agencies to any individual or entity for political
 9 purposes and may not be used by any individual or entity for political
 10 purposes. In addition, the lists of names and addresses (including
 11 electronic mail account addresses) described in subdivisions (1)
 12 through (3) may not be disclosed by public agencies to commercial
 13 entities for commercial purposes and may not be used by commercial
 14 entities for commercial purposes. The prohibition in this subsection
 15 against the disclosure of lists for political or commercial purposes
 16 applies to the following lists of names and addresses (including
 17 electronic mail account addresses):

- 18 (1) A list of employees of a public agency.
 19 (2) A list of persons attending conferences or meetings at a state
 20 educational institution or of persons involved in programs or
 21 activities conducted or supervised by the state educational
 22 institution.
 23 (3) A list of students who are enrolled in a public school
 24 corporation if the governing body of the public school corporation
 25 adopts a policy:
 26 (A) with respect to disclosure related to a commercial purpose,
 27 prohibiting the disclosure of the list to commercial entities for
 28 commercial purposes;
 29 (B) with respect to disclosure related to a commercial purpose,
 30 specifying the classes or categories of commercial entities to
 31 which the list may not be disclosed or by which the list may
 32 not be used for commercial purposes; or
 33 (C) with respect to disclosure related to a political purpose,
 34 prohibiting the disclosure of the list to individuals and entities
 35 for political purposes.

36 A policy adopted under subdivision (3)(A) or (3)(B) must be uniform
 37 and may not discriminate among similarly situated commercial entities.
 38 For purposes of this subsection, "political purposes" means influencing
 39 the election of a candidate for federal, state, legislative, local, or school
 40 board office or the outcome of a public question or attempting to solicit
 41 a contribution to influence the election of a candidate for federal, state,
 42 legislative, local, or school board office or the outcome of a public



- 1 question.
- 2 (g) A public agency may not enter into or renew a contract or an
3 obligation:
- 4 (1) for the storage or copying of public records; or
5 (2) that requires the public to obtain a license or pay copyright
6 royalties for obtaining the right to inspect and copy the records
7 unless otherwise provided by applicable statute;
8 if the contract, obligation, license, or copyright unreasonably impairs
9 the right of the public to inspect and copy the agency's public records.
- 10 (h) If this section conflicts with IC 3-7, the provisions of IC 3-7
11 apply.
- 12 **(i) This subsection applies to a public record that is in an
13 electronic format. This subsection does not apply to a public record
14 recorded in the office of the county recorder. The public agency
15 shall provide an electronic copy or a paper copy, at the option of
16 the person making the request for a public record. This subsection
17 does not require a public agency to change the format of a public
18 record.**
- 19 SECTION 30. IC 5-14-3-8, AS AMENDED BY P.L.16-2008,
20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 8. (a) For the purposes of this section, "state
22 agency" has the meaning set forth in IC 4-13-1-1.
- 23 (b) Except as provided in this section, a public agency may not
24 charge any fee under this chapter **for the following:**
- 25 (1) **For a person to inspect a public record. or**
26 **(2) For a person to search for a public record.**
27 **(3) For the public agency to search for a public record, if the**
28 **search does not exceed two (2) hours.**
29 ~~(2)~~ **(4) For the public agency to search for, examine or review a**
30 **record to determine whether the record may be disclosed.**
31 **(5) For the public agency to transmit an electronic copy of a**
32 **public record by electronic mail. However, a public agency**
33 **may charge a fee for a public record transmitted by electronic**
34 **mail if the fee for the public record is authorized under:**
35 **(A) subsection (f) or (j); or**
36 **(B) section 6(c) of this chapter.**
- 37 (c) The Indiana department of administration shall establish a
38 uniform copying fee for the copying of one (1) page of a standard-sized
39 document by state agencies. The fee may not exceed the average cost
40 of copying records by state agencies or ten cents (\$0.10) per page,
41 whichever is greater. A state agency may not collect more than the
42 uniform copying fee for providing a copy of a public record. However,



1 a state agency shall establish and collect a reasonable fee for copying
2 nonstandard-sized documents.

3 (d) This subsection applies to a public agency that is not a state
4 agency. The fiscal body (as defined in IC 36-1-2-6) of the public
5 agency, or the governing body, if there is no fiscal body, shall establish
6 a fee schedule for the certification or copying of documents. The fee for
7 certification of documents may not exceed five dollars (\$5) per
8 document. The fee for copying documents may not exceed the greater
9 of:

- 10 (1) ten cents (\$0.10) per page for copies that are not color copies
11 or twenty-five cents (\$0.25) per page for color copies; or
12 (2) the actual cost to the agency of copying the document.

13 As used in this subsection, "actual cost" means the cost of paper and
14 the per-page cost for use of copying or facsimile equipment and does
15 not include labor costs or overhead costs. A fee established under this
16 subsection must be uniform throughout the public agency and uniform
17 to all purchasers.

18 (e) If:

- 19 (1) a person is entitled to a copy of a public record under this
20 chapter; and
21 (2) the public agency which is in possession of the record has
22 reasonable access to a machine capable of reproducing the public
23 record;

24 the public agency must provide at least one (1) copy of the public
25 record to the person. However, if a public agency does not have
26 reasonable access to a machine capable of reproducing the record or if
27 the person cannot reproduce the record by use of enhanced access
28 under section 3.5 of this chapter, the person is only entitled to inspect
29 and manually transcribe the record. A public agency may require that
30 the payment for **search and** copying costs be made in advance.

31 (f) Notwithstanding subsection ~~(b)~~; **(b)(1), (b)(2), (b)(3)**, (c), (d),
32 (g), (h), or (i), a public agency shall collect any certification, copying,
33 facsimile machine transmission, or search fee that is specified by
34 statute or is ordered by a court. **Notwithstanding subsection (b)(4), a
35 public agency shall collect any certification or search fee that is
36 specified by statute or is ordered by a court.**

37 (g) Except as provided by subsection (h), for providing a duplicate
38 of a computer tape, computer disc, microfilm, or similar or analogous
39 record system containing information owned by the public agency or
40 entrusted to it, a public agency may charge a fee, uniform to all
41 purchasers, that does not exceed the sum of the following:

- 42 (1) The agency's direct cost of supplying the information in that



- 1 form.
- 2 (2) The standard cost for selling the same information to the
- 3 public in the form of a publication if the agency has published the
- 4 information and made the publication available for sale.
- 5 (3) In the case of the legislative services agency, a reasonable
- 6 percentage of the agency's direct cost of maintaining the system
- 7 in which the information is stored. However, the amount charged
- 8 by the legislative services agency under this subdivision may not
- 9 exceed the sum of the amounts it may charge under subdivisions
- 10 (1) and (2).
- 11 (h) This subsection applies to the fee charged by a public agency for
- 12 providing enhanced access to a public record. A public agency may
- 13 charge any reasonable fee agreed on in the contract under section 3.5
- 14 of this chapter for providing enhanced access to public records.
- 15 (i) This subsection applies to the fee charged by a public agency for
- 16 permitting a governmental entity to inspect public records by means of
- 17 an electronic device. A public agency may charge any reasonable fee
- 18 for the inspection of public records under this subsection, or the public
- 19 agency may waive any fee for the inspection.
- 20 (j) Except as provided in subsection (k), a public agency may charge
- 21 a fee, uniform to all purchasers, for providing an electronic map that is
- 22 based upon a reasonable percentage of the agency's direct cost of
- 23 maintaining, upgrading, and enhancing the electronic map and for the
- 24 direct cost of supplying the electronic map in the form requested by the
- 25 purchaser. If the public agency is within a political subdivision having
- 26 a fiscal body, the fee is subject to the approval of the fiscal body of the
- 27 political subdivision.
- 28 (k) The fee charged by a public agency under subsection (j) to cover
- 29 costs for maintaining, upgrading, and enhancing an electronic map may
- 30 be waived by the public agency if the electronic map for which the fee
- 31 is charged will be used for a noncommercial purpose, including the
- 32 following:
- 33 (1) Public agency program support.
- 34 (2) Nonprofit activities.
- 35 (3) Journalism.
- 36 (4) Academic research.
- 37 **(l) This subsection applies to a public agency that charges a fee**
- 38 **for the public agency to search for a public record. A public agency**
- 39 **may not charge a fee for the first two (2) hours required to search**
- 40 **for a public record. A public agency may charge a search fee for**
- 41 **any time that exceeds two (2) hours. If the public agency charges**
- 42 **a search fee, the agency shall charge an hourly fee that does not**



1 exceed the lesser of:

- 2 (1) the hourly rate of the person making the search; or
 3 (2) twenty dollars (\$20) per hour.

4 **A public agency charging an hourly fee under this subsection for**
 5 **searching for a public record may charge only for time that the**
 6 **person making the search actually spends in searching for the**
 7 **record. A public agency may not charge for computer processing**
 8 **time and may not establish a minimum fee for searching for a**
 9 **public record. A public agency must make a good faith effort to**
 10 **complete a search for a public record within a reasonable time in**
 11 **order to minimize the amount of a search fee. The fee shall be**
 12 **prorated to reflect any search time of less than two (2) hours. If a**
 13 **fee is charged by a public agency under subsection (g), (h), (i), or**
 14 **(j) for a public record, the public agency may not charge a fee for**
 15 **searching for the record under this subsection. A search fee**
 16 **collected by a department, an agency, or an office of a county, city,**
 17 **town, or township shall be deposited in the general fund of the**
 18 **county, city, town, or township.**

19 SECTION 31. IC 5-15-5.1-10 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. Each agency shall:

- 21 (1) Make and preserve records containing adequate and proper
 22 documentation of the organization, functions, policies, decisions,
 23 procedures, and essential transactions of the agency to protect the
 24 legal and financial rights of the government and of persons
 25 directly affected by the agency's activities.
 26 (2) Cooperate fully with the commission in implementing the
 27 provisions of this chapter.
 28 (3) Establish and maintain an active and continuing program for
 29 the economical and efficient management of information and
 30 assist the commission in the conduct of information management
 31 surveys.
 32 (4) Implement information management procedures and
 33 regulations issued by the commission.
 34 (5) Submit to the oversight committee, a recommended retention
 35 schedule for each form and record series in its custody. However,
 36 retention schedules for forms and record series common to more
 37 than one (1) agency may be established by the oversight
 38 committee. Records may not be scheduled for retention any
 39 longer than is necessary to perform required functions. Records
 40 requiring retention for several years must be transferred to the
 41 records center.
 42 (6) Establish necessary safeguards against the removal, alteration,



1 or loss of records; safeguards shall include notification to all
 2 officials and employees of the agency that records in the custody
 3 of the agency may not be alienated or destroyed except in
 4 accordance with the provisions of this chapter.

5 (7) Designate an agency information coordinator, who shall assist
 6 the commission in the content requirements of the form design
 7 process and in the development of the agency's records retention
 8 schedules.

9 ~~(8) Report to the commission before December 31 of each year~~
 10 ~~those records which have been created or discontinued in the past~~
 11 ~~year.~~

12 SECTION 32. IC 5-15-5.1-21 IS ADDED TO THE INDIANA
 13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE UPON PASSAGE]: **Sec. 21. Not later than July 1,**
 15 **2015, the commission shall establish uniform retention**
 16 **requirements for school corporations for electronic mail messages.**

17 SECTION 33. IC 5-15-6-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) As used in this
 19 section, "original records" includes the optical image of a check or
 20 deposit document when:

21 (1) the check or deposit document is recorded, copied, or
 22 reproduced by an optical imaging process described in subsection
 23 (e); and

24 (2) the drawer of the check receives an optical image of the check
 25 after the check is processed for payment or the depositor receives
 26 an optical image of the deposit document after the document has
 27 been processed for the deposit.

28 (b) All public records which, in the judgment of the commission,
 29 have no official or historical value, and which occupy space to no
 30 purpose in the offices and storerooms of the local government of a
 31 county, shall be destroyed or otherwise disposed of ~~Except as provided~~
 32 ~~in this section; such records shall not be destroyed until a period of if~~
 33 ~~at least three (3) years shall have elapsed from the time when the~~
 34 ~~records were originally filed. and no public records shall~~ **However, a**
 35 **public record may not be destroyed under this subsection** within a
 36 period of three (3) years **after the original filing date** if the law
 37 ~~provides that they shall~~ **requires the record to** be kept for a longer
 38 period of time, or if the law prohibits ~~their the~~ **the destruction of the**
 39 **record.**

40 (c) Subject to this section, records may be destroyed before three (3)
 41 years elapse after the date when the records were originally filed if the
 42 destruction is according to an approved retention schedule.



1 (d) No financial records or records relating thereto shall be
2 destroyed until the earlier of the following actions:

3 (1) The audit of the records by the state board of accounts has
4 been completed, report filed, and any exceptions set out in the
5 report satisfied.

6 (2) The financial record or records have been copied or
7 reproduced as described in subsection (e).

8 (e) As used in this section, "public records" or "records" includes
9 records that have been recorded, copied, or reproduced by a
10 photographic, photostatic, miniature photographic, or optical imaging
11 process that correctly, accurately, and permanently copies, reproduces,
12 or forms a medium for copying or reproducing the original record on
13 a film or other durable material. Original records may be disposed of
14 in accordance with subsection (f), if the record has been copied or
15 reproduced as described in this subsection. The copy must be treated
16 as an original. Copies, recreations, or reproductions made from an
17 optical image of a public record described in this subsection shall be
18 received as evidence in any court in which the original record could
19 have been introduced, if the recreations, copies, or reproductions are
20 properly certified as to authenticity and accuracy by an official
21 custodian of the records.

22 (f) Original records may be disposed of only with the approval of
23 the commission according to guidelines established by the commission.
24 However, the guidelines established by the commission concerning the
25 disposal of financial records must be approved by the state board of
26 accounts before the guidelines become effective.

27 SECTION 34. IC 5-16-12.2-5 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) **This section
29 does not apply to a school corporation.**

30 (b) The contracting agency shall keep a record of the following in
31 the public works contract file:

32 (1) The contacts the contracting agency makes with persons that
33 provide energy efficient technology to implement this chapter.

34 (2) An analysis of the feasibility of using energy efficient
35 technology in the public works project.

36 SECTION 35. IC 5-22-16.5-13 IS REPEALED [EFFECTIVE JULY
37 1, 2015]. Sec. 13: (a) **This section does not apply if a finding made
38 under section 12 of this chapter is placed in the contract file.**

39 (b) **At the time a contract is awarded or renewed, the person that is
40 being awarded or has the contract must certify in writing to the
41 governmental body awarding or renewing the contract that the person
42 is not engaged in investment activities in Iran.**



1 (c) The certification required by this section shall be placed in the
2 contract file:

3 SECTION 36. IC 5-22-16.5-14, AS ADDED BY P.L.21-2012,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 14. (a) If a purchasing agency, using credible
6 information available to the public, determines that a certification
7 given by a person to the purchasing agency's governmental body ~~under~~
8 ~~section 13(b) of this chapter~~ is false, the purchasing agency shall:

9 (1) notify the person in writing of the purchasing agency's
10 determination that the certification is false; and

11 (2) give the person ninety (90) days within which to respond to
12 the written notice.

13 (b) If the person fails to demonstrate to the purchasing agency that
14 the person has ceased the person's investment activities in Iran within
15 ninety (90) days after the notice is given to the person under subsection
16 (a), the following apply:

17 (1) The purchasing agency shall report to the attorney general the
18 following:

19 (A) The name of the person that the purchasing agency has
20 determined to have submitted a false certification.

21 (B) The information upon which the purchasing agency has
22 made its determination.

23 The attorney general shall determine whether to bring a civil
24 action under this section against the person.

25 (2) If the purchasing agency is a political subdivision, the
26 purchasing agency may also provide the information described in
27 subdivision (1) to an attorney representing the political
28 subdivision. An attorney representing the political subdivision
29 may bring a civil action under this section against the person if
30 the attorney general declines to bring a civil action against the
31 person under this chapter.

32 (3) If it is determined in a civil action under this section that the
33 person submitted a false certification, the following apply:

34 (A) The court may impose on the person a civil penalty of two
35 hundred fifty thousand dollars (\$250,000).

36 (B) The person shall pay all reasonable costs incurred in the
37 action, including the following:

38 (i) Costs incurred by the governmental body in the
39 investigations that led to the purchasing agency's finding
40 that the person filed a false certification.

41 (ii) Reasonable attorney's fees and other litigation costs
42 incurred by the governmental body.



- 1 (C) The purchasing agency may terminate the contract with the
 2 governmental body with respect to which the false certification
 3 was made.
- 4 (D) The purchasing agency may consider the person
 5 nonresponsible for purposes of the awarding of any contracts
 6 by the governmental body for not more than three (3) years
 7 after the date of the purchasing agency's determination under
 8 subsection (a).
- 9 (c) A civil action brought under this section must be filed not later
 10 than three (3) years after the purchasing agency makes the
 11 determination under subsection (a).
- 12 (d) A person other than the governmental body, including an
 13 unsuccessful offeror, may not:
- 14 (1) bring a civil action under this section;
 15 (2) file a bid protest; or
 16 (3) bring any other kind of action;
- 17 based on the purchasing agency's determination of a false certification
 18 under subsection (a).
- 19 (e) This section does not create a private right of action for the
 20 imposition of the penalties provided for in this section.
- 21 SECTION 37. IC 6-1.1-1-16 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. "School
 23 corporation" means any public school corporation established under the
 24 laws of the state of Indiana. The term includes, but is not limited to, any
 25 school city, school town, ~~school township~~, consolidated school
 26 corporation, metropolitan school district, township school corporation,
 27 county school corporation, united school corporation, and a community
 28 school corporation.
- 29 SECTION 38. IC 6-1.1-17-5.6, AS AMENDED BY P.L.111-2014,
 30 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 5.6. (a) ~~For budget years beginning before July 1,~~
 32 ~~2011, this section applies only to a school corporation that is located in~~
 33 ~~a city having a population of more than one hundred thousand~~
 34 ~~(100,000) but less than one hundred ten thousand (110,000). For~~
 35 ~~budget years beginning after June 30, 2011, this section applies to all~~
 36 ~~school corporations. Beginning in 2011, Each school corporation may~~
 37 ~~elect to adopt a budget under this section that applies from July 1 of the~~
 38 ~~year through June 30 of the following year. In the initial budget~~
 39 ~~adopted by a school corporation under this section, the first six (6)~~
 40 ~~months of that initial budget must be consistent with the last six (6)~~
 41 ~~months of the budget adopted by the school corporation for the~~
 42 ~~calendar year in which the school corporation elects by resolution to~~



1 begin adopting budgets that correspond to the state fiscal year. A
2 corporation shall submit a copy of the resolution to the department of
3 local government finance and the department of education not more
4 than thirty (30) days after the date the governing body adopts the
5 resolution.

6 (b) Before April 1 of each year, the officers of the school
7 corporation shall meet to fix the budget for the school corporation for
8 the ensuing budget year, with notice given by the same officers.
9 However, if a resolution adopted under subsection (d) is in effect, the
10 officers shall meet to fix the budget for the ensuing budget year before
11 November 1.

12 (c) Each year, at least two (2) days before the first meeting of the
13 county board of tax adjustment held under IC 6-1.1-29-4, the school
14 corporation shall file with the county auditor:

15 (1) a statement of the tax rate and tax levy fixed by the school
16 corporation for the ensuing budget year;

17 (2) two (2) copies of the budget adopted by the school corporation
18 for the ensuing budget year; and

19 (3) any written notification from the department of local
20 government finance under section 16(i) of this chapter that
21 specifies a proposed revision, reduction, or increase in the budget
22 adopted by the school corporation for the ensuing budget year.

23 Each year the county auditor shall present these items to the county
24 board of tax adjustment at the board's first meeting under
25 IC 6-1.1-29-4.

26 (d) The governing body of the school corporation may adopt a
27 resolution to cease using a school year budget year and return to using
28 a calendar year budget year. A resolution adopted under this subsection
29 must be adopted after January 1 and before July 1. The school
30 corporation's initial calendar year budget year following the adoption
31 of a resolution under this subsection begins on January 1 of the year
32 following the year the resolution is adopted. The first six (6) months of
33 the initial calendar year budget for the school corporation must be
34 consistent with the last six (6) months of the final school year budget
35 fixed by the department of local government finance before the
36 adoption of a resolution under this subsection.

37 (e) A resolution adopted under subsection (d) may be rescinded by
38 a subsequent resolution adopted by the governing body. If the
39 governing body of the school corporation rescinds a resolution adopted
40 under subsection (d) and returns to a school year budget year, the
41 school corporation's initial school year budget year begins on July 1
42 following the adoption of the rescinding resolution and ends on June



1 30 of the following year. The first six (6) months of the initial school
 2 year budget for the school corporation must be consistent with the last
 3 six (6) months of the last calendar year budget fixed by the department
 4 of local government finance before the adoption of a rescinding
 5 resolution under this subsection.

6 SECTION 39. IC 6-1.1-18-3, AS AMENDED BY P.L.1-2010,
 7 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b), the
 9 sum of all tax rates for all political subdivisions imposed on tangible
 10 property within a political subdivision may not exceed:

- 11 (1) forty-one and sixty-seven hundredths cents (\$0.4167) on each
 12 one hundred dollars (\$100) of assessed valuation in territory
 13 outside the corporate limits of a city or town; or
 14 (2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each
 15 one hundred dollars (\$100) of assessed valuation in territory
 16 inside the corporate limits of a city or town.

17 (b) The proper officers of a political subdivision shall fix tax rates
 18 which are sufficient to provide funds for the purposes itemized in this
 19 subsection. The portion of a tax rate fixed by a political subdivision
 20 shall not be considered in computing the tax rate limits prescribed in
 21 subsection (a) if that portion is to be used for one (1) of the following
 22 purposes:

- 23 (1) To pay the principal or interest on a funding, refunding, or
 24 judgment funding obligation of the political subdivision.
 25 ~~(2) To pay the principal or interest on an outstanding obligation~~
 26 ~~issued by the political subdivision if notice of the sale of the~~
 27 ~~obligation was published before March 9, 1937.~~
 28 ~~(3)~~ (2) To pay the principal or interest upon:
 29 (A) an obligation issued by the political subdivision to meet an
 30 emergency which results from a flood, fire, pestilence, war, or
 31 any other major disaster; or
 32 (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
 33 IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county
 34 to acquire necessary equipment or facilities for municipal or
 35 county government.
 36 ~~(4)~~ (3) To pay the principal or interest upon an obligation issued
 37 in the manner provided in:
 38 (A) IC 6-1.1-20-3 (before its repeal);
 39 (B) IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2; or
 40 (C) IC 6-1.1-20-3.5 through IC 6-1.1-20-3.6.
 41 ~~(5)~~ (4) To pay a judgment rendered against the political
 42 subdivision.



1 (c) Except as otherwise provided in IC 6-1.1-19 (before January 1,
2 2009), IC 6-1.1-18.5, IC 20-45 (before January 1, 2009), or IC 20-46,
3 a county board of tax adjustment, a county auditor, or the department
4 of local government finance may review the portion of a tax rate
5 described in subsection (b) only to determine if it exceeds the portion
6 actually needed to provide for one (1) of the purposes itemized in that
7 subsection.

8 SECTION 40. IC 6-1.1-20-1.1, AS AMENDED BY P.L.40-2014,
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2015]: Sec. 1.1. As used in this chapter, "controlled project"
11 means any project financed by bonds or a lease, except for the
12 following:

13 (1) A project for which the political subdivision reasonably
14 expects to pay:

15 (A) debt service; or

16 (B) lease rentals;

17 from funds other than property taxes that are exempt from the
18 levy limitations of IC 6-1.1-18.5 or (before January 1, 2009)
19 IC 20-45-3. A project is not a controlled project even though the
20 political subdivision has pledged to levy property taxes to pay the
21 debt service or lease rentals if those other funds are insufficient.

22 (2) A project that will not cost the political subdivision more than
23 the lesser of the following:

24 (A) Two million dollars (\$2,000,000).

25 (B) An amount equal to one percent (1%) of the total gross
26 assessed value of property within the political subdivision on
27 the last assessment date, if that amount is at least one million
28 dollars (\$1,000,000).

29 For purposes of this chapter, the cost of a project by a school
30 corporation career and technical education school described in
31 IC 20-37-1-1 that is funded through an advance from the common
32 school fund under IC 20-49 shall be allocated among the
33 organizing school corporations in the same manner as the advance
34 is allocated under IC 20-49-4.

35 (3) A project that is being refinanced for the purpose of providing
36 gross or net present value savings to taxpayers.

37 (4) A project for which bonds were issued or leases were entered
38 into before January 1, 1996, or where the state board of tax
39 commissioners has approved the issuance of bonds or the
40 execution of leases before January 1, 1996.

41 (5) A project that is required by a court order holding that a
42 federal law mandates the project.



- 1 (6) A project that
- 2 (A) is in response to:
- 3 (i) a natural disaster;
- 4 (ii) an accident; or
- 5 (iii) an emergency;
- 6 in the political subdivision that makes a building or facility
- 7 unavailable for its intended use; and
- 8 (B) is approved by the county council of each county in which
- 9 the political subdivision is located.
- 10 **(6) A project that is in response to:**
- 11 **(A) a natural disaster;**
- 12 **(B) an accident; or**
- 13 **(C) an emergency;**
- 14 **in the political subdivision that makes a building or facility**
- 15 **unavailable for its intended use.**
- 16 (7) A project that was not a controlled project under this section
- 17 as in effect on June 30, 2008, and for which:
- 18 (A) the bonds or lease for the project were issued or entered
- 19 into before July 1, 2008; or
- 20 (B) the issuance of the bonds or the execution of the lease for
- 21 the project was approved by the department of local
- 22 government finance before July 1, 2008.
- 23 (8) A project of the Little Calumet River basin development
- 24 commission for which bonds are payable from special
- 25 assessments collected under IC 14-13-2-18.6.
- 26 SECTION 41. IC 6-1.1-20-7, AS AMENDED BY P.L.146-2008,
- 27 SECTION 196, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This section does not apply
- 29 to bonds, notes, or warrants for which a political subdivision:
- 30 (1) after June 30, 2008, makes a preliminary determination as
- 31 described in section 3.1 or 3.5 of this chapter or a decision as
- 32 described in section 5 of this chapter; or
- 33 (2) in the case of bonds, notes, or warrants not subject to section
- 34 3.1, 3.5, or 5 of this chapter, adopts a resolution or ordinance
- 35 authorizing the bonds, notes, or warrants after June 30, 2008.
- 36 (b) When the proper officers of a political subdivision decide to
- 37 issue any bonds, notes, or warrants which will be payable from
- 38 property taxes and which will bear interest in excess of eight percent
- 39 (8%) per annum, the political subdivision shall submit the matter to the
- 40 department of local government finance for review. The department of
- 41 local government finance may either approve or disapprove the rate of
- 42 interest.



1 **(c) This section does not apply to a school corporation.**

2 SECTION 42. IC 6-3.1-15-12, AS AMENDED BY P.L.286-2013,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 12. (a) A service center may sell qualified
5 computer equipment received by taxpayers under this chapter only to
6 the following:

7 (1) Public or private elementary or secondary schools.

8 (2) The parent or guardian of a student enrolled in grade 1
9 through 12 that is enrolled in a school's computer education
10 program.

11 (b) A service center may sell qualified computer equipment under
12 this chapter to schools, parents, or guardians located outside the service
13 center's normal service area, but not outside Indiana.

14 ~~(c) Before a public or private elementary school may purchase
15 qualified computer equipment from a service center, the school must
16 submit a statement to the service center detailing the following:~~

17 ~~(1) The school's computer education program or planned
18 computer education program.~~

19 ~~(2) The school's planned use of the qualified computer equipment;
20 including the goals of the plan; the implementation of the plan;
21 and the number of students that will be served with the qualified
22 computer equipment.~~

23 ~~(d)~~ (c) A school that purchases qualified computer equipment from
24 a service center may sell the qualified computer equipment to a parent
25 or guardian of a child who is enrolled in the school's computer
26 education program.

27 ~~(e)~~ (d) Before a parent or guardian of a student may purchase
28 qualified computer equipment from a service center, the parent or
29 guardian must present proof, in the form approved by the service
30 center, that:

31 (1) the child of the parent or guardian is a participant in a school's
32 computer education program; and

33 (2) the qualified computer equipment will be used by the child for
34 an educational purpose.

35 SECTION 43. IC 9-18-31-7 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) If an educational
37 foundation that is exempt from federal income taxation under Internal
38 Revenue Code Section 501(c)(3) is established as an Indiana nonprofit
39 corporation for the benefit of a school corporation designated to receive
40 a fee under section 5(c) of this chapter, fees designated to go to the
41 school corporation shall be distributed to an educational foundation
42 that provides benefit to the designated school corporation. A school



1 corporation that receives benefit from an educational foundation that
2 meets the requirements of this section shall:

3 (1) obtain a certificate from the educational foundation that
4 certifies to the school corporation and the county auditor that the
5 educational foundation:

6 (A) is exempt from federal income taxation under Internal
7 Revenue Code Section 501(c)(3); and

8 (B) is established as an Indiana nonprofit corporation to
9 provide benefit to the school corporation; and

10 (2) provide a copy of the certificate described in subdivision (1)
11 to the county auditor.

12 (b) If a school corporation designated to receive a fee under section
13 5(c) of this chapter does not receive benefit from an educational
14 foundation described under subsection (a), the fees designated to go to
15 the school corporation shall be distributed to the school corporation
16 and may only be used for purposes other than salaries and related
17 fringe benefits.

18 (c) Before the twentieth day of the calendar month following the
19 calendar month in which a fee was collected, the bureau shall distribute
20 the fees collected under this chapter to the county auditor of the county
21 in which the designated school corporation's administration office is
22 located. Each monthly distribution under this subsection shall be
23 accompanied by a report to the auditor that shows:

24 (1) the total amount of the monthly distribution for all school
25 corporations in the county that were designated to receive an
26 education license plate fee under this chapter; and

27 (2) the amount of the fees that are to be distributed to each
28 designated school corporation in the county.

29 (d) Within thirty (30) days of receipt of a distribution from the
30 bureau under subsection (c), the county auditor shall distribute the fees
31 received to:

32 (1) an educational foundation under subsection (a), if the school
33 corporation has provided a copy of the certificate described in
34 subsection (a); or

35 (2) the school corporation under subsection (b);

36 whichever subsection is applicable. The county auditor shall designate
37 which school corporation is to receive benefit in connection with a
38 distribution to an educational foundation under this subsection. If the
39 school corporation receives benefit from more than one (1) educational
40 foundation, the superintendent of the benefitted school corporation
41 shall determine, and inform the auditor in writing, how fees received
42 are to be distributed to the educational foundations. The county auditor



1 shall, simultaneous with a distribution to an educational foundation,
 2 send the school corporation to receive benefit a notice of the
 3 distribution that identifies the recipient educational foundation and the
 4 date and the amount of the distribution.

5 (e) Funds received by an educational foundation under this chapter
 6 must be used to provide benefit to the designated school corporation
 7 within one (1) year of receipt from the county auditor.

8 SECTION 44. IC 12-9-5-4, AS AMENDED BY P.L.1-2005,
 9 SECTION 128, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2015]: Sec. 4. IC 20-35-2 applies to the
 11 operation of each education program for ~~children~~ **a student** with
 12 ~~disabilities~~ **a disability** (as defined in ~~IC 20-35-1-2~~) **IC 20-35-1-8**)
 13 conducted by a state owned and operated developmental center or
 14 furnished under an agreement with the division.

15 SECTION 45. IC 12-21-5-3, AS AMENDED BY P.L.1-2005,
 16 SECTION 139, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: Sec. 3. IC 20-35-2 applies to the
 18 operation of each education program for ~~children~~ **a student** with
 19 ~~disabilities~~ **a disability** (as defined in ~~IC 20-35-1-2~~) **IC 20-35-1-8**)
 20 conducted by a state owned and operated mental health institution or
 21 furnished under an agreement with the division.

22 SECTION 46. IC 12-24-13-5, AS AMENDED BY P.L.146-2008,
 23 SECTION 415, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Except as provided in section
 25 6 of this chapter, whenever placement of a ~~child~~ **student** with a
 26 disability (as defined in ~~IC 20-35-1-2~~) **IC 20-35-1-8**) in a state
 27 institution is necessary for the provision of special education for that
 28 ~~child~~, **student**, the cost of the ~~child's~~ **student's** education program,
 29 nonmedical care, and room and board shall be paid by the division
 30 rather than by the ~~child's~~ **student's** parents, guardian, or other
 31 responsible party.

32 (b) The ~~child's~~ **student's** parents, guardian, or other responsible
 33 party shall pay the cost of any transportation not required by the ~~child's~~
 34 **student's** individualized education program (as defined in
 35 IC 20-18-2-9). The school corporation in which the ~~child~~ **student** has
 36 legal settlement (as determined under IC 20-26-11) shall pay the cost
 37 of transportation required by the student's individualized education
 38 program under IC 20-35-8-2. However, this section does not relieve an
 39 insurer or other third party from an otherwise valid obligation to
 40 provide or pay for the services provided to the ~~child~~, **student**.

41 (c) The Indiana state board of education and the divisions shall
 42 jointly establish a procedure and standards for determining when



1 placement in a state institution is necessary for the provision of special
2 education for a ~~child~~ **student**.

3 SECTION 47. IC 13-18-3-10 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. The department
5 may call upon:

6 (1) any state officer, board, department, ~~school~~, ~~university~~, or
7 other state institution; and

8 (2) the officers or employees of an individual entity described in
9 subdivision (1);

10 for any assistance necessary to carry out the water pollution control
11 laws.

12 SECTION 48. IC 14-22-12-1.8, AS ADDED BY P.L.204-2014,
13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 1.8. (a) As used in this section, "individual with
15 special circumstances" means an individual who:

16 (1) has a developmental disability (as defined by IC 12-7-2-61);

17 (2) is determined to be a ~~child~~ **student** with a disability (as
18 defined by ~~IC 20-35-1-2~~; **in IC 20-35-1-8**); or

19 (3) has a permanent disability as determined by rules adopted by
20 the department.

21 (b) As used in this section, "special circumstances hunter" means an
22 individual with special circumstances who hunts under a special
23 circumstances hunting safety card issued under this section.

24 (c) As used in this section, "special circumstances hunting safety
25 card" refers to the card issued to a special circumstances hunter.

26 (d) The department may issue a special circumstances hunting
27 safety card to a resident or nonresident who qualifies under the rules
28 adopted by the department as authorized under this section.

29 (e) The commission shall establish the criteria for determining
30 qualifications for a special circumstances hunting safety card.

31 (f) A special circumstances hunter may hunt in Indiana if the special
32 circumstances hunter attends the course of instruction in hunter
33 education offered by the department or the department's agent under
34 IC 14-22-35.

35 (g) A special circumstances hunter must:

36 (1) comply with the requirements under this article, including
37 obtaining a valid hunting license issued under IC 14-22-11, and
38 the rules adopted by the department; and

39 (2) while hunting, be accompanied by an individual who:

40 (A) is at least eighteen (18) years of age; and

41 (B) holds a valid hunting license issued under IC 14-22-11.

42 (h) An individual described in subsection (g)(2) who accompanies



- 1 a special circumstances hunter:
 2 (1) must be in close enough proximity to monitor the special
 3 circumstances hunter's activities and communicate with the
 4 special circumstances hunter at all times; and
 5 (2) may not accompany more than two (2) holders of a special
 6 circumstances hunting safety card at one (1) time.

7 (i) The department shall adopt rules under IC 4-22-2 to carry out
 8 this section.

9 SECTION 49. IC 16-32-3-2, AS AMENDED BY P.L.109-2012,
 10 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2015]: Sec. 2. (a) As used in this section, "public
 12 accommodation" means an establishment that caters or offers services,
 13 facilities, or goods to the general public. ~~The term includes the~~
 14 ~~following educational facilities:~~

- 15 (1) ~~A nursery school.~~
 16 (2) ~~An elementary school.~~
 17 (3) ~~A secondary school.~~
 18 (4) ~~An undergraduate or postgraduate public or private institution.~~
 19 (5) ~~Other places of education.~~

20 (b) A person who:
 21 (1) is totally or partially blind;
 22 (2) is deaf or hard of hearing; or
 23 (3) has a physical or mental disability;
 24 is entitled to be accompanied by a service animal, especially trained for
 25 the purpose, in any public accommodation without being required to
 26 pay an extra charge for the service animal. However, the person is
 27 liable for any damage done to the accommodation by the service
 28 animal.

29 (c) A person who:
 30 (1) refuses access to a public accommodation; or
 31 (2) charges a fee for access to a public accommodation;
 32 to a person who is totally or partially blind, who is deaf or hard of
 33 hearing, or who has a physical or mental disability, because that person
 34 is accompanied by a service animal commits a Class C infraction.

35 (d) A service animal trainer, while engaged in the training process
 36 of a service animal, is entitled to access to any public accommodation
 37 granted by this section.

38 SECTION 50. IC 16-39-2-6, AS AMENDED BY P.L.134-2013,
 39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2015]: Sec. 6. (a) Without the consent of the patient, the
 41 patient's mental health record may only be disclosed as follows:

- 42 (1) To individuals who meet the following conditions:



- 1 (A) Are employed by:
 2 (i) the provider at the same facility or agency;
 3 (ii) a managed care provider (as defined in IC 12-7-2-127);
 4 or
 5 (iii) a health care provider or mental health care provider, if
 6 the mental health records are needed to provide health care
 7 or mental health services to the patient.
 8 (B) Are involved in the planning, provision, and monitoring of
 9 services.
- 10 (2) To the extent necessary to obtain payment for services
 11 rendered or other benefits to which the patient may be entitled, as
 12 provided in IC 16-39-5-3.
- 13 (3) To the patient's court appointed counsel and to the Indiana
 14 protection and advocacy services commission.
- 15 (4) For research conducted in accordance with IC 16-39-5-3 and
 16 the rules of the division of mental health and addiction, the rules
 17 of the division of disability and rehabilitative services, or the rules
 18 of the provider.
- 19 (5) To the division of mental health and addiction for the purpose
 20 of data collection, research, and monitoring managed care
 21 providers (as defined in IC 12-7-2-127) who are operating under
 22 a contract with the division of mental health and addiction.
- 23 (6) To the extent necessary to make reports or give testimony
 24 required by the statutes pertaining to admissions, transfers,
 25 discharges, and guardianship proceedings.
- 26 (7) To a law enforcement agency if any of the following
 27 conditions are met:
- 28 (A) A patient escapes from a facility to which the patient is
 29 committed under IC 12-26.
- 30 (B) The superintendent of the facility determines that failure
 31 to provide the information may result in bodily harm to the
 32 patient or another individual.
- 33 (C) A patient commits or threatens to commit a crime on
 34 facility premises or against facility personnel.
- 35 (D) A patient is in the custody of a law enforcement officer or
 36 agency for any reason and:
- 37 (i) the information to be released is limited to medications
 38 currently prescribed for the patient or to the patient's history
 39 of adverse medication reactions; and
 40 (ii) the provider determines that the release of the
 41 medication information will assist in protecting the health,
 42 safety, or welfare of the patient.



- 1 Mental health records released under this clause must be
2 maintained in confidence by the law enforcement agency
3 receiving them.
- 4 (8) To a coroner or medical examiner, in the performance of the
5 individual's duties.
- 6 (9) To a school in which the patient is enrolled if the
7 superintendent of the facility determines that the information will
8 assist the school in meeting educational needs of a ~~person with a~~
9 ~~disability under 20 U.S.C. 1400 et seq.~~ **the patient.**
- 10 (10) To the extent necessary to satisfy reporting requirements
11 under the following statutes:
- 12 (A) IC 12-10-3-10.
13 (B) IC 12-24-17-5.
14 (C) IC 16-41-2-3.
15 (D) IC 31-25-3-2.
16 (E) IC 31-33-5-4.
17 (F) IC 34-30-16-2.
18 (G) IC 35-46-1-13.
- 19 (11) To the extent necessary to satisfy release of information
20 requirements under the following statutes:
- 21 (A) IC 12-24-11-2.
22 (B) IC 12-24-12-3, IC 12-24-12-4, and IC 12-24-12-6.
23 (C) IC 12-26-11.
- 24 (12) To another health care provider in a health care emergency.
- 25 (13) For legitimate business purposes as described in
26 IC 16-39-5-3.
- 27 (14) Under a court order under IC 16-39-3.
- 28 (15) With respect to records from a mental health or
29 developmental disability facility, to the United States Secret
30 Service if the following conditions are met:
- 31 (A) The request does not apply to alcohol or drug abuse
32 records described in 42 U.S.C. 290dd-2 unless authorized by
33 a court order under 42 U.S.C. 290dd-2(b)(2)(c).
34 (B) The request relates to the United States Secret Service's
35 protective responsibility and investigative authority under 18
36 U.S.C. 3056, 18 U.S.C. 871, or 18 U.S.C. 879.
37 (C) The request specifies an individual patient.
38 (D) The director or superintendent of the facility determines
39 that disclosure of the mental health record may be necessary
40 to protect a person under the protection of the United States
41 Secret Service from serious bodily injury or death.
42 (E) The United States Secret Service agrees to only use the



- 1 mental health record information for investigative purposes
2 and not disclose the information publicly.
- 3 (F) The mental health record information disclosed to the
4 United States Secret Service includes only:
- 5 (i) the patient's name, age, and address;
6 (ii) the date of the patient's admission to or discharge from
7 the facility; and
8 (iii) any information that indicates whether or not the patient
9 has a history of violence or presents a danger to the person
10 under protection.
- 11 (16) To the statewide waiver ombudsman established under
12 IC 12-11-13, in the performance of the ombudsman's duties.
- 13 (b) After information is disclosed under subsection (a)(15) and if the
14 patient is evaluated to be dangerous, the records shall be interpreted in
15 consultation with a licensed mental health professional on the staff of
16 the United States Secret Service.
- 17 (c) A person who discloses information under subsection (a)(7) or
18 (a)(15) in good faith is immune from civil and criminal liability.
- 19 SECTION 51. IC 20-18-2-5, AS ADDED BY P.L.1-2005,
20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 5. "Governing body" means:
- 22 ~~(1) a township trustee and the township board; of a school~~
23 ~~township;~~
- 24 ~~(2) a county board of education;~~
- 25 ~~(3) (1) a board of school commissioners;~~
- 26 ~~(4) (2) a metropolitan board of education;~~
- 27 ~~(5) (3) a board of trustees; or~~
- 28 ~~(6) (4) any other board or commission charged by law with the~~
29 responsibility of administering the affairs of a school corporation.
- 30 SECTION 52. IC 20-18-2-16, AS AMENDED BY P.L.190-2013,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 16. (a) "School corporation", for purposes of this
33 title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7,
34 IC 20-28-11.5, IC 20-30-8, and IC 20-43), means a public school
35 corporation established by Indiana law. The term includes a:
- 36 (1) school city;
37 (2) school town;
38 ~~(3) school township;~~
- 39 ~~(4) (3) consolidated school corporation;~~
- 40 ~~(5) (4) metropolitan school district;~~
- 41 ~~(6) (5) township school corporation;~~
- 42 ~~(7) (6) county school corporation;~~



- 1 ~~(8)~~ (7) united school corporation; or
- 2 ~~(9)~~ (8) community school corporation.
- 3 (b) "School corporation", for purposes of IC 20-26-1 through
- 4 IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.
- 5 (c) "School corporation", for purposes of IC 20-20-33 ~~IC 20-26-18;~~
- 6 and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).
- 7 (d) "School corporation", for purposes of IC 20-43, has the meaning
- 8 set forth in IC 20-43-1-23.
- 9 (e) "School corporation", for purposes of IC 20-28-11.5, has the
- 10 meaning set forth in IC 20-28-11.5-3.
- 11 **(f) "School corporation", for purposes of IC 20-35, has the**
- 12 **meaning set forth in IC 20-35-1-6.**
- 13 SECTION 53. IC 20-18-2-21, AS ADDED BY P.L.1-2005,
- 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2015]: Sec. 21. "Superintendent" means
- 16 ~~(1)~~ the chief administrative officer of a school corporation. ~~or~~
- 17 ~~(2) in the case of a township school, the county superintendent of~~
- 18 ~~schools.~~
- 19 SECTION 54. IC 20-19-2-8, AS AMENDED BY P.L.286-2013,
- 20 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2015]: Sec. 8. (a) In addition to any other powers and duties
- 22 prescribed by law, the state board shall adopt rules under IC 4-22-2
- 23 concerning, but not limited to, the following matters:
- 24 (1) The designation and employment of the employees and
- 25 consultants necessary for the department. The state board shall fix
- 26 the compensation of employees of the department, subject to the
- 27 approval of the budget committee and the governor under
- 28 IC 4-12-2.
- 29 (2) The establishment and maintenance of standards and
- 30 guidelines for media centers, libraries, instructional materials
- 31 centers, or any other area or system of areas in a school where a
- 32 full range of information sources, associated equipment, and
- 33 services from professional media staff are accessible to the school
- 34 community. With regard to library automation systems, the state
- 35 board may only adopt rules that meet the standards established by
- 36 the state library board for library automation systems under
- 37 IC 4-23-7.1-11(b).
- 38 (3) The establishment and maintenance of standards for student
- 39 personnel and guidance services.
- 40 (4) The inspection of all public schools in Indiana to determine
- 41 the condition of the schools. The state board shall establish
- 42 standards governing the **voluntary** accreditation of public schools



1 **that elect to be accredited.** Observance of:

2 (A) IC 20-31-4;

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

4 (C) IC 20-28-6-3 ~~through~~ **and** IC 20-28-6-7;

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

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

7 **is may be** a prerequisite to the accreditation of a school. Local
8 public school officials **that elect to be accredited** shall make the
9 reports required of them and otherwise cooperate with the state
10 board regarding required inspections. Nonpublic schools may also
11 request the inspection for classification purposes. Compliance
12 with the building and site guidelines adopted by the state board is
13 not a prerequisite of accreditation.

14 (5) The distribution of funds and revenues appropriated for the
15 support of schools in the state.

16 (6) The state board may not establish ~~an~~ **a voluntary**
17 accreditation system for nonpublic schools that is less stringent
18 than the **voluntary** accreditation system for public schools.

19 (7) A separate system for recognizing nonpublic schools under
20 IC 20-19-2-10. Recognition of nonpublic schools under this
21 subdivision constitutes the system of regulatory standards that
22 apply to nonpublic schools that seek to qualify for the system of
23 recognition.

24 (8) The establishment and enforcement of standards and
25 guidelines concerning the safety of students participating in
26 cheerleading activities.

27 (9) Subject to IC 20-28-2, the preparation and licensing of
28 teachers.

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

32 **(c) Before January 1, 2017, the state board shall adopt rules to**
33 **transform the school accreditation system into a voluntary system**
34 **available to the governing body of a school corporation or a**
35 **nonpublic school at the discretion of the governing body.**

36 SECTION 55. IC 20-19-2-12, AS AMENDED BY P.L.218-2014,
37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2015]: Sec. 12. (a) The state board shall, in the manner
39 provided by IC 4-22-2, adopt rules setting forth nonbinding guidelines
40 for the selection of school sites and the construction, alteration, and
41 repair of school buildings, athletic facilities, and other categories of
42 facilities related to the operation and administration of school



1 corporations. The nonbinding guidelines must include:

- 2 (1) preferred location and building practices for school
3 corporations, including standards for enhancing health, student
4 safety, accessibility, energy efficiency, operating efficiency, and
5 instructional efficacy;
6 (2) guidelines concerning minimum acreage, cost per square foot
7 or cost per ADM (as defined in IC 20-18-2-2), technology
8 infrastructure, building materials, per student square footage, and
9 other general space requirements, including space for academics,
10 administration and staff support, arts education and auditoriums,
11 libraries, cafeterias, athletics and physical education,
12 transportation facilities, and maintenance and repair facilities; and
13 (3) additional guidelines that the state board considers necessary
14 for efficient and cost effective construction of school facilities.

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

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

- 21 (1) guidelines described in subsection (a); and
22 (2) rules of the:
23 (A) fire prevention and building safety commission; and
24 (B) state department of health;

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

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

- 34 (1) Submit the proposed plans and specifications to the
35 department. Within thirty (30) days after the department receives
36 the plans and specifications, the department shall:
37 (A) review the plans and specifications to determine whether
38 they comply with the guidelines adopted under subsection (a);
39 and
40 (B) provide written recommendations concerning the plans
41 and specifications to the school corporation, which must
42 include findings as to any material differences between the



- 1 plans and specifications and the guidelines adopted under
 2 subsection (a):
- 3 (2) After the earlier of:
- 4 (A) receipt of the recommendations provided under
 5 subdivision (1)(B); or
- 6 (B) the date that is thirty (30) days after the date the
 7 department received the plans and specifications under
 8 subdivision (1)(A);
- 9 issue a public document that describes the recommendations, if
 10 any; and any material differences between the plans and
 11 specifications prepared by the school corporation and the
 12 guidelines adopted under subsection (a); as determined under the
 13 guidelines adopted by the state board.
- 14 (3) After publishing a notice of the public hearing under IC 5-3-1,
 15 conduct a public hearing to receive public comment concerning
 16 the school corporation's plans and specifications.
- 17 After the public hearing and without conducting another public hearing
 18 under this subsection, the governing body may revise the plans and
 19 specifications or submit the plans and specifications to the division of
 20 fire and building safety without making changes. The school
 21 corporation shall revise the public document described in subdivision
 22 (2) to identify any changes in the plans and specifications after the
 23 public document's initial preparation.
- 24 SECTION 56. IC 20-19-2-13 IS REPEALED [EFFECTIVE JULY
 25 1, 2015]. Sec. 13: The state board may not approve or disapprove plans
 26 and specifications for the construction, alteration, or repair of school
 27 buildings, except as necessary under the following:
- 28 (1) The terms of a federal grant or a federal law.
- 29 (2) IC 20-35-4-2 concerning the authorization of a special school
 30 for children with disabilities.
- 31 However, the state board shall adopt guidelines concerning plans and
 32 specifications as required by section 12 of this chapter.
- 33 SECTION 57. IC 20-19-3-8, AS AMENDED BY P.L.146-2008,
 34 SECTION 453, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The department may not
 36 approve or disapprove plans and specifications for the construction,
 37 alteration, or repair of school buildings, except as necessary under the
 38 following:
- 39 (1) The terms of a federal grant or a federal law.
- 40 (2) IC 20-35-4-2 concerning the authorization of a special school
 41 for children with disabilities.
- 42 (b) Notwithstanding subsection (a), the department shall do the



1 following:

2 (1) ~~Receive and review plans and specifications as required by~~
 3 ~~IC 20-19-2-12.~~

4 (2) establish a central clearinghouse for access by school
 5 corporations that may want to use a prototype design in the
 6 construction of school facilities. The department shall compile
 7 necessary publications and may establish a computer data base to
 8 distribute information on prototype designs to school
 9 corporations. Architects and engineers registered to practice in
 10 Indiana may submit plans and specifications for a prototype
 11 design to the clearinghouse. The plans and specifications may be
 12 accessed by any person. However, the following provisions apply
 13 to a prototype design submitted to the clearinghouse:

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

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

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

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

24 SECTION 58. IC 20-19-3-12, AS ADDED BY P.L.190-2013,
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 12. (a) The department, in collaboration with the
 27 Indiana criminal justice institute, the department of child services, the
 28 center for evaluation and education policy at Indiana University, the
 29 state police department, and any organization that has expertise in
 30 providing criminal gang education, prevention, or intervention that the
 31 department determines to be appropriate, shall:

32 (1) identify or develop evidence based model educational
 33 materials on criminal gang activity; and

34 (2) develop and maintain a model policy to address criminal
 35 gangs and criminal gang activity in schools.

36 (b) Not later than July 1, 2015, the department shall make the model
 37 policy developed under subsection (a)(2) available to assist schools in
 38 the development and implementation of a criminal gang policy. ~~for the~~
 39 ~~schools' school corporations under IC 20-26-18:~~

40 (c) The model educational materials on criminal gang activity
 41 identified or developed under subsection (a)(1) must include
 42 information:



- 1 (1) to educate students and parents on the extent to which
 2 criminal gang activity exists;
 3 (2) regarding the negative societal impact that criminal gangs
 4 have on the community;
 5 (3) on methods to discourage participation in criminal gangs; and
 6 (4) on methods of providing intervention to a child suspected of
 7 participating in criminal gang activity.
 8 (d) The model criminal gang policy developed under subsection
 9 (a)(2) must include:
 10 (1) a statement prohibiting criminal gang activity in schools;
 11 (2) a statement prohibiting reprisal or retaliation against an
 12 individual who reports suspected criminal gang activity;
 13 (3) definitions of "criminal gang" as set forth in IC 35-45-9-1 and
 14 "criminal gang activity";
 15 (4) model procedures for:
 16 (A) reporting suspected criminal gang activity; and
 17 (B) the prompt investigation of suspected criminal gang
 18 activity;
 19 (5) information about the types of support services, including
 20 family support services, available for a student suspected of
 21 participating in criminal gang activity; and
 22 (6) recommendations concerning criminal gang prevention and
 23 intervention services and programs for students that maximize
 24 community participation and the use of federal funding.

25 SECTION 59. IC 20-19-3-12.2, AS ADDED BY P.L.246-2013,
 26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 12.2. (a) The department shall make reduction of
 28 absenteeism in schools a policy priority and **direct provide assistance**
 29 **and guidance to** school corporations and schools ~~to~~ **in:**

- 30 (1) ~~identify~~ **identifying** contributing factors of absenteeism; and
 31 (2) ~~develop~~ **developing** chronic absence reduction plans ~~to that~~
 32 **school corporations may elect to** include as a component of the
 33 school improvement plans required under IC 20-31-5.

34 (b) The department shall provide resources and guidance to school
 35 corporations concerning evidence based practices and effective
 36 strategies that reduce absenteeism in schools. **However, the**
 37 **department may not mandate a particular policy within a chronic**
 38 **absence reduction plan adopted by a school corporation or school.**

39 SECTION 60. IC 20-19-3.5 IS ADDED TO THE INDIANA CODE
 40 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]:

42 **Chapter 3.5. School Data Reporting**



1 **Sec. 1.** As used in this chapter, "committee" refers to the
 2 committee on school data reporting established in section 3 of this
 3 chapter.

4 **Sec. 2.** As used in this chapter, "qualified data" means any data
 5 collection, report, survey, or other method used by a state agency
 6 to collect data regarding assessments, performance, course
 7 enrollment, demographics, or any other information from schools
 8 or school corporations that is not specifically authorized by statute
 9 to be collected by the department or the state board.

10 **Sec. 3. (a)** The committee on school data reporting is established
 11 to review all regulations or forms required or proposed by any
 12 state agency that seek to require a school to report data to a state
 13 agency or to the public.

14 **(b)** The committee consists of the following members:

15 **(1)** The state superintendent or the state superintendent's
 16 designee.

17 **(2)** One (1) member who is a member of the state board
 18 selected by the state board.

19 **(3)** One (1) member who is a current school corporation
 20 administrator selected by the Indiana Association of Public
 21 School Superintendents.

22 **(4)** One (1) member who is a representative of school boards
 23 selected by the Indiana School Boards Association.

24 **(5)** One (1) member who is a representative of school business
 25 officials who is selected by the Indiana Association of School
 26 Business Officials.

27 **(6)** One (1) member who is a representative of accredited
 28 nonpublic schools who is selected by the Indiana Non-Public
 29 Education Association.

30 **(7)** One (1) member who is a representative of charter schools
 31 selected by an organization representing charter schools.

32 **(8)** One (1) member who is a teacher selected by the state
 33 superintendent.

34 **(c)** Each member appointed under subsection (b) shall serve at
 35 the will and pleasure of the member's respective appointing
 36 authority. Vacancies in the appointments to the committee shall be
 37 filled in like manner as if appointment to such vacant offices were
 38 being made originally.

39 **(d)** A quorum consists of five (5) members of the committee.

40 **(e)** The members of the committee shall elect annually a
 41 chairperson for the committee.

42 **(f)** Notwithstanding subsection (e), the member described in



1 subsection (b)(1) shall serve as the initial chairperson of the
2 committee at the first meeting of the committee after June 30,
3 2015, at which the members shall elect a chairperson under
4 subsection (e). This subsection expires January 1, 2016.

5 (g) The state board shall designate staff and administrative
6 support for the committee.

7 Sec. 4. (a) Each member of the committee who is not a state
8 employee is entitled to the minimum salary per diem provided by
9 IC 4-10-11-2.1(b) and reimbursement for traveling expenses as
10 provided under IC 4-13-1-4 and other expenses actually incurred
11 in connection with the member's duties as provided in the state
12 policies and procedures established by the Indiana department of
13 administration and approved by the budget agency.

14 (b) Each member of the committee who is a state employee is
15 entitled to reimbursement for traveling expenses as provided under
16 IC 4-13-1-4 and other expenses actually incurred in connection
17 with the member's duties as provided in the state policies and
18 procedures established by the Indiana department of
19 administration and approved by the budget agency.

20 Sec. 5. The committee shall meet at least once every six (6)
21 months and at the call of the chairperson. A member of the
22 committee may participate in a committee meeting using an
23 electronic communication in the manner prescribed in
24 IC 5-14-1.5-3.6.

25 Sec. 6. After June 30, 2015, all qualified data collections must be
26 expressly approved by the state board after it is has been reviewed
27 by the committee under subsection (c) before schools and school
28 corporations are required to submit the information to the state
29 board or the department. The department may not require schools
30 or school corporations to submit any qualified data collection
31 unless the qualified data collection is approved by the state board
32 under this subsection. The department shall maintain on its
33 Internet web site a list of all qualified data collections approved by
34 the state board and the deadline by which each school or school
35 corporation shall submit the information.

36 (b) After June 30, 2015, the state board and the department may
37 not sanction, penalize, or in any way hold a school or school
38 corporation accountable for failing to submit a qualified data
39 collection report if the qualified data collection was not approved
40 by the state board under subsection (a).

41 (c) Not later than August 1, 2015, the committee, in consultation
42 with the department, shall review current collection of:



- 1 (1) qualified data from public schools; and
- 2 (2) data collection by another public agency (as defined in
- 3 IC 5-14-1.5-2) of the state from public schools.

4 Based on the committee's review, the committee shall make
5 recommendations to the state board whether to continue the
6 qualified data collection and ways or methods to streamline
7 qualified data collection and data collection by another public
8 agency of state from schools. After submitting the committee's
9 initial recommendations regarding current qualified data and data
10 collections to the state board, the committee shall review qualified
11 data collection requests made by the department and the state
12 board after July 1, 2015, and make recommendations to the state
13 board as to whether the qualified data collection is necessary or
14 ways to streamline the qualified data collection. In addition, the
15 committee shall review and make recommendations to the state
16 board under subsection (d) regarding methods to streamline school
17 safety and discipline reporting requirements as well as establishing
18 a streamlined method to uniformly and consistently report
19 instances of bullying throughout Indiana.

20 (d) The committee shall submit its recommendations under
21 subsection (c) to the state board. Upon receipt of the committee's
22 recommendations, the state board shall vote to either approve or
23 disapprove the qualified data request. The decision of the state
24 board is final. The state board shall consider a committee's
25 recommendations at the next state board's meeting after receiving
26 the committee's recommendations under subsection (c).

27 (e) The committee may recommend the collection of qualified
28 data under subsection (c) and the state board may approve the
29 recommendation under subsection (d) only if the:

- 30 (1) qualified data is not available to the public agency from
- 31 any other source; and
- 32 (2) benefit from the collection of the qualified data is greater
- 33 than the overall administrative cost of collecting the qualified
- 34 data.

35 Sec. 7. (a) Before December 1, 2015, the state board, in
36 consultation with the department and based upon
37 recommendations by the committee, shall review all statutory
38 reporting requirements and qualified data collection and data
39 collection by various public agencies (as defined in IC 5-14-1.5-2)
40 of the state and shall submit a report to the governor and, in an
41 electronic format under IC 5-14-6, to the general assembly. The
42 report must include the following:



- 1 **(1) A detailed description of actions that will be taken by the**
 2 **state board and the department to reduce the amount of**
 3 **information schools or school corporations must report to the**
 4 **state.**
- 5 **(2) A detailed summary describing the actions taken by the**
 6 **department and the state board to combine, streamline, or**
 7 **eliminate duplicative data or information requests from**
 8 **schools and school corporations.**
- 9 **(3) A detailed description how the state board is working with**
 10 **other public agencies of the state to minimize or streamline**
 11 **data collection by those agencies.**
- 12 **(4) Specific legislative recommendations to the general**
 13 **assembly necessary to eliminate duplicative data reporting**
 14 **and any recommended legislative changes that would make**
 15 **school data reporting to various public agencies of the state**
 16 **more efficient and cost effective.**
- 17 **(b) Before December 1, 2016, the state board shall submit an**
 18 **updated report to the governor and, in an electronic format under**
 19 **IC 5-14-6, to the general assembly containing the progress of the**
 20 **state board and the department to eliminate duplicative data**
 21 **reporting and information requests to schools of any additional**
 22 **recommended legislative changes that would streamline school**
 23 **data reporting to the state that was not included in the state**
 24 **board's report submitted under subsection (a).**
- 25 **Sec. 8. (a) After June 30, 2015, all reports required to be**
 26 **submitted to a public agency (as defined in IC 5-14-1.5-2) of the**
 27 **state by public schools must be collected electronically and must be**
 28 **collected through one (1) regularly scheduled consolidated report**
 29 **that is collected no more frequently than on a quarterly basis**
 30 **through an electronic database administered by the department**
 31 **established by rule under IC 4-22-2.**
- 32 **(b) This section does not apply to:**
- 33 **(1) any collection of data if the office of management and**
 34 **budget has approved a waiver of the application of this**
 35 **section;**
- 36 **(2) tax reporting;**
- 37 **(3) an investigation authorized by federal or state statute or**
 38 **regulation; or**
- 39 **(4) testing material.**
- 40 **Sec. 9. The state board shall establish rules under IC 4-22-2**
 41 **necessary to administer this chapter.**
- 42 **Sec. 10. This chapter expires July 1, 2017.**



1 SECTION 61. IC 20-20-1-10 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 10. (a) The state board shall provide for the selection of
3 an advisory council to each board. The state board shall provide for the
4 representation of:

- 5 (1) teachers;
- 6 (2) elementary principals;
- 7 (3) secondary principals;
- 8 (4) members of the governing body; and
- 9 (5) parents of students;

10 of the school corporations that are within the geographic area served by
11 the educational service center.

12 (b) The advisory council shall make recommendations to the board
13 on budgetary and program matters.

14 SECTION 62. IC 20-20-8-3, AS AMENDED BY P.L.43-2014,
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2015]: Sec. 3. (a) Not earlier than March 15 or later than
17 March 31 of each year, the governing body of a school corporation
18 shall publish an annual performance report of the school corporation,
19 in compliance with the procedures identified in section 7 of this
20 chapter. The report must be published one (1) time annually under
21 IC 5-3-1.

22 (b) The department shall make each school corporation's report
23 available on the department's Internet web site. The annual
24 performance report published on the Internet for a school corporation,
25 including a charter school, must include any additional information
26 submitted by the school corporation under section 6(3)(A) of this
27 chapter. The governing body of a school corporation ~~may~~ **shall** make
28 the school corporation's report available on ~~the~~ **a prominent page of**
29 **a school corporation's Internet web site.**

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

33 SECTION 63. IC 20-20-8-8, AS AMENDED BY P.L.246-2013,
34 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2015]: Sec. 8. The report must include the following
36 information:

- 37 (1) Student enrollment.
- 38 (2) Graduation rate (as defined in IC 20-26-13-6) **and the**
39 **graduation rate excluding students that receive a graduation**
40 **waiver under IC 20-32-4-4. The information must be provided**
41 **disaggregated by percentage of students by race, grade,**
42 **gender, socioeconomic status, and eligibility for special**



- 1 **education.**
 2 (3) Attendance rate. **The information must be provided**
 3 **disaggregated by percentage of students by race, grade,**
 4 **gender, socioeconomic status, and eligibility for special**
 5 **education.**
 6 (4) The following test scores, including the number and
 7 percentage of students meeting academic standards:
 8 (A) ISTEP program test scores, **including end of course**
 9 **assessment scores.**
 10 (B) Scores for assessments under IC 20-32-5-21, if
 11 appropriate.
 12 (C) For a freeway school, scores on a locally adopted
 13 assessment program, if appropriate.
 14 **The information must be provided disaggregated by**
 15 **percentage of students by race, grade, gender, socioeconomic**
 16 **status, and eligibility for special education.**
 17 **(5) School's performance category or designation of school**
 18 **improvement assigned under IC 20-31-8.**
 19 ~~(5)~~ (6) Average class size.
 20 ~~(6)~~ (7) The number and percentage of students in the following
 21 groups or programs:
 22 (A) Alternative education, if offered.
 23 (B) Career and technical education.
 24 (C) Special education, **including the number of special**
 25 **education proceedings in which a school has been found to**
 26 **have committed a due process violation.**
 27 (D) High ability.
 28 (E) Remediation.
 29 (F) Limited English language proficiency.
 30 (G) Students receiving free or reduced price lunch under the
 31 national school lunch program.
 32 (H) School flex program, if offered.
 33 ~~(7)~~ (8) Advanced placement, including the following:
 34 (A) For advanced placement tests, the percentage of students:
 35 (i) scoring three (3), four (4), and five (5); and
 36 (ii) taking the test.
 37 (B) For the Scholastic Aptitude Test:
 38 (i) test scores for all students taking the test;
 39 (ii) test scores for students completing the academic honors
 40 diploma program; and
 41 (iii) the percentage of students taking the test.
 42 ~~(8)~~ (9) Course completion, including the number and percentage



- 1 of students completing the following programs:
- 2 (A) Academic honors diploma.
- 3 (B) Core 40 curriculum.
- 4 (C) Career and technical programs.
- 5 ~~(9)~~ **(10)** The percentage of grade 8 students enrolled in algebra I.
- 6 **(11) The percentage of graduates considered college and**
- 7 **career ready in a manner prescribed by the state board.**
- 8 ~~(10)~~ **(12)** The percentage of graduates who pursue higher
- 9 education.
- 10 ~~(11)~~ **(13)** School safety, including:
- 11 (A) the number of students receiving suspension or expulsion
- 12 for the possession of alcohol, drugs, or weapons;
- 13 (B) the number of incidents reported under IC 20-33-9; and
- 14 (C) the number of bullying incidents reported under
- 15 IC 20-34-6 by category.
- 16 ~~(12)~~ **(14)** Financial information and various school cost factors,
- 17 including the following:
- 18 (A) Expenditures per pupil.
- 19 (B) Average teacher salary.
- 20 (C) Remediation funding.
- 21 **(D) Building utilization information, including the**
- 22 **following:**
- 23 (i) **The number of students that can be served by each**
- 24 **building owned by the school corporation.**
- 25 (ii) **The number of students being served in each building**
- 26 **owned by the school corporation.**
- 27 (iii) **The utilization percentage of each building owned by**
- 28 **each school corporation, calculated by dividing the**
- 29 **number under item (ii) by the number under item (i).**
- 30 **(E) The annual cost of utilities for each building the school**
- 31 **corporation owns divided by the square feet of the**
- 32 **building.**
- 33 ~~(13)~~ Technology accessibility and use of technology in
- 34 instruction.
- 35 ~~(14)~~ **(15)** Interdistrict and intradistrict student mobility rates, if
- 36 that information is available.
- 37 ~~(15)~~ The number and percentage of each of the following within
- 38 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) The percentage of grade 3 students reading at grade 3 level.
3 **The information must be provided disaggregated by**
4 **percentage of students by race, grade, gender, socioeconomic**
5 **status, and eligibility for special education.**
6 (17) The number of students expelled, including the number
7 participating in other recognized education programs during their
8 expulsion, **including the percentage of students expelled by**
9 **race and the percentage of students expelled who are eligible**
10 **for free or reduced price lunch.**
11 (18) Chronic absenteeism, which includes the number of students
12 who have been absent from school for ten percent (10%) or more
13 of a school year for any reason.
14 (19) Habitual truancy, which includes the number of students who
15 have been absent ten (10) days or more from school within a
16 school year without being excused or without being absent under
17 a parental request that has been filed with the school.
18 (20) The number of students who have dropped out of school,
19 including the reasons for dropping out, **including the percentage**
20 **of students who dropped out of school by race or who are**
21 **eligible for free or reduced price lunch.**
22 (21) **The number of out-of-school suspensions assigned,**
23 **including the percentage of students suspended by race and**
24 **the percentage of students expelled who are eligible for free or**
25 **reduced price lunch.**
26 (22) **The number of in-school suspensions assigned, including**
27 **the percentage of students who received in-school suspensions**
28 **by race and the percentage of students who received in-school**
29 **suspensions who are eligible for free or reduced price lunch.**
30 ~~(21)~~ (23) The number of student work permits revoked.
31 ~~(22)~~ The number of student driver's licenses revoked.
32 ~~(23)~~ (24) The number of students who have not advanced to grade
33 10 due to a lack of completed credits.
34 ~~(24)~~ (25) The number of students suspended for any reason.
35 ~~(25)~~ (26) The number of students receiving an international
36 baccalaureate diploma.
37 ~~(26)~~ Other indicators of performance as recommended by the
38 education roundtable under IC 20-19-4.
39 SECTION 64. IC 20-20-28-4 IS REPEALED [EFFECTIVE JULY
40 1, 2015]. Sec. 4: (a) The department shall establish pilot programs
41 targeting at risk students in the following areas:
42 (1) Early childhood parental information programs:



- 1 (2) Latch key programs.
 2 (3) Preschool programs.
 3 (b) In establishing the pilot programs under this chapter, the
 4 department shall focus on implementing programs that enable the local
 5 school corporation and appropriate community agencies to cooperate
 6 with each other.
 7 (c) The department shall address the following in establishing the
 8 programs:
 9 (1) Screening for physical health problems that can inhibit school
 10 success.
 11 (2) Screening for learning disabilities.
 12 (3) Parental orientation and participation.
 13 (d) In addition, the department shall employ an early childhood
 14 specialist and support staff personnel to identify and determine ways
 15 to coordinate the educational programs offered by local youth serving
 16 organizations.
 17 SECTION 65. IC 20-20-28-5, AS ADDED BY P.L.1-2005,
 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 5. (a) The department:
 20 (1) shall select certain school corporations to participate in the
 21 respective pilot programs listed in section 4 of this chapter; and
 22 (2) may select school corporations that have a pilot program as
 23 described in section 4 of this chapter in existence on June 30,
 24 1990.
 25 (b) A school corporation may enter into an agreement with a
 26 nonprofit corporation to provide early childhood education **programs**,
 27 preschool ~~education~~, **programs**, or latch key programs. However, if a
 28 school corporation enters into a contract for a preschool ~~education~~;
 29 **program**, the nonprofit corporation:
 30 (1) must operate a federally approved preschool ~~education~~
 31 program; and
 32 (2) may not be religiously affiliated.
 33 SECTION 66. IC 20-20-28-7 IS REPEALED [EFFECTIVE JULY
 34 1, 2015]. Sec. 7: Each school corporation that participates in a pilot
 35 program under this chapter shall prepare a written report detailing all
 36 of the pertinent information concerning the implementation of the pilot
 37 program, including any recommendations made and conclusions drawn
 38 from the pilot program. The school corporation shall submit the report
 39 to the department.
 40 SECTION 67. IC 20-20-31 IS REPEALED [EFFECTIVE JULY 1,
 41 2015]. (Professional Development Program).
 42 SECTION 68. IC 20-20-35 IS REPEALED [EFFECTIVE JULY 1,



1 2015]. (Prekindergarten Grant Pilot Program).

2 SECTION 69. IC 20-21-1-3, AS ADDED BY P.L.1-2005,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 3. "Case conference" refers to the activities of
5 actions taken by a case conference committee as described in
6 ~~IC 20-35-7-2~~: **composed of public agency personnel, parents, the**
7 **student, if appropriate, and others at the discretion of the public**
8 **agency or the parent to do any of the following:**

9 (1) **Determine a student's eligibility for special education and**
10 **related services.**

11 (2) **Develop, review, or revise a student's individualized**
12 **education program.**

13 (3) **Determine an appropriate educational placement for the**
14 **student.**

15 SECTION 70. IC 20-22-1-3, AS ADDED BY P.L.1-2005,
16 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 3. "Case conference" refers to the activities of
18 actions taken by a case conference committee (as defined in
19 ~~IC 20-35-7-2~~): **composed of public agency personnel, parents, the**
20 **student, if appropriate, and others at the discretion of the public**
21 **agency or the parent to do any of the following:**

22 (1) **Determine a student's eligibility for special education and**
23 **related services.**

24 (2) **Develop, review, or revise a student's individualized**
25 **education program.**

26 (3) **Determine an appropriate educational placement for the**
27 **student.**

28 SECTION 71. IC 20-23-1 IS REPEALED [EFFECTIVE JULY 1,
29 2015]. (County Boards of Education).

30 SECTION 72. IC 20-23-2 IS REPEALED [EFFECTIVE JULY 1,
31 2015]. (County Superintendent of Schools).

32 SECTION 73. IC 20-23-3 IS REPEALED [EFFECTIVE JULY 1,
33 2015]. (School Townships).

34 SECTION 74. IC 20-23-4-5 IS REPEALED [EFFECTIVE JULY 1,
35 2015]. Sec. 5: As used in this chapter, "county superintendent" means
36 the county superintendent of schools.

37 SECTION 75. IC 20-23-4-10 IS REPEALED [EFFECTIVE JULY
38 1, 2015]. Sec. 10: State and county officers shall make available to:

39 (1) the county committees; and

40 (2) the state board;

41 information from public records in the officers' possession that is
42 essential to the performance by the county committees and the state



1 board of duties set forth in this chapter and IC 20-23-16-1 through
2 IC 20-23-16-11:

3 SECTION 76. IC 20-23-4-11, AS ADDED BY P.L.1-2005,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 11. (a) A county committee for the reorganization
6 of school corporations consists of nine (9) members. ~~In a county that~~
7 ~~has a county superintendent:~~

8 (1) ~~the superintendent is an ex officio member of the committee;~~
9 ~~and~~

10 (2) ~~the remaining members of the committee are appointed by the~~
11 ~~judge of the circuit court of the county:~~

12 ~~In a county that does not have a county superintendent,~~ All the
13 members of the committee are appointed by the judge of the circuit
14 court of the county. Appointments under this subsection are subject to
15 subsections (f) through (h).

16 (b) Before the time specified in this section, the judge of the circuit
17 court shall call into a county convention each of the township trustees
18 of the county and the members of each local board of school trustees
19 or board of school commissioners in the county to advise the judge in
20 the selection of the members of the county committee. Except as
21 provided in subsection (c), the judge must give at least ten (10) days
22 notice of the convention by publication in:

23 (1) one (1) newspaper of general circulation published in the
24 affected area; or

25 (2) if a newspaper is not published in the affected area, in a
26 newspaper having a general circulation in the affected area.

27 (c) In a county having a population of more than four hundred
28 thousand (400,000) but less than seven hundred thousand (700,000),
29 the judge of the circuit court shall publish the notice referred to in
30 subsection (b) in two (2) newspapers of general circulation published
31 in the affected area or having a general circulation in the affected area.

32 The notice must specify:

33 (1) the date, time, place, and purpose of the county convention;
34 and

35 (2) that the county convention is open to all residents of the
36 county.

37 (d) At the county convention, the judge of the circuit court shall:

38 (1) explain or have explained; and

39 (2) afford an opportunity for attendees to discuss;

40 the provisions of this chapter.

41 (e) Not later than ten (10) days after the date of the county
42 convention, the judge of the circuit court shall select the appointive



- 1 members of the county committee.
- 2 ~~(f)~~ In a county that has a county board of education, one ~~(1)~~ member
- 3 of the county committee must be a township trustee recommended by
- 4 the county board of education.
- 5 ~~(g)~~ **(f)** In a county in which there is a board of school trustees or a
- 6 board of school commissioners, One (1) member of the county
- 7 committee:
- 8 (1) must be a member of:
- 9 (A) the board of school trustees **if the county has a board of**
- 10 **school trustees;** or
- 11 (B) the board of school commissioners **if the county has a**
- 12 **board of school commissioners;** and
- 13 (2) may not be a township trustee.
- 14 ~~(h)~~ **(g)** One (1) member of the county committee must be:
- 15 (1) a superintendent of schools;
- 16 (2) a principal of:
- 17 (A) a school city;
- 18 (B) a school town; or
- 19 (C) a consolidated school or corporation; or
- 20 (3) a superintendent of a community school corporation.
- 21 ~~(i)~~ **(h)** The members of the county committee not referred to in
- 22 subsections ~~(f)~~ through ~~(h)~~: **(g)**:
- 23 ~~(1)~~ may not be members of or employed by:
- 24 (A) a board of school trustees; or
- 25 ~~(B)~~ a board of school commissioners;
- 26 ~~(2)~~ **(1)** may not be members of or employed by a
- 27 ~~(A)~~ local; or
- 28 ~~(B)~~ county;
- 29 board of education; **governing body;**
- 30 ~~(3)~~ **(2)** may not be:
- 31 (A) township trustees; or
- 32 (B) employees of township trustees; and
- 33 ~~(4)~~ **(3)** are appointed without regard to political affiliation.
- 34 ~~(j)~~ **(i)** The judge of the circuit court shall give written notice
- 35 immediately to each person selected for appointment to the county
- 36 committee. Each person selected shall notify the judge of the circuit
- 37 court in writing not later than ten (10) days after receipt of the notice
- 38 whether the person accepts the appointment. If a person:
- 39 (1) refuses an appointment; or
- 40 (2) fails to notify the judge of the circuit court of the person's
- 41 acceptance or refusal of an appointment;
- 42 the judge shall select a qualified replacement for appointment to the



1 county committee.

2 ~~(k)~~ (j) Not later than thirty (30) days after the date of the county
3 convention, the county committee shall meet to organize and to elect
4 from its membership:

- 5 (1) a chairperson;
6 (2) a treasurer; and
7 (3) a secretary.

8 The secretary may be the county superintendent or the superintendent
9 of one (1) of the school corporations in the county.

10 ~~(h)~~ (k) The chairperson and the members of the county committee
11 serve without compensation. Subject to approval by the state board, the
12 chairperson of the county committee shall:

- 13 (1) secure necessary office space and equipment;
14 (2) engage necessary clerical help; and
15 (3) receive reimbursement for any necessary expenses incurred by
16 the chairperson with respect to duties in connection with the
17 county committee.

18 ~~(m)~~ (l) Members of the county committee hold office for terms of
19 four (4) years until the reorganization program in the county is
20 completed, subject to replacement as prescribed in this chapter. An
21 appointed member who ceases to be a resident of the county may not
22 continue to serve on a county committee.

23 ~~(n)~~ (m) An individual appointed member of a county committee or
24 the appointed members as a group are not disqualified from serving on
25 a county committee because they fail at any time to meet the
26 qualifications for appointment by the judge of the circuit court, other
27 than county residence, if they met the qualifications at the time of their
28 appointments.

29 ~~(o)~~ (n) Vacancies shall be filled by the remaining members of the
30 committee without regard for the qualifications for appointment by the
31 judge of the circuit court.

32 ~~(p)~~ (o) Meetings of the county committee shall be held:

- 33 (1) upon call of the chairperson; or
34 (2) by a petition to hold a meeting signed by a majority of the
35 members of the committee.

36 ~~(q)~~ (p) A majority of the committee constitutes a quorum.

37 SECTION 77. IC 20-23-4-14 IS REPEALED [EFFECTIVE JULY
38 1, 2015]. Sec. 14. (a) The county committee shall consider any
39 suggestions made in the public hearing and shall make any revisions or
40 modifications in its written plans as it considers necessary and shall
41 thereupon without any further hearing adopt its final comprehensive
42 reorganization plan; and, within ten (10) days after such adoption; but



1 not later than January 14, 1964, shall submit at least three (3) copies of
 2 its comprehensive plan to the state board. However, if a county
 3 committee encounters any difficulties in formulating and adopting
 4 either its preliminary or comprehensive plan for the reorganization of
 5 school corporations, through no lack of diligence upon the part of the
 6 committee so that it is unable to submit its plans to the state board
 7 within the period specified, the county committee may apply to the
 8 state board for an extension of time in which to complete and adopt its
 9 preliminary or comprehensive plan. The application may be made
 10 during or after the original or any extended period for which an
 11 extension is asked.

12 (b) The state board may, if the facts and circumstances warrant,
 13 grant such extension or extensions as it may see fit.

14 SECTION 78. IC 20-23-4-18, AS ADDED BY P.L.1-2005,
 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 18. (a) The state board shall:

17 (1) aid the county committees, as required by subsection (b), in
 18 carrying out:

19 (A) the powers conferred; and

20 (B) the duties imposed;

21 on the committees by this chapter;

22 (2) receive and examine each plan for the reorganization of a
 23 school corporation submitted to the state board by a county
 24 committee and approve each plan that meets the standards of the
 25 state board;

26 (3) adopt a set of minimum standards, in furtherance of the policy
 27 expressed in section 1 of this chapter, which all proposed
 28 community school corporations must meet, insofar as feasible;

29 (4) not later than ninety (90) days after receipt of a reorganization
 30 plan, hold a public hearing in the county to which the plan mainly
 31 applies to allow residents of the affected territory to testify;

32 (5) not later than sixty (60) days after the public hearing:

33 (A) approve or disapprove in writing all or part of the plan;
 34 and

35 (B) notify in writing the county committee concerned;

36 (6) assist any county committee whose plan does not meet
 37 minimum standards in revising the plan and permit the committee
 38 to resubmit the plan not later than ninety (90) days after receipt of
 39 notice of nonapproval; and

40 (7) adopt rules under IC 4-22-2 for:

41 (A) the conduct of its own business; and

42 (B) the guidance and direction of county committees;



1 to carry out this chapter and IC 20-23-16-1 through
 2 ~~IC 20-23-16-11~~. **IC 20-23-16-5**.

3 (b) The minimum standards for community school corporations
 4 proposed under this chapter or IC 20-23-16-1 through ~~IC 20-23-16-11~~
 5 **IC 20-23-16-5** must provide for the inclusion of all the area of a county
 6 in:

7 (1) a school corporation; or
 8 (2) school corporations;
 9 to furnish efficient and adequate educational opportunity for all
 10 students in grades 1 through 12.

11 (c) Before the adoption of a preliminary written plan, the county
 12 committee and the state board may meet to consider problems
 13 encountered by the county committee in formulating a plan. Following
 14 the meeting, the state board may waive in writing any specified
 15 minimum standard for a designated geographic area on the ground that
 16 meeting the standard is not feasible.

17 (d) The state board is not required to hold a public hearing on a plan
 18 that does not meet the minimum standards required by the state board
 19 unless the state board waives the attainment of a minimum standard.

20 SECTION 79. IC 20-23-4-19, AS AMENDED BY P.L.2-2006,
 21 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 19. (a) If the creation of a community school
 23 corporation out of an existing corporation:

24 (1) would not involve a change in its territorial boundaries or in
 25 its board of school trustees or other governing body, other than a
 26 change in the time of election or appointment or the time the
 27 board members take office; and
 28 (2) is consistent with the standards set up under this chapter and
 29 the standards set out in this section;

30 the state board may on its own motion or on petition of the governing
 31 body of the existing school corporation at any time with hearing in the
 32 county where the school corporation is located, after notice by
 33 publication at least once in one (1) newspaper of general circulation
 34 published in the county where the school corporation is located, at least
 35 ten (10) but not more than thirty (30) days before the date of a hearing,
 36 and without action of the county committee declare the existing school
 37 corporation to be a community school corporation by adopting a
 38 resolution to this effect. The existing school corporation qualifies as to
 39 size and financial resources if it has an ADA of at least two hundred
 40 seventy (270) students in grades 9 through 12 or at least one thousand
 41 (1,000) students in grades 1 through 12, and has an assessed valuation
 42 per student of at least five thousand dollars (\$5,000).



1 (b) For purposes of this section, the following terms have the
 2 following meanings:

3 (1) "County tax" means a property tax:

4 (A) that is levied at an equal rate in the entire county in which
 5 any school corporation is located, other than a tax qualifying
 6 as a countywide tax within the meaning of Acts 1959, c.328,
 7 s.2, or any similar statute; and

8 (B) for which the net proceeds of which are distributed to
 9 school corporations in the county.

10 (2) "Assessed valuation" of any school corporation means the net
 11 assessed value of its real and personal property as of March 1,
 12 1964, adjusted in the same manner as the assessed valuation is
 13 adjusted for each county by the department of local government
 14 finance under Acts 1949, c.247, s.5, as amended, unless that
 15 statute has been repealed or no longer provides for an adjustment.
 16 If a county has a county tax, the assessed valuation of each school
 17 corporation in the county shall be increased by the amount of
 18 assessed valuation, if any, that would be required to raise an
 19 amount of money, equal to the excess of the amount distributed
 20 to any school corporation from the county tax over the amount
 21 collected from the county tax in the school corporation, using
 22 total taxes levied by the school corporation in terms of rate:

23 (A) excluding the countywide tax under Acts 1959, c.328, s.2,
 24 or any similar statute; and

25 (B) including all other taxes levied by or for the school
 26 corporation.

27 The increased valuation shall be based on the excess distributed
 28 to the school corporation from the county tax levied for the year
 29 1964 and the total taxes levied for the year, or if the county tax is
 30 first applied or is raised for years after 1964, then the excess
 31 distributions and total taxes levied for the year in which the tax is
 32 first applied or raised. If the excess distribution and total taxes
 33 levied cannot be determined accurately on or before the adoption
 34 of the resolution provided in this section, excess distribution and
 35 taxes levied shall be estimated by the department of local
 36 government finance using the last preceding assessed valuations
 37 and tax rates or such other information as that department
 38 determines, certifying the increased assessment to the state board
 39 before such time. In all cases, the excess distribution shall be
 40 determined upon the assumption that the county tax is one
 41 hundred percent (100%) collected and all collections are
 42 distributed.



1 (3) "Assessed valuation per student" of any school corporation
 2 means the assessed valuation of any school corporation divided
 3 by its ADA in grades 1 through 12.

4 (4) "ADA" in any school corporation means the average daily
 5 attendance of students who are residents in the school corporation
 6 and in the particular grades to which the term refers for the school
 7 year 1964-1965 in accordance with the applicable regulations of
 8 the state superintendent, used in determining average daily
 9 attendance in the distribution of the tuition funds by the state to
 10 its various school corporations where funds are distributed on
 11 such basis and irrespective of whether the figures are the actual
 12 resident daily attendance of the school for the school year.

13 (c) The community school corporation automatically comes into
 14 being on either July 1 or January 1 following the date of approval,
 15 whichever is earlier. The state board shall mail by certified mail, return
 16 receipt requested, a copy of the resolution certified by the county
 17 committee's chairperson or secretary to:

18 (1) the recorder of the county from which the county committee
 19 having jurisdiction of the existing school corporation was
 20 appointed; and

21 (2) the county committee.

22 The resolution may change the time of election or appointment of the
 23 board of trustees of the school corporation or the time the trustees take
 24 office. The recorder shall without cost record the certified resolution in
 25 the miscellaneous records of the county. The recording constitutes a
 26 permanent record of the action of the state board and may be relied on
 27 by any person. Unless the resolution provides that an interim member
 28 of the board of trustees shall not be appointed, the board of trustees in
 29 office on the date of the action continues to constitute the board of
 30 trustees of the school corporation until their successors are qualified,
 31 and the terms of their respective office and board membership remain
 32 unchanged except to the extent the resolution otherwise provides. For
 33 purposes of this chapter and IC 20-23-16-1 through ~~IC 20-23-16-11~~,
 34 **IC 20-23-16-5**, a community school corporation shall be regarded as
 35 a school corporation created under section 16 of this chapter.

36 SECTION 80. IC 20-23-4-24, AS ADDED BY P.L.1-2005,
 37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 24. (a) Except as provided in subsection (b), if a
 39 public official fails to perform a duty required under this chapter or
 40 IC 20-23-16-1 through ~~IC 20-23-16-11~~ **IC 20-23-16-5** within the time
 41 prescribed in this chapter or IC 20-23-16-1 through ~~IC 20-23-16-11~~,
 42 **IC 20-23-16-5**, the omission does not invalidate any proceedings taken



- 1 by the official.
- 2 (b) This section:
- 3 (1) does not apply to the time within which a county committee
- 4 must accept jurisdiction of all or part of a school corporation from
- 5 another county committee following a petition under
- 6 IC 20-23-16-1; and
- 7 (2) may not be construed to extend the time within which
- 8 petitions may be filed by registered voters under this chapter or
- 9 IC 20-23-16-1 through ~~IC 20-23-16-11~~. **IC 20-23-16-5.**
- 10 SECTION 81. IC 20-23-4-25, AS ADDED BY P.L.1-2005,
- 11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2015]: Sec. 25. (a) A party aggrieved by the decision of the
- 13 county committee after the hearing provided for under section 13 of
- 14 this chapter may:
- 15 (1) appear before the state board when the state board holds
- 16 public hearings on the reorganization plan involved; and
- 17 (2) state the grievance.
- 18 (b) A party aggrieved by the decision of the state board after the
- 19 hearing provided for in section 13 of this chapter may appeal within
- 20 thirty (30) days from the decision to the court in the county on any
- 21 question of adjustment of:
- 22 (1) property;
- 23 (2) debts; and
- 24 (3) liabilities;
- 25 among the school corporations involved. Notice of the appeal shall be
- 26 given to the chairperson or secretary of the county committee ten (10)
- 27 days before the appeal is filed with the court.
- 28 (c) The court may:
- 29 (1) determine the constitutionality and the equity of the
- 30 adjustment or adjustments proposed; and
- 31 (2) direct the county committee to alter the adjustment or
- 32 adjustments found by the court to be inequitable or violative of
- 33 any provision of the Constitution of the State of Indiana or of the
- 34 United States.
- 35 An appeal may be taken to the supreme court or the court of appeals in
- 36 accordance with the rules of civil procedure of the state.
- 37 (d) A determination by the court with respect to the adjustment of:
- 38 (1) property;
- 39 (2) debts; and
- 40 (3) liabilities;
- 41 among the school corporations or areas involved does not otherwise
- 42 affect the validity of the reorganization or creation of a school



1 corporation or corporations under this chapter or IC 20-23-16-1
2 through ~~IC 20-23-16-11~~; **IC 20-23-16-5**.

3 SECTION 82. IC 20-23-4-26, AS ADDED BY P.L.1-2005,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 26. (a) This section applies to each community
6 school corporation.

7 (b) A community school corporation established under this chapter
8 or IC 20-23-16-1 through ~~IC 20-23-16-11~~; **IC 20-23-16-5**, is a body
9 corporate and politic. The corporation may:

10 (1) sue and be sued; and

11 (2) acquire, hold, and convey real and personal property necessary
12 to the community school corporation's establishment and
13 operation.

14 (c) A corporation has:

15 (1) all the powers, rights, duties, and obligations of the school
16 cities of any class in which the school corporation would fall if it
17 were organized as a school city; and

18 (2) the additional powers granted school corporations:

19 (A) in general; or

20 (B) school corporations in the population or other
21 classifications in which the school corporation falls.

22 (d) The officers of the governing body are a:

23 (1) president;

24 (2) secretary;

25 (3) treasurer; and

26 (4) vice president, if the board of trustees consists of more than
27 three (3) members.

28 SECTION 83. IC 20-23-4-38, AS AMENDED BY P.L.1-2007,
29 SECTION 142, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2015]: Sec. 38. (a) Whenever an entire county
31 has been reorganized under this chapter or IC 20-23-16-1 through
32 ~~IC 20-23-16-11~~; **IC 20-23-16-5**, by the creation of a community school
33 corporation or corporations for the entire county, the county committee
34 shall be dissolved. Where the term of any member of a county
35 committee expires before the time of dissolution of the county
36 committee, the judge shall fill a vacancy by replacement or
37 reappointment for a term of four (4) years in accordance with sections
38 11 through 15 of this chapter. In the event the membership of an entire
39 county committee shall at any time be vacant by resignation or
40 otherwise, the judge shall appoint a new county committee in
41 accordance with sections 11 through 15 of this chapter.

42 (b) After a county committee has been dissolved, if the local



1 governing body or the state superintendent considers further
 2 reorganization necessary to improve educational opportunities for the
 3 students in the county, the local school trustees or the state
 4 superintendent shall submit proposed changes to the state board. If the
 5 changes proposed by the local governing body or the state
 6 superintendent are approved by the state board, the proposal becomes
 7 effective under the procedure specified in sections 20 through 24 of
 8 this chapter so far as the same are applicable.

9 SECTION 84. IC 20-23-4-42, AS AMENDED BY P.L.146-2008,
 10 SECTION 459, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2015]: Sec. 42. (a) ~~The procedures set forth in~~
 12 ~~IC 20-19-2-12 concerning the review of, and public hearings~~
 13 ~~concerning, plans and specifications for the construction of, addition~~
 14 ~~to, or remodeling of school facilities apply equally to facilities to be~~
 15 ~~used or leased by both community school corporations and school~~
 16 ~~corporations that are not community school corporations.~~

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

22 SECTION 85. IC 20-23-6-7, AS ADDED BY P.L.1-2005,
 23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 7. (a) Each school of the consolidated schools is
 25 under the control and management of the original governing body until
 26 the consolidated school corporation comes into existence at the time
 27 provided in section 8 of this chapter. When the consolidated school
 28 corporation comes into existence, the term of office of each of the
 29 original members of the governing body expires.

30 (b) The term of any township trustee does not expire. ~~However, the~~
 31 ~~duties and powers of the trustee as a school township trustee may be~~
 32 ~~altered or changed by any resolution and the consolidation provided for~~
 33 ~~in this chapter.~~

34 SECTION 86. IC 20-23-6-12, AS ADDED BY P.L.231-2005,
 35 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2015]: Sec. 12. (a) This section provides an alternative
 37 method for a school corporation to be reorganized as a community
 38 school corporation.

39 (b) The following may petition directly to the state board to be
 40 reorganized as a community school corporation:

- 41 (1) A consolidated school corporation organized under section 3
 42 of this chapter.



- 1 (2) A metropolitan school district organized under IC 20-23-7-2.
 2 ~~or IC 20-23-7-12.~~
- 3 (c) The following apply to a school corporation that petitions
 4 directly to the state board under subsection (b):
- 5 (1) The school corporation is not required to do the following:
- 6 (A) Seek approval of a county committee established by
 7 IC 20-23-4-11.
- 8 (B) Pursue a joint meeting of a county committee and the state
 9 board under IC 20-23-4-18.
- 10 (2) The state board may waive the attainment of any standard
 11 required for reorganization as a community school corporation
 12 under this chapter.
- 13 SECTION 87. IC 20-23-6-16, AS ADDED BY P.L.1-2005,
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 16. It is the policy of the state that whenever a
 16 community school corporation (as defined in IC 20-23-4-3) seeks to:
- 17 (1) reorganize into a community school corporation under
 18 IC 20-23-4 or IC 20-23-16-1 through ~~IC 20-23-16-11;~~
 19 **IC 20-23-16-5;**
- 20 (2) enter into a territorial annexation under IC 20-23-5 either as
 21 an acquiring school corporation or a losing school corporation (as
 22 defined in IC 20-23-5-4);
- 23 (3) consolidate with another school corporation under IC 20-23-6;
 24 or
- 25 (4) consolidate with another school corporation into one (1)
 26 metropolitan school district under IC 20-23-7;
- 27 the school corporation shall give consideration to the educational
 28 opportunities for students, local community interest, the effect on the
 29 community as a whole, and the economic interests of the community
 30 relative to establishing the boundaries of the school corporation that is
 31 involved in the school corporation reorganization, consolidation, or
 32 annexation attempt.
- 33 SECTION 88. IC 20-23-6-18 IS REPEALED [EFFECTIVE JULY
 34 1, 2015]. Sec. 18: (a) ~~Before January 1, 2011, Prairie Township School~~
 35 ~~Corporation shall reorganize by consolidating with an adjacent school~~
 36 ~~corporation under this chapter.~~
- 37 (b) ~~If the governing body of Prairie Township School Corporation~~
 38 ~~does not comply with this section before January 1, 2011, the state~~
 39 ~~board shall, after December 31, 2010, develop a reorganization plan for~~
 40 ~~the school corporation and require the governing body to implement~~
 41 ~~the plan.~~
- 42 SECTION 89. IC 20-23-7-2, AS ADDED BY P.L.1-2005,



1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2015]: Sec. 2. (a) In any county or adjoining counties at least
 3 two (2) school corporations, including ~~school townships~~, school towns,
 4 school cities, consolidated school corporations, joint schools,
 5 metropolitan school districts, township school districts, or community
 6 school corporations, regardless of whether the consolidating school
 7 corporations are of the same or of a different character, may
 8 consolidate into one (1) metropolitan school district. Subject to
 9 subsection (h), the consolidation must be initiated by following either
 10 of the following procedures:

11 (1) The township trustee, board of school trustees, board of
 12 education, or other governing body (the trustee, board, or other
 13 governing body is referred to elsewhere in this section as the
 14 "governing body") of each school corporation to be consolidated
 15 shall:

16 (A) adopt substantially identical resolutions providing for the
 17 consolidation; and

18 (B) publish a notice setting out the text of the resolution one
 19 (1) time under IC 5-3-1.

20 The resolution must set forth any provision for staggering the
 21 terms of the board members of the metropolitan school district
 22 elected under this chapter. If, not more than thirty (30) days after
 23 publication of the resolution, a petition of protest, signed by at
 24 least twenty percent (20%) of the registered voters residing in the
 25 school corporation is filed with the clerk of the circuit court of
 26 each county where the voters who are eligible to sign the petition
 27 reside, a referendum election shall be held as provided in
 28 subsection (c).

29 (2) Instead of the adoption of substantially identical resolutions in
 30 each of the proposed consolidating school corporations under
 31 subdivision (1), a referendum election under subsection (c) shall
 32 be held on the occurrence of all of the following:

33 (A) At least twenty percent (20%) of the registered voters
 34 residing in a particular school corporation sign a petition
 35 requesting that the school corporation consolidate with another
 36 school corporation (referred to in this subsection as "the
 37 responding school corporation").

38 (B) The petition described in clause (A) is filed with the clerk
 39 of the circuit court of each county where the voters who are
 40 eligible to sign the petition reside.

41 (C) Not more than thirty (30) days after the service of the
 42 petition by the clerk of the circuit court to the governing body



1 of the responding school corporation under subsection (b) and
 2 the certification of signatures on the petition occurs under
 3 subsection (b), the governing body of the responding school
 4 corporation adopts a resolution approving the petition and
 5 providing for the consolidation.

6 (D) An approving resolution has the same effect as the
 7 substantially identical resolutions adopted by the governing
 8 bodies under subdivision (1), and the governing bodies shall
 9 publish the notice provided under subdivision (1) not more
 10 than fifteen (15) days after the approving resolution is adopted.
 11 However, if a governing body that is a party to the
 12 consolidation fails to publish notice within the required fifteen
 13 (15) day time period, a referendum election still must be held
 14 as provided in subsection (c).

15 If the governing body of the responding school corporation does
 16 not act on the petition within the thirty (30) day period described
 17 in clause (C), the governing body's inaction constitutes a
 18 disapproval of the petition request. If the governing body of the
 19 responding school corporation adopts a resolution disapproving
 20 the petition or fails to act within the thirty (30) day period, a
 21 referendum election as described in subsection (c) may not be
 22 held and the petition requesting the consolidation is defeated.

23 (b) Any petition of protest under subsection (a)(1) or a petition
 24 requesting consolidation under subsection (a)(2) must show in the
 25 petition the date on which each person has signed the petition and the
 26 person's residence on that date. The petition may be executed in several
 27 counterparts, the total of which constitutes the petition. Each
 28 counterpart must contain the names of voters residing within a single
 29 county and shall be filed with the clerk of the circuit court of the
 30 county. Each counterpart must have attached to it the affidavit of the
 31 person circulating the counterpart that each signature appearing on the
 32 counterpart was affixed in that person's presence and is the true and
 33 lawful signature of each person who made the signature. Any signer
 34 may file the petition or any counterpart of the petition. Each signer on
 35 the petition may before and may not after the filing with the clerk
 36 withdraw the signer's name from the petition. A name may not be
 37 added to the petition after the petition has been filed with the clerk.
 38 After the receipt of any counterpart of the petition, each circuit court
 39 clerk shall certify:

- 40 (1) the number of persons signing the counterpart;
 41 (2) the number of persons who are registered voters residing
 42 within that part of the school corporation located within the



- 1 clerk's county, as disclosed by the voter registration records in the
 2 office of the clerk or the board of registration of the county, or
 3 wherever registration records may be kept;
- 4 (3) the total number of registered voters residing within the
 5 boundaries of that part of the school corporation located within
 6 the county, as disclosed in the voter registration records; and
 7 (4) the date of the filing of the petition.
- 8 Certification shall be made by each clerk of the circuit court not more
 9 than thirty (30) days after the filing of the petition, excluding from the
 10 calculation of the period any time during which the registration records
 11 are unavailable to the clerk, or within any additional time as is
 12 reasonably necessary to permit the clerk to make the certification. In
 13 certifying the number of registered voters, the clerk of the circuit court
 14 shall disregard any signature on the petition not made within the ninety
 15 (90) days immediately before the filing of the petition with the clerk as
 16 shown by the dates set out in the petition. The clerk of the circuit court
 17 shall establish a record of the certification in the clerk's office and shall
 18 serve the original petition and a copy of the certification on the county
 19 election board under IC 3-10-9-3 and the governing bodies of each
 20 affected school corporation. Service shall be made by mail or manual
 21 delivery to the governing bodies, to any officer of the governing bodies,
 22 or to the administrative office of the governing bodies, if any, and shall
 23 be made for all purposes of this section on the day of the mailing or the
 24 date of the manual delivery.
- 25 (c) The county election board in each county where the proposed
 26 metropolitan school district is located, acting jointly where the
 27 proposed metropolitan school district is created and where it is located
 28 in more than one (1) county, shall cause any referendum election
 29 required under either subsection (a)(1) or (a)(2) to be held in the entire
 30 proposed metropolitan district at a special election. The special election
 31 shall be not less than sixty (60) days and not more than ninety (90) days
 32 after the service of the petition of protest and certification by each clerk
 33 of the circuit court under subsection (a)(1) or (a)(2) or after the
 34 occurrence of the first action requiring a referendum under subsection
 35 (a)(2). However, if a primary or general election at which county
 36 officials are to be nominated or elected, or at which city or town
 37 officials are to be elected in those areas of the proposed metropolitan
 38 school district that are within the city or town, is to be held after the
 39 sixty (60) days and not more than six (6) months after the service or the
 40 occurrence of the first action, each election board may hold the
 41 referendum election with the primary or general election.
- 42 (d) Notice of the special election shall be given by each election



1 board by publication under IC 5-3-1.

2 (e) Except where it conflicts with this section or cannot be
3 practicably applied, IC 3 applies to the conduct of the referendum
4 election. If the referendum election is not conducted at a primary or
5 general election, the cost of conducting the election shall be charged to
6 each component school corporation included in the proposed
7 metropolitan school district in the same proportion as its assessed
8 valuation bears to the total assessed valuation of the proposed
9 metropolitan school district and shall be paid from any current
10 operating fund of each component school corporation not otherwise
11 appropriated, without appropriation.

12 (f) The question in the referendum election shall be placed on the
13 ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the
14 school corporations of _____ be formed into one (1) metropolitan
15 school district under IC 20-23-7?" (in which blanks the respective
16 name of the school districts concerned will be inserted).

17 (g) If:

18 (1) a protest petition with the required signatures is not filed after
19 the adoption of substantially identical resolutions of the governing
20 bodies providing for or approving the consolidation as described
21 in subsection (a)(1); or

22 (2) a referendum election occurs in the entire proposed
23 metropolitan district and a majority of the voters in each proposed
24 consolidating school corporation vote in the affirmative;

25 a metropolitan school district is created and comes into existence in the
26 territory subject to the provisions and under the conditions described
27 in this chapter. The boundaries include all of the territory within the
28 school corporations, and it shall be known as "Metropolitan School
29 District of _____, Indiana" (the name of the district concerned will
30 be inserted in the blank). The name of the district shall be decided by
31 a majority vote of the metropolitan governing board of the metropolitan
32 school district at the first meeting. The metropolitan governing board
33 of the new metropolitan school district shall be composed and elected
34 under this chapter. The failure of any public official or body to perform
35 any duty within the time provided in this chapter does not invalidate
36 any proceedings taken by that official or body, but this provision shall
37 not be construed to authorize a delay in the holding of a referendum
38 election under this chapter.

39 (h) If the governing body of a school corporation is involved in a
40 consolidation proposal under subsection (a)(1) or (a)(2) that fails to
41 result in a consolidation, the:

42 (1) governing body of the school corporation may not initiate a



1 subsequent consolidation with another school corporation under
 2 subsection (a)(1); and
 3 (2) residents of the school corporation may not file a petition
 4 requesting a consolidation with another school corporation under
 5 subsection (a)(2);
 6 for one (1) year after the date on which the prior consolidation proposal
 7 failed.

8 SECTION 90. IC 20-23-7-6, AS AMENDED BY P.L.179-2011,
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2015]: Sec. 6. (a) The first metropolitan board of education
 11 shall be composed of the:
 12 (1) trustees; and
 13 (2) members of school boards;
 14 of the school corporations forming the metropolitan board of education.

15 (b) The members of the metropolitan board of education shall serve
 16 ex officio as members subject to the laws concerning length of terms,
 17 powers of election, or appointment and filling vacancies applicable to
 18 their respective offices.

19 (c) If a metropolitan school district is comprised of only two (2)
 20 board members, the two (2) members shall appoint a third board
 21 member not more than ten (10) days after the creation of the
 22 metropolitan school district. If the two (2) members are unable to agree
 23 on or do not make the appointment of a third board member within the
 24 ten (10) day period after the creation of the metropolitan school district,
 25 the third member shall be appointed not more than twenty (20) days
 26 after the creation of the metropolitan school district by the judge of the
 27 circuit court of the county in which the metropolitan school district is
 28 located. If the metropolitan school district is located in two (2) or more
 29 counties, the judge of the circuit court of the county containing that part
 30 of the metropolitan school district having more students than the part
 31 or parts located in another county or counties shall appoint the third
 32 member. The members of the metropolitan board of education serve
 33 until their successors are elected or appointed and qualified.

34 (d) The first meeting of the first metropolitan board of education
 35 shall be held not more than one (1) month after the creation of the
 36 metropolitan school district. The first meeting shall be called by the
 37 superintendent of schools or ~~township trustee of a school township~~; of
 38 the school corporation in the district having the largest number of
 39 students. At the first meeting, the board shall organize, and each year
 40 during the first ten (10) days after the board members that are elected
 41 or appointed to a new term take office, the board shall reorganize, by
 42 electing a president, a vice president, a secretary, and a treasurer.



1 (e) The secretary of the board shall keep an accurate record of the
 2 minutes of the metropolitan board of education, and the minutes shall
 3 be kept in the superintendent's office. When a metropolitan school
 4 district is formed, the metropolitan superintendent shall act as
 5 administrator of the board and shall carry out the acts and duties as
 6 designated by the board. A quorum consists of a majority of the
 7 members of the board. A quorum is required for the transaction of
 8 business. The vote of a majority of those present is required for a:

- 9 (1) motion;
 10 (2) ordinance; or
 11 (3) resolution;

12 to pass.

13 (f) The board shall conduct its affairs in the manner described in this
 14 section. Except in unusual cases, the board shall hold its meetings at
 15 the office of the metropolitan superintendent or at a place mutually
 16 designated by the board and the superintendent. Board records are to
 17 be maintained and board business is to be conducted from the office of
 18 the metropolitan superintendent or a place designated by the board and
 19 the superintendent.

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

- 22 (1) a reasonable per diem for service on the board not to exceed
 23 one hundred twenty-five dollars (\$125) per year; and
 24 (2) for travel to and from a member's home to the place of the
 25 meeting within the district, a sum for mileage equal to the amount
 26 per mile paid to state officers and employees. The rate per mile
 27 shall change when the state government changes its rate per mile.

28 SECTION 91. IC 20-23-7-10, AS AMENDED BY P.L.167-2013,
 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 10. (a) The metropolitan board of education shall
 31 appoint a metropolitan superintendent of schools who shall serve under
 32 contract in the same manner and under the same laws that govern the
 33 employment and service of other licensed school personnel. However,
 34 the metropolitan superintendent of schools is not required to hold a
 35 license under IC 20-28-5. The metropolitan superintendent of schools'
 36 salary and expense allowance is fixed by the metropolitan board of
 37 education. The metropolitan superintendent of schools' original
 38 contract:

- 39 (1) must be for a period of one (1) to five (5) years; and
 40 (2) may be changed or extended by mutual agreement.

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



- 1 (c) The board shall:
 2 (1) act upon the recommendations of the metropolitan
 3 superintendent of schools; and
 4 (2) make other decisions and perform other duties as required by
 5 law.
- 6 (d) A:
 7 ~~(1) county superintendent;~~
 8 ~~(2) (1) city school superintendent; or~~
 9 ~~(3) (2) town superintendent;~~
 10 in a metropolitan school district shall continue in the superintendents'
 11 respective employment at the same salary, paid in the same manner and
 12 according to the same terms as agreed to before the formation of the
 13 metropolitan school district.
- 14 (e) A metropolitan board of education shall:
 15 (1) assign administrative duties; and
 16 (2) designate:
 17 (A) one (1) of the superintendents in the metropolitan school
 18 district; or
 19 (B) a competent and qualified person as determined by the
 20 board;
- 21 to perform the duties of the metropolitan superintendent of the
 22 metropolitan school district as set forth in this chapter.
- 23 (f) A metropolitan board of education shall appoint a superintendent
 24 of the metropolitan school district and other administrative supervisory
 25 officers as provided in this chapter if:
 26 (1) the previous superintendent's term expired;
 27 (2) the previous superintendent's contract of employment ended;
 28 or
 29 (3) the previous superintendent:
 30 (A) died; or
 31 (B) resigned.
- 32 (g) The appointment and salary of the metropolitan superintendent
 33 of schools appointed under subsection (f) shall be made, set, and paid
 34 as provided in this chapter.
- 35 SECTION 92. IC 20-23-7-12 IS REPEALED [EFFECTIVE JULY
 36 1, 2015]. Sec. 12. (a) As used in this section, "county" means the
 37 county in which the school township is located.
 38 (b) As used in this section, "school township" means a school
 39 township in Indiana that:
 40 ~~(1) for the last full school semester immediately preceding:~~
 41 ~~(A) the adoption of a preliminary resolution by the township~~
 42 ~~trustee and the township board under subsection (f); or~~



- 1 (B) the adoption of a resolution of disapproval by the township
 2 trustee and the township board under subsection (g);
 3 had a current ADM of at least six hundred (600) students in
 4 kindergarten through grade 12 in the public schools of the school
 5 township; or
 6 (2) is part of a township in which there were more votes cast for
 7 township trustee outside the school township than inside the
 8 school township in the general election at which the trustee was
 9 elected and that preceded the adoption of the preliminary or
 10 disapproving resolution.
- 11 (c) As used in this section, "township board" means the township
 12 board of a township in which the school township is located.
- 13 (d) As used in this section, "township trustee" means the township
 14 trustee of the township in which the school township is located.
- 15 (e) In a school township, a metropolitan school district may be
 16 created by complying with this section. A metropolitan school district
 17 created under this section shall have the same boundaries as the school
 18 township. After a district has been created under this section, the
 19 school township that preceded the metropolitan school district is
 20 abolished. The procedures or provisions governing the creation of a
 21 metropolitan school district under another section of this chapter do not
 22 apply to the creation of a district under this section. After a
 23 metropolitan school district is created under this section, the district
 24 shall, except as otherwise provided in this section, be governed by and
 25 operate in accordance with this chapter governing the operation of a
 26 metropolitan school district as established under section 2 of this
 27 chapter.
- 28 (f) Except as provided in subsection (g), a metropolitan school
 29 district provided for in subsection (e) may be created in the following
 30 manner:
- 31 (1) The township trustee shall call a meeting of the township
 32 board. At the meeting, the township trustee and a majority of the
 33 township board shall adopt a resolution that a metropolitan school
 34 district shall be created in the school township. The township
 35 trustee shall then give notice:
- 36 (A) by two (2) publications one (1) week apart in a newspaper
 37 of general circulation published in the school township; or
 38 (B) if there is no newspaper as described in clause (A), in a
 39 newspaper of general circulation in the county;
- 40 of the adoption of the resolution setting forth the text of the
 41 resolution.
- 42 (2) On the thirtieth day after the date of the last publication of the



1 notice under subdivision (1) and if a protest has not been filed, the
 2 township trustee and a majority of the township board shall
 3 confirm their preliminary resolution. If, however, on or before the
 4 twenty-ninth day after the date of the last publication of the
 5 notice, a number of registered voters of the school township,
 6 equal to five percent (5%) or more of the number of votes cast in
 7 the school township for secretary of state at the last preceding
 8 general election for that office, sign and file with the township
 9 trustee a petition requesting an election in the school township to
 10 determine whether or not a metropolitan school district must be
 11 created in the township in accordance with the preliminary
 12 resolution; then an election must be held as provided in
 13 subsection (h). The preliminary resolution and confirming
 14 resolution provided in this subsection shall both be adopted at a
 15 meeting of the township trustee and township board in which the
 16 township trustee and each member of the township board received
 17 or waived a written notice of the date, time, place, and purpose of
 18 the meeting. The resolution and the proof of service or waiver of
 19 the notice shall be made a part of the records of the township
 20 board.

21 (g) Except as provided in subsection (f), a metropolitan school
 22 district may also be created in the following manner:

23 (1) A number of registered voters of the school township, equal
 24 to five percent (5%) or more of the votes cast in the school
 25 township for secretary of state at the last general election for that
 26 office, shall sign and file with the township trustee a petition
 27 requesting the creation of a metropolitan school district under this
 28 section.

29 (2) The township trustee and a majority of the township board
 30 shall, not more than ten (10) days after the filing of a petition:

31 (A) adopt a preliminary resolution that a metropolitan school
 32 district shall be created in the school township and proceed as
 33 provided in subsection (f); or

34 (B) adopt a resolution disapproving the creation of the district.

35 (3) If either the township trustee or a majority of township board
 36 members vote in favor of disapproving the resolution, an election
 37 must be held to determine whether or not a metropolitan school
 38 district shall be created in the school township in the same
 39 manner as is provided in subsection (f) if an election is requested
 40 by petition.

41 (h) An election required under subsection (f) or (g) may, at the
 42 option of the township trustee, be held either as a special election or in



1 conjunction with a primary or general election to be held not more than
 2 one hundred twenty (120) days after the filing of a petition under
 3 subsection (f) or the adoption of the disapproving resolution under
 4 subsection (g): The township trustee shall certify the question to the
 5 county election board under IC 3-10-9-3 and give notice of an election:

6 (1) by two (2) publications one (1) week apart in a newspaper of
 7 general circulation in the school township; or

8 (2) if a newspaper described in subdivision (1) does not exist, in
 9 a newspaper of general circulation published in the county.

10 The notice must provide that on a day and time named in the notice, the
 11 polls shall be opened at the usual voting places in the various precincts
 12 in the school township for the purpose of taking the vote of the
 13 registered voters of the school township regarding whether a
 14 metropolitan school district shall be created in the township. The
 15 election shall be held not less than twenty (20) days and not more than
 16 thirty (30) days after the last publication of the notice unless a primary
 17 or general election will be conducted not more than six (6) months after
 18 the publication. In that case, the county election board shall place the
 19 public question on the ballot at the primary or general election. If the
 20 election is to be a special election, the township trustee shall give
 21 notice not more than thirty (30) days after the filing of the petition or
 22 the adoption of the disapproving resolution.

23 (i) On the day and time named in the notice, the polls shall be
 24 opened and the votes of the voters shall be taken regarding whether a
 25 metropolitan school district shall be created in the school township.
 26 IC 3 governs the election except as otherwise provided in this chapter.
 27 The county election board shall conduct the election. The public
 28 question shall be placed on the ballot in the form prescribed by
 29 IC 3-10-9-4 and must state, "Shall a metropolitan school district under
 30 IC 20-23-7 be formed in the _____ School Township of
 31 _____ County, Indiana?": The name of the school township
 32 shall be inserted in the blanks.

33 (j) The votes cast in the election shall be canvassed at a place in the
 34 school township determined by the county election board. The
 35 certificate of the votes cast for and against the creation of a
 36 metropolitan school district shall be filed in the records of the township
 37 board and recorded with the county recorder. If the special election is
 38 not conducted at a primary or general election, the school township
 39 shall pay the expense of holding the election out of the school general
 40 fund that is appropriated for this purpose.

41 (k) A metropolitan school district shall, subject to section 7 of this
 42 chapter, be created on the thirtieth day after the date of the adoption of



1 the confirming resolution under subsection (f) or an election held under
 2 subsection (h). If a public official fails to do the official's duty within
 3 the time prescribed in this section, the failure does not invalidate the
 4 proceedings taken under this section. An action to contest the validity
 5 of the creation of a metropolitan school district under this section or to
 6 enjoin the operation of a metropolitan school district may not be
 7 instituted later than the thirtieth day following the date of the adoption
 8 of the confirming resolution under subsection (f) or of the election held
 9 under subsection (h). Except as provided in this section, an election
 10 under this subsection may not be held sooner than twelve (12) months
 11 after another election held under subsection (h).

12 (f) A metropolitan school district is known as "The Metropolitan
 13 School District of _____ Township, _____ County,
 14 Indiana". The first metropolitan board of education in a metropolitan
 15 school district created under this section consists of five (5) members.
 16 The township trustee and the township board members are ex officio
 17 members of the first board, subject to the laws concerning length of
 18 their respective terms of office, manner of election or appointment, and
 19 the filling of vacancies applicable to their respective offices. The ex
 20 officio members serve without compensation or reimbursement for
 21 expenses, other than that which they may receive from their respective
 22 offices. The township board shall, by a resolution recorded in its
 23 records, appoint the fifth member of the metropolitan board of
 24 education. The fifth member shall meet the qualifications of a member
 25 of a metropolitan board of education under this chapter, with the
 26 exception of the board member district requirements provided in
 27 sections 4, 5, and 8.1 of this chapter.

28 (m) A fifth board member shall be appointed not more than fifteen
 29 (15) days after the date of the adoption of the confirming resolution
 30 under subsection (f)(2) or an election held under subsection (h). The
 31 first board shall hold its first meeting not more than fifteen (15) days
 32 after the date when the fifth board member is appointed or elected, on
 33 a date established by the township board in the resolution in which it
 34 appoints the fifth board member. The first board shall serve until
 35 January 1 following the election of a metropolitan school board at the
 36 first general election held more than sixty (60) days following the
 37 creation of the metropolitan school district.

38 (n) After the creation of a metropolitan school district under this
 39 section, the president of the metropolitan school board of the district
 40 shall serve as a member of the county board of education and perform
 41 the duties on the county board of education that were previously
 42 performed by the township trustee. The metropolitan school board and



1 superintendent of the district may call upon the assistance of and use
 2 the services provided by the county superintendent of schools. This
 3 subsection does not limit or take away the powers, rights, privileges, or
 4 duties of the metropolitan school district or the board or superintendent
 5 of the district provided in this chapter.

6 SECTION 93. IC 20-23-7-13, AS ADDED BY P.L.231-2005,
 7 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 13. In the resolution creating a county school
 9 corporation or metropolitan school district or in the petitions requesting
 10 the creation of or requesting a referendum on the question of creating
 11 a corporation or district under section 2 ~~or 12~~ of this chapter, the
 12 resolutions or petitions may specify when a school corporation or
 13 school district shall be created and the corporation or district shall then
 14 be created at the time provided in the resolutions or petitions.

15 SECTION 94. IC 20-23-8-5, AS AMENDED BY P.L.179-2011,
 16 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 5. As used in this chapter, "school corporation"
 18 means a local public school corporation established under the laws of
 19 Indiana. The term does not include a ~~school township~~ or a school
 20 corporation covered by IC 20-23-12, IC 20-23-17, or IC 20-23-17.2.

21 SECTION 95. IC 20-23-8-23 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. ~~Sec. 23: (a) The failure of a public official or body to perform
 23 the duties specified in this chapter within the time limits prescribed
 24 does not invalidate any proceedings taken by the official or board:~~

25 ~~(b) If a public official or body refuses to perform duties within the
 26 time limits provided in this chapter, the official or body may be
 27 mandated to perform the duties in an action filed in the circuit or
 28 superior court by a voter or by the governing body:~~

29 ~~(c) The court shall award reasonable attorney's fees to a voter who
 30 brings an action under this section against a governing body or public
 31 official and prevails. The governing body or employer of a public
 32 official shall pay costs and fees incurred by or on behalf of an
 33 employee in defense of a claim or suit for a loss occurring because of
 34 acts or omissions within the scope of the employee's employment;
 35 regardless of whether the employee can or cannot be held personally
 36 liable for the loss:~~

37 SECTION 96. IC 20-23-10-2, AS ADDED BY P.L.1-2005,
 38 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 2. As used in this chapter, "governing body"
 40 means the board or commission charged by law with the responsibility
 41 of administering the affairs of a school corporation, including a board
 42 of school commissioners, metropolitan board of education, board of



1 school trustees, or board of trustees. ~~In the case of a school township,~~
 2 ~~the term means the trustees and township board acting jointly.~~

3 SECTION 97. IC 20-23-10-8, AS AMENDED BY P.L.179-2011,
 4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 8. (a) The board members of a merged school
 6 corporation shall be elected at the first general election following the
 7 merged school corporation's creation, and vacancies shall be filled in
 8 accordance with IC 20-23-4-30.

9 (b) Until the first election under subsection (a), the board of trustees
 10 of the merged school corporation consists of

11 (1) the members of the governing body of a school corporation in
 12 the county. ~~other than a school township; and~~

13 (2) ~~the township trustee of a school township in the county.~~

14 (c) The first board of trustees shall select the name of the merged
 15 school corporation by a majority vote. The name may be changed by
 16 unanimous vote of the governing body of the merged school
 17 corporation.

18 SECTION 98. IC 20-23-16-11 IS REPEALED [EFFECTIVE JULY
 19 1, 2015]. Sec. 11: (a) ~~In a county having a population of more than one
 20 hundred seventy-five thousand (175,000) but less than one hundred
 21 eighty-five thousand (185,000); if, after April 17, 1963:~~

22 (1) ~~proceedings have been undertaken in good faith to form a
 23 community school corporation by the consolidation of two (2) or
 24 more prior established school corporations;~~

25 (2) ~~the community school corporation is held; by a final order and
 26 decision of a court, to be invalidly formed and nonexistent; and~~

27 (3) ~~the order and decision are not subject to further judicial
 28 review;~~

29 ~~any bonds issued (before the final order and decision of the court) in
 30 the name of the community school corporation to provide funds to be
 31 applied on the cost of construction and equipment of a school building
 32 are not invalid by reason of the final order and decision of the court but
 33 constitute the valid and binding obligation of the prior established
 34 school corporation in the territory where the school building was or is
 35 being constructed; the same as if the bonds had been validly issued in
 36 the name of the prior established school corporation.~~

37 (b) ~~This section applies only if the bonds at the time of their
 38 issuance would have been within the limitation of indebtedness
 39 imposed by the Constitution of the State of Indiana on the prior
 40 established school corporation.~~

41 SECTION 99. IC 20-23-16-25 IS REPEALED [EFFECTIVE JULY
 42 1, 2015]. Sec. 25: ~~A metropolitan superintendent of schools shall:~~



- 1 (1) act as the general administrator of the metropolitan school
 2 district; and
 3 (2) make recommendations to the board concerning:
 4 (A) the conduct of the schools;
 5 (B) the employment and dismissal of personnel;
 6 (C) the purchase of supplies;
 7 (D) the construction of buildings; and
 8 (E) other matters pertaining to the conduct of the school within
 9 the framework of the school laws of this state;
 10 (3) attend meetings of the board except when the superintendent's
 11 reappointment is under consideration;
 12 (4) carry out the orders of the board; and
 13 (5) make other decisions and perform other duties that are
 14 prescribed by law.

15 SECTION 100. IC 20-23-16-26, AS AMENDED BY P.L.2-2006,
 16 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) A metropolitan board of
 18 education shall:

- 19 (1) make decisions pertaining to the general conduct of the
 20 schools, and these decisions shall be enforced and entered into the
 21 minutes recorded by the secretary of the board; and
 22 (2) exercise powers previously exercised under the law, by or
 23 through:
 24 (A) township trustees; **and**
 25 (B) meetings or petitions of the township trustees of the
 26 county. **and**
 27 ~~(C) county boards of education previously existing.~~

28 The offices of township trustee ~~or county board or county boards of~~
 29 ~~education~~ as far as the conduct of public schools is concerned are
 30 abolished as of noon on the day the metropolitan school district is
 31 created and comes into existence.

- 32 (b) The metropolitan superintendent of schools and other persons
 33 employed for administrative or supervisory duties may be considered
 34 to be supervisors of instruction and are eligible, subject to the rules
 35 adopted by the state board, to qualify for teaching units in accordance
 36 with law.

- 37 (c) The government of the common schools of a district is vested in
 38 the board. The board shall function with the authority, powers,
 39 privileges, duties, and obligations previously granted to or required of
 40 school cities and their governing boards regarding the:

- 41 (1) purchase of supplies;
 42 (2) purchase and sale of:



- 1 (A) buildings;
 2 (B) grounds; and
 3 (C) equipment;
 4 (3) erection of buildings;
 5 (4) employment and dismissal of school personnel;
 6 (5) insuring property and employees;
 7 (6) making and executing of a budget;
 8 (7) borrowing money; and
 9 (8) paying the salaries and expenses of the
 10 ~~(A) county superintendent; and~~
 11 ~~(B) employees;~~
 12 as approved by the board.

13 (d) A board is a body corporate and politic by the name and style of
 14 "The Metropolitan School District of _____, Indiana" with the right
 15 to prosecute and defend suits and shall act as necessary to the proper
 16 administration of the common schools of the county.

17 (e) The school district shall:

- 18 (1) be vested with rights, titles, and interests of the district's
 19 predecessor township or town school corporations;
 20 (2) assume, pay, and be liable for the:
 21 (A) indebtedness;
 22 (B) obligations;
 23 (C) liabilities; and
 24 (D) duties;
 25 of the predecessor corporations from whatever source derived;
 26 and
 27 (3) institute and defend suits arising out of the school district's:
 28 (A) liabilities;
 29 (B) obligations;
 30 (C) duties; and
 31 (D) rights;
 32 assumed by a metropolitan school district.

33 (f) The treasurer, before entering upon the duties of the office, shall
 34 execute a bond to the acceptance of the county auditor. The bond may
 35 not be greater than the largest sum of money that will be in the
 36 possession of the treasurer at any one (1) time. The board of education
 37 may purchase the bond from a reliable surety company and pay for it
 38 out of the special school revenue of the metropolitan district.

39 (g) The powers set forth in this section shall not be considered as or
 40 construed to:

- 41 (1) limit the power and authority of a school board; or
 42 (2) restrict or modify powers or authority granted by another law



1 not in conflict with the provisions of this section.
 2 SECTION 101. IC 20-23-16-41, AS ADDED BY P.L.1-2005,
 3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 41. (a) School boards, boards of school trustees,
 5 **and** boards of school commissioners ~~and school township trustees~~ may
 6 hire and fix the salaries for clerical personnel as necessary to assist
 7 principals of schools in which at least twelve (12) teachers are
 8 employed.
 9 (b) The board or trustees that hire personnel under subsection (a)
 10 may pay the salaries of the personnel out of the special school funds
 11 belonging to their respective school corporations in the manner
 12 provided by law for the payment of other school expenses.
 13 SECTION 102. IC 20-24-2.1-3, AS ADDED BY P.L.91-2011,
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 3. The department shall provide staff to carry out
 16 the duties of the charter board under this chapter until the time when
 17 the charter board begins receiving administrative fees pursuant to
 18 ~~IC 20-24-7-4(c).~~ **IC 20-24-7-4(d)**. At that time, the charter board may
 19 hire staff to carry out the duties of the charter board under this chapter.
 20 SECTION 103. IC 20-24-2.2-5, AS ADDED BY P.L.280-2013,
 21 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 5. (a) The purpose of this section is to establish a
 23 cooperative relationship:
 24 (1) between the department and an authorizer; and
 25 (2) that fosters improved decision making related to charter
 26 schools authorized by the authorizer.
 27 (b) As used in this section, "covered records" refers to the following:
 28 (1) Education records (as defined in 20 U.S.C. 1232g(a)(4), as in
 29 effect January 1, 2013) of students who enrolled in a charter
 30 school authorized by an authorizer that are in the possession of
 31 the department or the state board.
 32 (2) Records in the possession of the department or the state board
 33 that relate to the evaluation of the performance of a charter school
 34 authorized by an authorizer or students who are enrolled in a
 35 charter school authorized by an authorizer.
 36 (3) Records in the possession of the department or the state board
 37 that relate to the evaluation of the performance of certified
 38 employees employed by a charter school authorized by a
 39 authorizer.
 40 (4) Records in the possession of the department or the state board
 41 related to the evaluation of the performance of an authorizer.
 42 (c) Notwithstanding IC 5-14-3 or any other law, the department



1 shall provide, without charge, an authorizer with either:

2 (1) electronic access to; or

3 (2) written copies of;

4 covered records, as requested by the authorizer, that relate to a charter
5 school authorized by the authorizer or to the students or certified
6 employees of the charter school. The department shall provide the
7 covered records on a schedule determined by the authorizer.

8 (d) The department shall provide, without charge, an authorizer with
9 a summary of the covered records that relate to a charter school
10 authorized by the authorizer or to the students or certified employees
11 of the charter school. The department shall provide the summary
12 described in this subsection to the authorizer at least once each month.
13 The authorizer may receive either paper copies of the summary or
14 copies of the summary transmitted electronically, at the option of the
15 authorizer. The summary must be sufficiently detailed to identify each
16 category or collection of covered records. The department and the
17 authorizer shall consult one another as necessary to carry out this
18 section.

19 (e) ~~An authorizer may use covered records received under this~~
20 ~~section only to:~~

21 ~~(1) administer a charter authorization program;~~

22 ~~(2) monitor and evaluate compliance with state standards;~~

23 ~~(3) identify educational weaknesses in charter school programs;~~

24 ~~or~~

25 ~~(4) improve charter school performance.~~

26 ~~(f) (e) An authorizer shall protect covered records received by the~~
27 ~~authorizer in a manner that will not permit the personal identification~~
28 ~~of students and their parents by persons other than officials of the~~
29 ~~authorizer who are directly involved in the authorization program or~~
30 ~~involved with studies related to charter schools authorized by the~~
31 ~~authorizer. An authorizer shall destroy personally identifiable data~~
32 ~~when the information is no longer needed for purposes of audit,~~
33 ~~evaluation, and enforcement of state and federal requirements related~~
34 ~~to the charter schools authorized by the authorizer.~~

35 SECTION 104. IC 20-24-3-11, AS AMENDED BY P.L.280-2013,
36 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2015]: Sec. 11. If an authorizer rejects a charter school
38 proposal, the organizer may:

39 (1) amend the charter school proposal and resubmit the proposal
40 to the same authorizer; ~~or~~

41 (2) submit a charter school proposal to another authorizer. ~~or~~

42 (3) ~~appeal the decision to the charter school review panel~~



- 1 established by section 12 of this chapter.
- 2 SECTION 105. IC 20-24-3-12 IS REPEALED [EFFECTIVE JULY
- 3 1, 2015]. Sec. 12: (a) This section applies if the authorizer rejects a
- 4 proposal:
- 5 (b) The organizer may appeal the decision of the authorizer to the
- 6 charter school review panel established by subsection (c):
- 7 (c) The charter school review panel is established. The members of
- 8 the panel are as follows:
- 9 (1) The governor or the governor's designee.
- 10 (2) The state superintendent, who shall chair the panel.
- 11 (3) A member of the state board appointed by the state
- 12 superintendent.
- 13 (4) A person with financial management experience appointed by
- 14 the governor.
- 15 (5) A community leader with knowledge of charter school issues
- 16 appointed jointly by the governor and the state superintendent.
- 17 A member shall serve a two (2) year term and may be reappointed to
- 18 the panel upon expiration of the member's term.
- 19 (d) All decisions of the panel shall be determined by a majority vote
- 20 of the panel's members.
- 21 (e) Upon the request of an organizer, the panel shall meet to
- 22 consider the organizer's proposal and the authorizer's reasons for
- 23 rejecting the proposal. The panel must allow the organizer and
- 24 authorizer to participate in the meeting.
- 25 (f) After the panel meets under subsection (e), the panel shall make
- 26 one (1) of the following findings and issue the finding to the organizer
- 27 and the authorizer:
- 28 (1) A finding that supports the authorizer's rejection of the
- 29 proposal.
- 30 (2) A finding that:
- 31 (A) recommends that the organizer amend the proposal; and
- 32 (B) specifies the changes to be made in the proposal if the
- 33 organizer elects to amend the proposal.
- 34 (3) A finding that approves the proposal.
- 35 The panel shall issue the finding not later than forty-five (45) days after
- 36 the panel receives the request for review.
- 37 (g) If the panel makes a finding described in subsection (f)(1), the
- 38 finding is final.
- 39 (h) If the panel makes a finding described in subsection (f)(2), the
- 40 organizer may amend the proposal according to the panel's
- 41 recommendations and resubmit the proposal directly to the panel.
- 42 (i) If the panel makes a finding described in subsection (f)(3), the



1 proposal is considered conditionally approved. The approval shall be
 2 considered final upon delivery to the panel of written notice from the
 3 organizer and an eligible authorizer that the authorizer has agreed to
 4 serve as an authorizer for the proposal approved by the panel.

5 (j) Proposals approved under this section shall not be counted under
 6 any numerical limits placed upon an authorizer or set of authorizers.

7 SECTION 106. IC 20-24-6-10 IS REPEALED [EFFECTIVE JULY
 8 1, 2015]. Sec. ~~10~~: (a) The governing body:

9 (1) must grant a transfer of not more than two (2) years; and

10 (2) may grant a transfer for a period in addition to the period
 11 required in subdivision (1);

12 to a teacher of a noncharter school in the school corporation who
 13 wishes to teach and has been accepted to teach at a nonconversion
 14 charter school.

15 (b) During the term of the transfer under subsection (a):

16 (1) the teacher's seniority status under law continues as if the
 17 teacher were an employee of a noncharter school in the school
 18 corporation; and

19 (2) the teacher's years as a charter school employee shall not be
 20 considered for purposes of permanent or semipermanent status
 21 with the school corporation under IC 20-28-6, IC 20-28-7.5, or
 22 IC 20-28-8.

23 SECTION 107. IC 20-24-7-4, AS AMENDED BY P.L.47-2014,
 24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 4. (a) Services that a school corporation provides
 26 to a charter school, including transportation, may be provided at not
 27 more than one hundred three percent (~~103%~~) of the actual cost of the
 28 services.

29 (b) (a) This subsection applies to an authorizer that is a state
 30 educational institution described in IC 20-24-1-2.5(2). Except as
 31 provided in subsection (f); (e), in a state fiscal year, a state educational
 32 institution may receive from the organizer of a charter school
 33 authorized by the state educational institution an administrative fee
 34 equal to not more than three percent (3%) of the total amount the
 35 organizer receives during the state fiscal year from basic tuition support
 36 (as defined in IC 20-43-1-8).

37 (c) (b) This subsection applies to the executive of a consolidated
 38 city that authorizes a charter school. Except as provided in subsection
 39 (f); (e), in a state fiscal year, the executive may collect from the
 40 organizer of a charter school authorized by the executive an
 41 administrative fee equal to not more than three percent (3%) of the total
 42 amount the organizer receives during the state fiscal year for basic



- 1 tuition support.
- 2 ~~(d)~~ **(c)** This subsection applies to an authorizer that is a nonprofit
3 college or university that is approved by the state board of education.
4 Except as provided in subsection ~~(f)~~; **(e)**, in a state fiscal year, a private
5 college or university may collect from the organizer of a charter school
6 authorized by the private college or university an administrative fee
7 equal to not more than three percent (3%) of the total amount the
8 organizer receives during the state fiscal year for basic tuition support.
- 9 ~~(e)~~ **(d)** This subsection applies to the charter board. Except as
10 provided in subsection ~~(f)~~; **(e)**, in a state fiscal year, the charter school
11 board may collect from the organizer of a charter school authorized by
12 the charter board an administrative fee equal to not more than three
13 percent (3%) of the total amount the organizer receives during the state
14 fiscal year for basic tuition support.
- 15 ~~(f)~~ **(e)** This subsection applies to an adult high school. An authorizer
16 described in subsections ~~(b)~~ **(a)** through ~~(e)~~ **(d)** may collect an
17 administrative fee equal to not more than three percent (3%) of the total
18 state appropriation to the adult high school for a state fiscal year under
19 section 13.5 of this chapter.
- 20 ~~(g)~~ **(f)** An authorizer's administrative fee may not include any costs
21 incurred in delivering services that a charter school may purchase at its
22 discretion from the authorizer. The authorizer shall use its funding
23 provided under this section exclusively for the purpose of fulfilling
24 authorizing obligations.
- 25 ~~(h)~~ **(g)** Except for oversight services, a charter school may not be
26 required to purchase services from its authorizer as a condition of
27 charter approval or of executing a charter contract, nor may any such
28 condition be implied.
- 29 ~~(i)~~ **(h)** A charter school may choose to purchase services from its
30 authorizer. In that event, the charter school and authorizer shall execute
31 an annual service contract, separate from the charter contract, stating
32 the parties' mutual agreement concerning the services to be provided
33 by the authorizer and any service fees to be charged to the charter
34 school. An authorizer may not charge more than market rates for
35 services provided to a charter school.
- 36 ~~(j)~~ **(i)** Not later than ninety (90) days after the end of each fiscal
37 year, each authorizer shall provide to each charter school it authorizes
38 an itemized accounting of the actual costs of services purchased by the
39 charter school from the authorizer. Any difference between the amount
40 initially charged to the charter school and the actual cost shall be
41 reconciled and paid to the owed party. If either party disputes the
42 itemized accounting, any charges included in the accounting, or



1 charges to either party, either party may request a review by the
2 department. The requesting party shall pay the costs of the review.

3 SECTION 108. IC 20-24-8-9, AS ADDED BY P.L.38-2014,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 9. (a) Before July 1 of any year, a charter school
6 and the governing body of the school corporation ~~whose attendance~~
7 ~~area includes the charter school~~ may enter into a compact in which the:

8 (1) school corporation or charter school agrees to provide goods,
9 facilities, services, or other consideration to the other party to the
10 compact; and

11 (2) charter school authorizes the school corporation to include the
12 charter school's performance assessment results under IC 20-31-8
13 when calculating the school corporation's performance
14 assessment.

15 **A school corporation and a charter school may agree to provide**
16 **goods, facilities, services, or other consideration to the other party**
17 **under this section through an interlocal agreement in which both**
18 **that charter school and the school corporation participate.**

19 (b) If a charter school and a governing body enter into a compact
20 under subsection (a), the charter school and the governing body shall
21 notify the department that a compact has been executed under this
22 section within thirty (30) days after the compact is executed.

23 (c) Upon receipt of the notification under subsection (b), the
24 department shall, for school years starting with the school year
25 beginning in the calendar year in which the compact was executed,
26 include the charter school's performance assessment results under
27 IC 20-31-8 when calculating the school corporation's performance
28 assessment.

29 (d) A compact entered into under this section may not change the
30 rights, duties, or responsibilities of an existing:

31 (1) employment contract; or

32 (2) collective bargaining agreement;

33 between a school employee and a school corporation or a charter
34 school. An employee of a school corporation who provides services to
35 a charter school remains an employee of the school corporation.

36 (e) This section may not be construed to prohibit any other
37 agreement between a charter school and the governing body of the
38 school corporation ~~whose attendance area includes the charter school~~
39 for goods, facilities, services, or other consideration.

40 SECTION 109. IC 20-24-9-2, AS AMENDED BY P.L.33-2014,
41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2015]: Sec. 2. An annual report under this chapter must



- 1 contain the following information:
- 2 (1) Results of ~~all standardized testing, including~~ ISTEP program
- 3 testing ~~and~~ end of course assessments. ~~and any other assessments~~
- 4 ~~used for each authorized school.~~
- 5 (2) Student growth and improvement data for each authorized
- 6 school.
- 7 (3) Attendance rates for each authorized school.
- 8 (4) Graduation rates (if appropriate), including attainment of Core
- 9 40 and academic honors diplomas for each authorized school.
- 10 (5) Student enrollment data for each authorized school, including
- 11 the following:
- 12 (A) The number of students enrolled.
- 13 (B) The number of students expelled.
- 14 (6) Status of the authorizer's charter schools, identifying each of
- 15 the authorizer's charter schools that are in the following
- 16 categories:
- 17 (A) Approved but not yet open.
- 18 (B) Open and operating.
- 19 (C) Closed or having a charter that was not renewed,
- 20 including:
- 21 (i) the year closed or not renewed; and
- 22 (ii) the reason for the closure or nonrenewal.
- 23 (7) Names of the authorizer's board members or ultimate decision
- 24 making body.
- 25 (8) Evidence that the authorizer is in compliance with
- 26 IC 20-24-2.2-1.5.
- 27 (9) A report summarizing the total amount of administrative fees
- 28 collected by the authorizer and how the fees were expended, if
- 29 applicable.
- 30 (10) Total amount of other fees or funds not included in the report
- 31 under subdivision (9) received by the authorizer from a charter
- 32 school and how the fees or funds were expended.
- 33 (11) The most recent audits for each authorized school submitted
- 34 to the authorizer under IC 5-11-1-9.
- 35 SECTION 110. IC 20-24.2-4-3, AS ADDED BY P.L.201-2013,
- 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2015]: Sec. 3. (a) Except as specifically provided in this
- 38 article and section 4 of this chapter, the following provisions of this
- 39 title and a rule or guideline adopted by the state board under one (1) of
- 40 the following provisions of this title do not apply to a qualified district
- 41 or qualified high school:
- 42 (1) Provisions that do not apply to school corporations in general.



- 1 (2) IC 20-20 (programs administered by the state), except for
 2 IC 20-20-1 (educational service centers) and IC 20-20-8 (school
 3 corporation annual performance report).
- 4 (3) IC 20-28 (school teachers), except for IC 20-28-3-4 (teacher
 5 continuing education), IC 20-28-4-8 (hiring of transition to
 6 teaching participants; restrictions), IC 20-28-4-11 (transition to
 7 teaching participants; school corporation or subject area;
 8 transition to teaching permit), IC 20-28-5-8 (conviction of certain
 9 felonies; notice and hearing; permanent revocation of license;
 10 data base of school employees who have been reported),
 11 IC 20-28-6 (teacher contracts), IC 20-28-7.5 (cancellation of
 12 teacher contracts), IC 20-28-8 (contracts with school
 13 administrators), IC 20-28-9 (teacher salary and related payments),
 14 IC 20-28-10 (conditions of employment), and IC 20-28-11.5 (staff
 15 performance evaluations).
- 16 (4) IC 20-30 (curriculum), except for IC 20-30-3-2 and
 17 IC 20-30-3-4 (patriotic commemorative observances),
 18 IC 20-30-5-13 (human sexuality instructional requirements),
 19 ~~IC 20-30-5-17 (access to materials relating to personal analysis;~~
 20 ~~evaluation; or survey of students; consent for participation);~~ and
 21 IC 20-30-5-19 (personal financial responsibility instruction).
- 22 (5) IC 20-32 (student standards, assessments, and performance),
 23 except for IC 20-32-4 (graduation requirements), IC 20-32-5
 24 (Indiana statewide testing for educational progress), and
 25 IC 20-32-8 (remediation).
- 26 (6) IC 20-36 (high ability students).
- 27 (7) IC 20-37 (career and technical education).
- 28 (b) Notwithstanding any other law, a school corporation may not
 29 receive a decrease in state funding based upon the school corporation's
 30 status as a qualified district or the status of a high school within the
 31 school corporation as a qualified high school, or because of the
 32 implementation of a waiver of a statute or rule that is allowed to be
 33 waived by a qualified district or qualified high school.
- 34 SECTION 111. IC 20-24.2-4-4, AS ADDED BY P.L.201-2013,
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2015]: Sec. 4. The following provisions of this title and rules
 37 and guidelines adopted under the following provisions of this title
 38 apply to a qualified district or qualified high school:
- 39 IC 20-20-1 (educational service centers).
 40 IC 20-20-8 (school corporation annual performance report).
 41 IC 20-23 (organization of school corporations).
 42 IC 20-26 (school corporation general administrative provisions).



- 1 IC 20-27 (school transportation).
 2 IC 20-28-3-4 (teacher continuing education).
 3 IC 20-28-4-8 (hiring of transition to teaching participants;
 4 restrictions).
 5 IC 20-28-4-11 (transition to teaching participants; school
 6 corporation or subject area; transition to teaching permit).
 7 IC 20-28-5-8 (conviction of certain felonies; notice and hearing;
 8 permanent revocation of license; data base of school employees
 9 who have been reported).
 10 IC 20-28-6 (teacher contracts).
 11 IC 20-28-7.5 (cancellation of teacher contracts).
 12 IC 20-28-8 (contracts with school administrators).
 13 IC 20-28-9 (teacher salary and related payments).
 14 IC 20-28-10 (conditions of employment).
 15 IC 20-28-11.5 (staff performance evaluations).
 16 IC 20-29 (collective bargaining for teachers).
 17 IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
 18 observances).
 19 IC 20-30-5-13 (human sexuality instructional requirements).
 20 ~~IC 20-30-5-17 (access to materials relating to personal analysis;~~
 21 ~~evaluation; or survey of students; consent for participation).~~
 22 IC 20-30-5-19 (personal financial responsibility instruction).
 23 IC 20-31 (accountability for school performance and
 24 improvement).
 25 IC 20-32-4, IC 20-32-5, and IC 20-32-8 (accreditation,
 26 assessment, and remediation), or any other statute, rule, or
 27 guideline related to standardized assessments.
 28 IC 20-33 (students: general provisions).
 29 IC 20-34-3 (health and safety measures).
 30 IC 20-35 (special education).
 31 IC 20-39 (accounting and financial reporting procedures).
 32 IC 20-40 (government funds and accounts).
 33 IC 20-41 (extracurricular funds and accounts).
 34 IC 20-42.5 (allocation of expenditures to student instruction).
 35 IC 20-43 (state tuition support).
 36 IC 20-44 (property tax levies).
 37 IC 20-45 (general fund levies).
 38 IC 20-46 (levies other than general fund levies).
 39 IC 20-47 (related entities; holding companies; lease agreements).
 40 IC 20-48 (borrowing and bonds).
 41 IC 20-49 (state management of common school funds; state
 42 advances and loans).



- 1 IC 20-50 (homeless children and foster care children).
 2 SECTION 112. IC 20-24.5-1-2, AS ADDED BY P.L.2-2007,
 3 SECTION 209, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2015]: Sec. 2. This chapter applies only to the
 5 following school corporations:
 6 ~~(1) School townships.~~
 7 ~~(2) (1) School cities.~~
 8 ~~(3) (2) School towns.~~
 9 ~~(4) (3) Community school corporations.~~
 10 ~~(5) (4) Metropolitan school districts.~~
 11 ~~(6) (5) County school corporations.~~
 12 SECTION 113. IC 20-24.5-2-7, AS ADDED BY P.L.2-2007,
 13 SECTION 209, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2015]: Sec. 7. Each special education program
 15 conducted by a laboratory school is subject to ~~IC 20-35-4-1.~~ **IC 20-35.**
 16 SECTION 114. IC 20-25-5-7, AS ADDED BY P.L.1-2005,
 17 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2015]: Sec. 7. As used in this chapter, "resolution" of
 19 ~~(1) a school township means a resolution adopted by the trustee~~
 20 ~~and a majority of the township board; and~~
 21 ~~(2) any other school corporation means a resolution duly adopted~~
 22 ~~by the school corporation's governing body.~~
 23 SECTION 115. IC 20-25-5-13, AS ADDED BY P.L.1-2005,
 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 13. (a) The notice by publication required by
 26 sections 11 and 12 of this chapter shall be made two (2) times a week
 27 apart in two (2) daily newspapers of general circulation in the acquiring
 28 school corporation and the losing school corporation. The two (2) daily
 29 newspapers must be published in the English language. If there is only
 30 one (1) daily newspaper or if there are not any daily newspapers in
 31 either school corporation, a weekly newspaper may be used to provide
 32 notice. If there is only one (1) daily or weekly newspaper, publication
 33 in that newspaper is sufficient. If a newspaper is of general circulation
 34 in both school corporations, the publication of notice in the newspaper
 35 qualifies as one (1) of the required publications in each of the school
 36 corporations. Publication may be made jointly by the losing school
 37 corporation and the acquiring school corporation. The remonstrance
 38 period runs from the second publication.
 39 (b) If notice is required to be given by an acquiring school
 40 corporation to a losing school corporation, it may be made by
 41 registered or certified United States mail, return receipt requested,
 42 addressed to the:



- 1 (1) governing body of the losing school corporation at the
- 2 governing body's established business office; **or**
- 3 ~~(2) township trustee in the case of a school township; or~~
- 4 ~~(3)~~ **(2)** superintendent of schools or any officer of the governing
- 5 body of any other school corporation.

6 SECTION 116. IC 20-25-10-5, AS AMENDED BY P.L.1-2006,
 7 SECTION 324, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The board shall annually
 9 assess and evaluate educational programs offered by the school city to
 10 determine:

- 11 (1) the relationship of the programs to improved student
- 12 achievement; and
- 13 (2) the educational value of the programs in relation to cost.
- 14 (b) The board may obtain information from:
- 15 (1) educators in the schools offering a program;
- 16 (2) students participating in a program; and
- 17 (3) the parents of students participating in a program;

18 in preparing an assessment and evaluation under this section. The
 19 assessment must include the performance of the school's students in
 20 achieving student performance improvement levels under IC 20-31-1,
 21 ~~IC 20-31-5~~, IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9,
 22 IC 20-31-10, and IC 20-25-11.

23 SECTION 117. IC 20-25-11-1, AS AMENDED BY P.L.1-2006,
 24 SECTION 325, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2015]: Sec. 1. The board shall establish annual
 26 student performance improvement levels for each school that are not
 27 less rigorous than the student performance improvement levels under
 28 IC 20-31-1, ~~IC 20-31-5~~, IC 20-31-6, IC 20-31-7, IC 20-31-8,
 29 IC 20-31-9, and IC 20-31-10, including the following:

- 30 (1) For students:
- 31 (A) improvement in results on assessment tests and assessment
- 32 programs;
- 33 (B) improvement in attendance rates; and
- 34 (C) improvement in progress toward graduation.
- 35 (2) For teachers:
- 36 (A) improvement in student results on assessment tests and
- 37 assessment programs;
- 38 (B) improvement in the number and percentage of students
- 39 achieving:
- 40 (i) state achievement standards; and
- 41 (ii) if applicable, performance levels set by the board;
- 42 on assessment tests;



- 1 (C) improvement in student progress toward graduation;
- 2 (D) improvement in student attendance rates for the school
- 3 year;
- 4 (E) improvement in individual teacher attendance rates;
- 5 (F) improvement in:
- 6 (i) communication with parents; and
- 7 (ii) parental involvement in classroom and extracurricular
- 8 activities; and
- 9 (G) other objectives developed by the board.
- 10 (3) For the school and school administrators:
- 11 (A) improvement in student results on assessment tests, totaled
- 12 by class and grade;
- 13 (B) improvement in the number and percentage of students
- 14 achieving:
- 15 (i) state achievement standards; and
- 16 (ii) if applicable, performance levels set by the board;
- 17 on assessment tests, totaled by class and grade;
- 18 (C) improvement in:
- 19 (i) student graduation rates; and
- 20 (ii) progress toward graduation;
- 21 (D) improvement in student attendance rates;
- 22 (E) management of:
- 23 (i) general fund expenditures; and
- 24 (ii) total expenditures;
- 25 per student;
- 26 (F) improvement in teacher attendance rates; and
- 27 (G) other objectives developed by the board.

28 SECTION 118. IC 20-26-2-4, AS ADDED BY P.L.1-2005,
 29 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 4. "School corporation" means a local public
 31 school corporation established under Indiana law, including a:

- 32 (1) school city;
- 33 (2) school town;
- 34 (3) metropolitan school district;
- 35 (4) consolidated school corporation;
- 36 (5) county school corporation;
- 37 (6) community school corporation; and
- 38 (7) united school corporation.

39 ~~The term does not include a school township.~~

40 SECTION 119. IC 20-26-4-1, AS AMENDED BY P.L.35-2012,
 41 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) As used in this section,



1 "electronic funds transfer" means a transfer of funds, other than a
 2 transaction originated by check, draft, or similar paper instrument, that
 3 is initiated through an electronic terminal, telephone, or computer or
 4 magnetic tape to order, instruct, or authorize a financial institution to
 5 debit or credit an account.

6 (b) The governing body of each school corporation shall organize by
 7 electing:

- 8 (1) a president;
- 9 (2) a vice president; and
- 10 (3) a secretary;

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

14 (c) A governing body shall, at the time that officers are elected
 15 under subsection (b), appoint a treasurer of the governing body and of
 16 the school corporation who is a person, other than the superintendent
 17 of schools, who is not a member of the governing body. The treasurer
 18 may, with the approval of the governing body, appoint a deputy who
 19 must be a person, other than the superintendent of schools, who is not
 20 a member of the governing body and who has the same powers and
 21 duties as the treasurer, or lesser duties as provided by the governing
 22 body by rule.

23 (d) The treasurer is the official custodian of all funds of the school
 24 corporation and is responsible for the proper safeguarding and
 25 accounting for the funds. The treasurer shall:

- 26 (1) issue a receipt for money received by the treasurer;
- 27 (2) deposit money described in subdivision (1) in accordance with
 28 the laws governing the deposit of public funds; and
- 29 (3) issue all warrants in payment of expenses lawfully incurred on
 30 behalf of the school corporation. However, except as otherwise
 31 provided by law, warrants described in this subdivision must be
 32 issued only after proper allowance or approval by the governing
 33 body. The governing body may not require an allowance or
 34 approval for amounts lawfully due in payment of indebtedness or
 35 payments due the state, the United States government, or agencies
 36 and instrumentalities of the state or the United States government.

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



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

- 8 (1) the Indiana state teachers' retirement fund; or
9 (2) the public employees' retirement fund;
10 from participating employers.

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

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

- 17 (1) must be an employee of the school corporation;
18 (2) may not be a member of the governing body; and
19 (3) must be appointed by the governing body upon the
20 recommendation of the superintendent of the school corporation.

21 The governing body shall determine the duties of the executive
22 secretary, which may include all or part of the duties of the secretary of
23 the board.

24 SECTION 120. IC 20-26-4-3, AS ADDED BY P.L.1-2005,
25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2015]: Sec. 3. (a) Regular meetings must be held by each
27 governing body at a time and place established by resolution of the
28 board or may be incorporated in the rules provided in IC 20-26-5-4. A
29 notice need not be given a member for holding or taking any action at
30 a regular meeting.

31 (b) If a meeting is held according to a procedure set forth by statute
32 or rule and if publication of notice of the meeting is required, notice of
33 the meeting is not required and need not be given a member for holding
34 or taking any action at the meeting contemplated by the notice. The
35 meeting must be held at the time and place specified in the published
36 notice.

37 (c) Special meetings of a governing body must be held on call by the
38 governing body's president or by the superintendent of the school
39 corporation. The call must be evidenced by a written notice specifying
40 the date, time, and place of the meeting, delivered to each member
41 personally or sent by mail or telegram so that each member has at least
42 seventy-two (72) hours notice of the special meeting. Special meetings



1 must be held at the regular meeting place of the board.

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

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

9 (1) The member's presence at the meeting.

10 (2) The member's execution of a written notice waiving the date,
11 time, and place of the meeting, executed either before or after the
12 meeting. ~~However, if notice is executed after the meeting, the~~
13 ~~waiver must also state in general terms the purpose of the~~
14 ~~meeting.~~ If a waiver specifies that the waiver was executed before
15 the meeting, third persons are entitled to rely on the statement.

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

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

23 (1) Meetings may be held at the administrative offices of the
24 school corporation if the offices are outside the geographic limits
25 of the school corporation but are within a county where all or a
26 part of the school corporation is located.

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

31 **(h) Notwithstanding IC 5-14-1.5, a governing body may hold up**
32 **to two (2) training sessions each year outside the school**
33 **corporation. No final action (as defined in IC 5-14-1.5-2) may take**
34 **place at the session and the session is not considered a public**
35 **meeting for purposes of IC 5-14-1.5.**

36 SECTION 121. IC 20-26-4-4, AS AMENDED BY P.L.219-2013,
37 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2015]: Sec. 4. (a) This section does not apply to a school city
39 of the first class or to a school corporation succeeding to all or the
40 major part in area of a school city of the first class:

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



1 (1) Except as provided in subdivisions (2) and (3), the governing
 2 body of each school corporation shall determine whether the term
 3 of office for the governing body's members extends from January
 4 1 to December 31 or from July 1 to June 30. A governing body
 5 that makes a change in the commencement date of the governing
 6 body's members' terms shall report the change to the state board
 7 before August 1 preceding the year in which the change takes
 8 place. An ex officio member of a governing body shall take office
 9 at the time the ex officio member takes the oath of the office by
 10 virtue of which the ex officio member is entitled to become an ex
 11 officio member.

12 (2) Except as provided in subdivision (3), in a county having a
 13 population of more than four hundred thousand (400,000), the
 14 terms of office for the members of a governing body who are
 15 appointed commence on July 1 of the year in which the members
 16 are to take office under the plan, resolution, or law under which
 17 the school corporation is established, and terminate on the June
 18 30 of the final year of the term for which the members are to serve
 19 under the plan, resolution, or law.

20 (3) An elected member of a governing body takes office on the
 21 date set in the school corporation's organization plan. The date set
 22 in the organization plan for an elected member of the governing
 23 body to take office may not be more than fourteen (14) months
 24 after the date of the member's election. If the school corporation's
 25 organization plan does not set a date for an elected member of the
 26 governing body to take office, the member takes office January 1
 27 immediately after the member's election.

28 (e) If a vacancy in the membership of a governing body occurs for
 29 any reason (including the failure of a sufficient number of petitions for
 30 candidates for governing body membership being filed for an election
 31 and whether the vacancy was of an elected or appointed member), the
 32 remaining members of the governing body shall by majority vote fill
 33 the vacancy by appointing a person from within the boundaries of the
 34 school corporation, with the residence and other qualifications
 35 provided for a regularly elected or appointed board member filling the
 36 membership, to serve for the term or the balance of the term. However,
 37 this subsection does not apply to a vacancy:

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

40 (2) a vacancy in an appointed board membership if a plan,
 41 resolution, or law under which the school corporation operates
 42 specifically provides for filling vacancies by the appointing



1 authority.

2 SECTION 122. IC 20-26-4-4.5, AS ADDED BY P.L.119-2005,
 3 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 4.5. (a) ~~This section applies to a school~~
 5 ~~corporation subject to section 4 of this chapter:~~

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

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

12 SECTION 123. IC 20-26-5-0.3 IS REPEALED [EFFECTIVE JULY
 13 1, 2015]. Sec. ~~0.3~~. A donation of proceeds of riverboat gaming to a
 14 public school endowment corporation that:

15 (1) was made by a political subdivision before July 1, 2000; and
 16 (2) would have been permitted by IC 20-5-6-9 (as added by
 17 P.L.17-2000 and before its repeal, later codified at section 21 of
 18 this chapter, before its repeal) if IC 20-5-6-9 had been in effect
 19 before July 1, 2000;
 20 is legalized and validated.

21 SECTION 124. IC 20-26-5-1, AS ADDED BY P.L.1-2005,
 22 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 1. (a) A school corporation shall

24 (1) conduct an educational program for all children who reside
 25 within the school corporation in kindergarten and in grades 1
 26 through 12. and

27 (2) provide each preschool child with a disability with an
 28 appropriate special education as required under IC 20-35-4-9 only
 29 if the general assembly appropriates state funds for preschool
 30 special education.

31 (b) A school corporation may:

32 (1) conduct an educational program for adults and children at
 33 least fourteen (14) years of age who do not attend a program
 34 described in subsection (a);

35 (2) provide instruction in vocational, industrial, or manual
 36 training;

37 (3) provide libraries for the schools of the school corporation;

38 (4) provide public libraries open and free for the use and benefit
 39 of the residents and taxpayers of the school corporation where
 40 permitted by law;

41 (5) provide vacation school and recreational programs;

42 (6) conduct other educational or other activities as are permitted



1 or required to be performed by law by any school corporation; and
2 (7) provide a school age child care program that operates during
3 periods when school is in session for students who are enrolled in
4 a half-day kindergarten program.

5 (c) A school corporation shall develop a written policy that provides
6 for:

7 (1) the implementation of a school age child care program for
8 children who attend kindergarten through grade 6 that, at a
9 minimum, operates after the school day and may include periods
10 before school is in session or periods when school is not
11 otherwise in session (commonly referred to as a latch key
12 program) and is offered by the school corporation; or

13 (2) the availability of the school corporation's buildings or parts
14 of the school corporation's buildings to conduct the type of
15 program described in subdivision (1) by a nonprofit organization
16 or a for-profit organization.

17 (d) The written policy required under subsection (c) must address
18 compliance with certain standards of reasonable care for children
19 served by a child care program offered under subsection (c), including:

20 (1) requiring the offering entity to acquire a particular amount of
21 liability insurance; and

22 (2) establishing maximum adult to child ratios governing the
23 overall supervision of the children served.

24 If a school corporation implements a child care program as described
25 in subsection (c)(1) or enters into a contract with an entity described in
26 subsection (c)(2) to provide a child care program, the school
27 corporation may not assess a fee for the use of the building, and the
28 contract between the school corporation and the entity providing the
29 program must be in writing. However, the school corporation may
30 assess a fee to reimburse the school corporation for providing security,
31 maintenance, utilities, school personnel, or other costs directly
32 attributable to the use of the building for the program. In addition, if a
33 school corporation offers a child care program as described in
34 subsection (c)(1), the school corporation may assess a fee to cover
35 costs attributable to implementing the program.

36 (e) The powers under this section are purposes as well as powers.

37 SECTION 125. IC 20-26-5-4, AS AMENDED BY P.L.2-2014,
38 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2015]: Sec. 4. (a) In carrying out the school purposes of a
40 school corporation, the governing body acting on the school
41 corporation's behalf has the following specific powers:

42 (1) In the name of the school corporation, to sue and be sued and



1 to enter into contracts in matters permitted by applicable law.
 2 However, a governing body may not use funds received from the
 3 state to bring or join in an action against the state, unless the
 4 governing body is challenging an adverse decision by a state
 5 agency, board, or commission.

6 (2) To take charge of, manage, and conduct the educational affairs
 7 of the school corporation and to establish, locate, and provide the
 8 necessary schools, school libraries, other libraries where
 9 permitted by law, other buildings, facilities, property, and
 10 equipment.

11 (3) To appropriate from the school corporation's general fund an
 12 amount, not to exceed the greater of three thousand dollars
 13 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
 14 exceed twelve thousand five hundred dollars (\$12,500), based on
 15 the school corporation's ADM of the previous year (as defined in
 16 IC 20-43-1-7) to promote the best interests of the school
 17 corporation through:

18 (A) the purchase of meals, decorations, memorabilia, or
 19 awards;

20 (B) provision for expenses incurred in interviewing job
 21 applicants; or

22 (C) developing relations with other governmental units.

23 (4) To do the following:

24 (A) Acquire, construct, erect, maintain, hold, and contract for
 25 construction, erection, or maintenance of real estate, real estate
 26 improvements, or an interest in real estate or real estate
 27 improvements, as the governing body considers necessary for
 28 school purposes, including buildings, parts of buildings,
 29 additions to buildings, rooms, gymnasiums, auditoriums,
 30 playgrounds, playing and athletic fields, facilities for physical
 31 training, buildings for administrative, office, warehouse, repair
 32 activities, or housing school owned buses, landscaping, walks,
 33 drives, parking areas, roadways, easements and facilities for
 34 power, sewer, water, roadway, access, storm and surface
 35 water, drinking water, gas, electricity, other utilities and
 36 similar purposes, by purchase, either outright for cash (or
 37 under conditional sales or purchase money contracts providing
 38 for a retention of a security interest by the seller until payment
 39 is made or by notes where the contract, security retention, or
 40 note is permitted by applicable law), by exchange, by gift, by
 41 devise, by eminent domain, by lease with or without option to
 42 purchase, or by lease under IC 20-47-2, IC 20-47-3, or



- 1 ~~IC 20-47-5.~~
- 2 ~~(B) Repair, remodel, remove, or demolish, or to contract for~~
- 3 ~~the repair, remodeling, removal, or demolition of the real~~
- 4 ~~estate, real estate improvements, or interest in the real estate~~
- 5 ~~or real estate improvements; as the governing body considers~~
- 6 ~~necessary for school purposes.~~
- 7 ~~(C) Provide for conservation measures through utility~~
- 8 ~~efficiency programs or under a guaranteed savings contract as~~
- 9 ~~described in IC 36-1-12.5.~~
- 10 (5) (4) To acquire personal property or an interest in personal
- 11 property as the governing body considers necessary for school
- 12 purposes, including buses, motor vehicles, equipment, apparatus,
- 13 appliances, books, furniture, and supplies, either by cash purchase
- 14 or under conditional sales or purchase money contracts providing
- 15 for a security interest by the seller until payment is made or by
- 16 notes where the contract, security, retention, or note is permitted
- 17 by applicable law, by gift, by devise, by loan, or by lease with or
- 18 without option to purchase and to repair, remodel, remove,
- 19 relocate, and demolish the personal property. All purchases and
- 20 contracts specified under the powers authorized under ~~subdivision~~
- 21 ~~(4)~~ and this subdivision are subject solely to applicable law
- 22 relating to purchases and contracting by municipal corporations
- 23 in general and to the supervisory control of state agencies as
- 24 provided in section 6 of this chapter.
- 25 ~~(6)~~ (5) To sell or exchange real or personal property or interest in
- 26 real or personal property that, in the opinion of the governing
- 27 body, is not necessary for school purposes, in accordance with
- 28 IC 20-26-7, to demolish or otherwise dispose of the property if, in
- 29 the opinion of the governing body, the property is not necessary
- 30 for school purposes and is worthless, and to pay the expenses for
- 31 the demolition or disposition.
- 32 ~~(7)~~ (6) To lease any school property for a rental that the governing
- 33 body considers reasonable or to permit the free use of school
- 34 property for:
- 35 (A) civic or public purposes; or
- 36 (B) the operation of a school age child care program for
- 37 children who are at least five (5) years of age and less than
- 38 fifteen (15) years of age that operates before or after the school
- 39 day, or both, and during periods when school is not in session;
- 40 if the property is not needed for school purposes. Under this
- 41 subdivision, the governing body may enter into a long term lease
- 42 with a nonprofit corporation, community service organization, or



1 other governmental entity, if the corporation, organization, or
 2 other governmental entity will use the property to be leased for
 3 civic or public purposes or for a school age child care program.
 4 However, if payment for the property subject to a long term lease
 5 is made from money in the school corporation's debt service fund,
 6 all proceeds from the long term lease must be deposited in the
 7 school corporation's debt service fund so long as payment for the
 8 property has not been made. The governing body may, at the
 9 governing body's option, use the procedure specified in
 10 IC 36-1-11-10 in leasing property under this subdivision.

11 ~~(8)~~ (7) To do the following:

12 (A) Employ, contract for, and discharge superintendents,
 13 supervisors, principals, teachers, librarians, athletic coaches
 14 (whether or not they are otherwise employed by the school
 15 corporation and whether or not they are licensed under
 16 IC 20-28-5), business managers, superintendents of buildings
 17 and grounds, janitors, engineers, architects, physicians,
 18 dentists, nurses, accountants, teacher aides performing
 19 noninstructional duties, educational and other professional
 20 consultants, data processing and computer service for school
 21 purposes, including the making of schedules, the keeping and
 22 analyzing of grades and other student data, the keeping and
 23 preparing of warrants, payroll, and similar data where
 24 approved by the state board of accounts as provided below,
 25 and other personnel or services as the governing body
 26 considers necessary for school purposes.

27 (B) Fix and pay the salaries and compensation of persons and
 28 services described in this subdivision that are consistent with
 29 IC 20-28-9-1.5.

30 (C) Classify persons or services described in this subdivision
 31 and to adopt schedules of salaries or compensation that are
 32 consistent with IC 20-28-9-1.5.

33 (D) Determine the number of the persons or the amount of the
 34 services employed or contracted for as provided in this
 35 subdivision.

36 (E) Determine the nature and extent of the duties of the
 37 persons described in this subdivision.

38 The compensation, terms of employment, and discharge of
 39 teachers are, however, subject to and governed by the laws
 40 relating to employment, contracting, compensation, and discharge
 41 of teachers. The compensation, terms of employment, and
 42 discharge of bus drivers are subject to and governed by laws



1 relating to employment, contracting, compensation, and discharge
 2 of bus drivers. ~~The forms and procedures relating to the use of~~
 3 ~~computer and data processing equipment in handling the financial~~
 4 ~~affairs of the school corporation must be submitted to the state~~
 5 ~~board of accounts for approval so that the services are used by the~~
 6 ~~school corporation when the governing body determines that it is~~
 7 ~~in the best interest of the school corporation while at the same~~
 8 ~~time providing reasonable accountability for the funds expended.~~
 9 ~~(9)~~ **(8)** Notwithstanding the appropriation limitation in
 10 subdivision (3), when the governing body by resolution considers
 11 a trip by an employee of the school corporation or by a member
 12 of the governing body to be in the interest of the school
 13 corporation, including attending meetings, conferences, or
 14 examining equipment, buildings, and installation in other areas,
 15 to permit the employee to be absent in connection with the trip
 16 without any loss in pay and to reimburse the employee or the
 17 member the employee's or member's reasonable lodging and meal
 18 expenses and necessary transportation expenses. To pay teaching
 19 personnel for time spent in sponsoring and working with school
 20 related trips or activities.
 21 ~~(10)~~ **(9)** Subject to IC 20-27-13, to transport children to and from
 22 school, when in the opinion of the governing body the
 23 transportation is necessary, including considerations for the safety
 24 of the children. ~~and without regard to the distance the children~~
 25 ~~live from the school.~~ The transportation must be otherwise in
 26 accordance with applicable law.
 27 ~~(11)~~ **(10)** To provide a lunch program for a part or all of the
 28 students attending the schools of the school corporation, including
 29 the establishment of kitchens, kitchen facilities, kitchen
 30 equipment, lunch rooms, the hiring of the necessary personnel to
 31 operate the lunch program, and the purchase of material and
 32 supplies for the lunch program, charging students for the
 33 operational costs of the lunch program, fixing the price per meal
 34 or per food item. To operate the lunch program as an
 35 extracurricular activity, subject to the supervision of the
 36 governing body. To participate in a surplus commodity or lunch
 37 aid program.
 38 ~~(12)~~ **(11)** To purchase curricular materials, to furnish curricular
 39 materials without cost or to rent curricular materials to students,
 40 to participate in a curricular materials aid program, all in
 41 accordance with applicable law.
 42 ~~(13)~~ **(12)** To accept students transferred from other school



1 corporations and to transfer students to other school corporations
 2 in accordance with applicable law.
 3 ~~(14)~~ **(13)** To make budgets, to appropriate funds, and to disburse
 4 the money of the school corporation in accordance with
 5 applicable law. To borrow money against current tax collections
 6 and otherwise to borrow money, in accordance with IC 20-48-1.
 7 ~~(15)~~ **(14)** To purchase insurance or to establish and maintain a
 8 program of self-insurance relating to the liability of the school
 9 corporation or the school corporation's employees in connection
 10 with motor vehicles or property and for additional coverage to the
 11 extent permitted and in accordance with IC 34-13-3-20. To
 12 purchase additional insurance or to establish and maintain a
 13 program of self-insurance protecting the school corporation and
 14 members of the governing body, employees, contractors, or agents
 15 of the school corporation from liability, risk, accident, or loss
 16 related to school property, school contract, school or school
 17 related activity, including the purchase of insurance or the
 18 establishment and maintenance of a self-insurance program
 19 protecting persons described in this subdivision against false
 20 imprisonment, false arrest, libel, or slander for acts committed in
 21 the course of the persons' employment, protecting the school
 22 corporation for fire and extended coverage and other casualty
 23 risks to the extent of replacement cost, loss of use, and other
 24 insurable risks relating to property owned, leased, or held by the
 25 school corporation. In accordance with IC 20-26-17, to:
 26 (A) participate in a state employee health plan under
 27 IC 5-10-8-6.6 or IC 5-10-8-6.7;
 28 (B) purchase insurance; or
 29 (C) establish and maintain a program of self-insurance;
 30 to benefit school corporation employees, including accident,
 31 sickness, health, or dental coverage, provided that a plan of
 32 self-insurance must include an aggregate stop-loss provision.
 33 ~~(16)~~ **(15)** To make all applications, to enter into all contracts, and
 34 to sign all documents necessary for the receipt of aid, money, or
 35 property from the state, the federal government, or from any other
 36 source.
 37 ~~(17)~~ **(16)** To defend a member of the governing body or any
 38 employee of the school corporation in any suit arising out of the
 39 performance of the member's or employee's duties for or
 40 employment with, the school corporation, if the governing body
 41 by resolution determined that the action was taken in good faith.
 42 To save any member or employee harmless from any liability,



1 cost, or damage in connection with the performance, including the
 2 payment of legal fees, except where the liability, cost, or damage
 3 is predicated on or arises out of the bad faith of the member or
 4 employee, or is a claim or judgment based on the member's or
 5 employee's malfeasance in office or employment.
 6 ~~(+8)~~ **(17)** To prepare, make, enforce, amend, or repeal rules,
 7 regulations, and procedures:
 8 (A) for the government and management of the schools,
 9 property, facilities, and activities of the school corporation, the
 10 school corporation's agents, employees, and pupils and for the
 11 operation of the governing body; and
 12 (B) that may be designated by an appropriate title such as
 13 "policy handbook", "bylaws", or "rules and regulations".
 14 ~~(+9)~~ **(18)** To ratify and approve any action taken by a member of
 15 the governing body, an officer of the governing body, or an
 16 employee of the school corporation after the action is taken, if the
 17 action could have been approved in advance, and in connection
 18 with the action to pay the expense or compensation permitted
 19 under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 20 and IC 20-48-1 or any other law.
 21 ~~(20)~~ **(19)** To exercise any other power and make any expenditure
 22 in carrying out the governing body's general powers and purposes
 23 provided in this chapter or in carrying out the powers delineated
 24 in this section which is reasonable from a business or educational
 25 standpoint in carrying out school purposes of the school
 26 corporation, including the acquisition of property or the
 27 employment or contracting for services, even though the power or
 28 expenditure is not specifically set out in this chapter. The specific
 29 powers set out in this section do not limit the general grant of
 30 powers provided in this chapter except where a limitation is set
 31 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 32 and IC 20-48-1 by specific language or by reference to other law.
 33 (b) A superintendent hired under subsection ~~(a)(8)~~: **(a)(7)**:
 34 (1) is not required to hold a teacher's license under IC 20-28-5;
 35 and
 36 (2) is required to have obtained at least a master's degree from an
 37 accredited postsecondary educational institution.
 38 SECTION 126. IC 20-26-5-5 IS REPEALED [EFFECTIVE JULY
 39 1, 2015]. ~~Sec. 5: A governing body of a school corporation may~~
 40 ~~establish a policy regarding the allocation of tickets to the school~~
 41 ~~corporation's interscholastic athletic events or other school related~~
 42 ~~programs and activities at no charge or at a reduced rate to groups or~~



- 1 individuals designated by the governing body:
 2 SECTION 127. IC 20-26-5-11, AS AMENDED BY P.L.158-2013,
 3 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) This section applies to:
 5 (1) a school corporation; ~~and~~
 6 **(2) a charter school; and**
 7 ~~(2)~~ **(3)** an entity:
 8 (A) with which the school corporation contracts for services;
 9 and
 10 (B) that has employees who are likely to have direct, ongoing
 11 contact with children within the scope of the employees'
 12 employment.
 13 (b) A school corporation, **charter school**, or entity may use
 14 information obtained under section 10 of this chapter concerning an
 15 individual's conviction for one (1) of the following offenses as grounds
 16 to not employ or contract with the individual:
 17 (1) Murder (IC 35-42-1-1).
 18 (2) Causing suicide (IC 35-42-1-2).
 19 (3) Assisting suicide (IC 35-42-1-2.5).
 20 (4) Voluntary manslaughter (IC 35-42-1-3).
 21 (5) Reckless homicide (IC 35-42-1-5).
 22 (6) Battery (IC 35-42-2-1) unless ten (10) years have elapsed from
 23 the date the individual was discharged from probation,
 24 imprisonment, or parole, whichever is later.
 25 (7) Aggravated battery (IC 35-42-2-1.5).
 26 (8) Kidnapping (IC 35-42-3-2).
 27 (9) Criminal confinement (IC 35-42-3-3).
 28 (10) A sex offense under IC 35-42-4.
 29 (11) Carjacking (IC 35-42-5-2) (repealed).
 30 (12) Arson (IC 35-43-1-1), unless ten (10) years have elapsed
 31 from the date the individual was discharged from probation,
 32 imprisonment, or parole, whichever is later.
 33 (13) Incest (IC 35-46-1-3).
 34 (14) Neglect of a dependent as a Class B felony (for a crime
 35 committed before July 1, 2014) or a Level 1 felony or Level 3
 36 felony (for a crime committed after June 30, 2014)
 37 (IC 35-46-1-4(b)(2)), unless ten (10) years have elapsed from the
 38 date the individual was discharged from probation, imprisonment,
 39 or parole, whichever is later.
 40 (15) Child selling (IC 35-46-1-4(d)).
 41 (16) Contributing to the delinquency of a minor (IC 35-46-1-8),
 42 unless ten (10) years have elapsed from the date the individual



1 was discharged from probation, imprisonment, or parole,
2 whichever is later.
3 (17) An offense involving a weapon under IC 35-47 or
4 IC 35-47.5, unless ten (10) years have elapsed from the date the
5 individual was discharged from probation, imprisonment, or
6 parole, whichever is later.
7 (18) An offense relating to controlled substances under
8 IC 35-48-4, unless ten (10) years have elapsed from the date the
9 individual was discharged from probation, imprisonment, or
10 parole, whichever is later.
11 (19) An offense relating to material or a performance that is
12 harmful to minors or obscene under IC 35-49-3, unless ten (10)
13 years have elapsed from the date the individual was discharged
14 from probation, imprisonment, or parole, whichever is later.
15 (20) An offense relating to operating a motor vehicle while
16 intoxicated under IC 9-30-5, unless five (5) years have elapsed
17 from the date the individual was discharged from probation,
18 imprisonment, or parole, whichever is later.
19 (21) An offense that is substantially equivalent to any of the
20 offenses listed in this subsection in which the judgment of
21 conviction was entered under the law of any other jurisdiction.
22 (c) An individual employed by a school corporation, **charter**
23 **school**, or an entity described in subsection (a) shall notify the
24 governing body of the school corporation, if during the course of the
25 individual's employment, the individual is convicted in Indiana or
26 another jurisdiction of an offense described in subsection (b).
27 SECTION 128. IC 20-26-5-18, AS ADDED BY P.L.1-2005,
28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2015]: Sec. 18. For purposes of IC 20-26-5-1 and under the
30 powers of ~~IC 20-26-5-4(20)~~, **IC 20-26-5-4(a)(19)**, the governing body
31 of any school corporation may join and associate with groups of other
32 school corporations within Indiana in regional school study councils to
33 examine common school problems and exchange educational
34 information of mutual benefit, and dues to the study councils shall be
35 paid by the school corporation from the general fund.
36 SECTION 129. IC 20-26-5-19, AS ADDED BY P.L.1-2005,
37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2015]: Sec. 19. A governing body under its powers to fix and
39 pay the salaries and compensation of employees of the school
40 corporation and to contract for services under ~~IC 20-26-5-4(8)~~
41 **IC 20-26-5-4(a)(7)** may distribute payroll based on contractual and
42 salary schedule commitments instead of payroll estimates approved in



1 advance by the governing body.

2 SECTION 130. IC 20-26-5-24, AS AMENDED BY P.L.2-2007,
3 SECTION 211, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2015]: Sec. 24. (a) An agreement under section
5 23 of this chapter must set out the responsibilities and rights of the
6 public school corporations, the institutions, and the students or persons
7 who supervise the students and who are working jointly for a school
8 corporation and an institution.

9 (b) An agreement must contain:

10 (1) a provision for the payment of an honorarium for consulting
11 services by the postsecondary educational institution directly to
12 the supervisor; and

13 (2) a provision that, if the sum paid by the institution to the
14 supervisor should ever be lawfully determined to be a wage rather
15 than an honorarium by an instrumentality of the United States,
16 then the postsecondary educational institution shall be considered
17 under the agreement to be the supervisor's part-time employer.

18 (c) ~~The provisions required by subsection (b) must be included in~~
19 ~~an agreement entered into or renewed under this chapter after June 30,~~
20 ~~1981. Public school corporations and postsecondary educational~~
21 ~~institutions shall revise agreements in effect on July 1, 1981, to include~~
22 ~~the provisions required by subsection (b).~~

23 SECTION 131. IC 20-26-5-34 IS REPEALED [EFFECTIVE JULY
24 1, 2015]. Sec. 34. (a) This section applies to a school corporation that;
25 after June 30, 2013; establishes; amends; renews; or modifies a
26 retirement, savings; or severance plan described under Section 401(a);
27 Section 403(b); or another applicable section of the Internal Revenue
28 Code that requires or permits an individual employed by the school
29 corporation to:

30 (1) contribute amounts; or

31 (2) have amounts contributed by the school corporation on the
32 employee's behalf;

33 that are credited and allocated to an account for each employee.

34 (b) As used in this section; "Internal Revenue Code" has the
35 meaning set forth in IC 6-3-1-11.

36 (c) ~~To the extent permitted by federal law, whenever a school~~
37 ~~corporation closes a retirement, savings, or investment plan to future~~
38 ~~contributions; a participant in the plan; without regard to the~~
39 ~~participant's age or employment status; may elect to rollover the~~
40 ~~balance invested in the closed plan to:~~

41 (1) another eligible retirement, savings; or investment plan
42 offered by the school corporation; or



1 (2) an individual retirement account or annuity described under
2 Section 408(a) or Section 408(b) of the Internal Revenue Code:

3 (d) This section does not apply to or abrogate a written or oral
4 contract or agreement in effect on July 1, 2013:

5 SECTION 132. IC 20-26-5-35 IS REPEALED [EFFECTIVE JULY
6 1, 2015]. Sec. 35: A school corporation shall annually compile class
7 size data for kindergarten through grade 3 and report the data to the
8 department by a date established by the department:

9 SECTION 133. IC 20-26-7-1, AS AMENDED BY THE
10 TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL
11 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 1. (a) As used in this section, "charter school" has
13 the meaning set forth in IC 20-24-1-4 and includes a group or entity
14 seeking approval from a **sponsor an authorizer** to operate a charter
15 school under IC 20-24-3.

16 (b) Except as otherwise provided in this section, if a governing body
17 of a school corporation determines that any real or personal property:

18 (1) is no longer needed for school purposes; or

19 (2) should, in the interests of the school corporation, be
20 exchanged for other property;

21 the governing body may sell or exchange the property in accordance
22 with IC 36-1-11.

23 (c) Money derived from the sale or exchange of property under this
24 section shall be placed in any school fund:

25 (1) established under applicable law; and

26 (2) that the governing body considers appropriate.

27 (d) A governing body may not make a covenant that prohibits the
28 sale of real property to another educational institution.

29 (e) This subsection does not apply to a school building that on July
30 1, 2011, is leased or loaned by the school corporation that owns the
31 school building to another entity, if the entity is not a building
32 corporation or other entity that is related in any way to, or created by,
33 the school corporation or the governing body. Except as provided in
34 subsections (k) through (n), a governing body shall make available for
35 lease or purchase to any charter school any school building owned by
36 the school corporation or any other entity that is related in any way to,
37 or created by, the school corporation or the governing body, including
38 but not limited to a building corporation, that:

39 (1) either:

40 (A) is not used in whole or in part for classroom instruction at
41 the time the charter school seeks to lease the building; or

42 (B) appears on the list compiled by the department under



1 subsection (f); and
 2 (2) was previously used for classroom instruction;
 3 in order for the charter school to conduct classroom instruction.

4 (f) (e) Not later than August 1 each calendar year, each governing
 5 body shall inform the department if a school building that was
 6 previously used for classroom instruction is closed, unused, or
 7 unoccupied. **Each governing body shall also report to the**
 8 **department the building utilization information required to be**
 9 **reported under IC 20-20-8-8(14)(D).** The department shall maintain
 10 a list of closed, unused, or unoccupied school buildings and make the
 11 list available on the department's Internet web site. Each school
 12 corporation shall provide a list of closed, unused, or unoccupied
 13 buildings to the department by the date set by the department. The
 14 department must update the list not later than fifteen (15) days after
 15 being notified of a closed, unused, or unoccupied building.

16 (g) A school building that appears for the first time on the
 17 department's list under subsection (f) shall be designated as
 18 "Unavailable until (a date two (2) years after the school building first
 19 appears on the list)" if the governing body of the school corporation
 20 that owns the school building indicates to the department, on a form
 21 prescribed by the department, that the school building may be
 22 reclaimed during that period for classroom instruction. If a governing
 23 body does not indicate that a school building may be reclaimed, the
 24 governing body shall designate the school building as "Available" on
 25 the department's list. The governing body may change the designation
 26 of a building from unavailable to available at any time. If a school
 27 building that is designated as unavailable on the department's list
 28 remains unused for classroom instruction one (1) year after being
 29 reclaimed under this subsection, the governing body shall designate the
 30 school building as "Available" on the department's list. A governing
 31 body may reclaim a school building only one (1) time under this
 32 subsection.

33 (h) (f) If a charter school wishes to use a school building on the list
 34 created under subsection (f); (e), the charter school shall send a letter
 35 of intent to the department. Within thirty (30) days after receiving a
 36 letter from a charter school, the department shall notify the school
 37 corporation of the charter school's intent, and, within thirty (30) days
 38 after receiving notification from the department, the school corporation
 39 that owns the school building shall lease the school building to the
 40 charter school for one dollar (\$1) per year for as long as the charter
 41 school uses the school building for classroom instruction or for a term
 42 at the charter school's discretion, or sell the school building to the



1 charter school for one dollar (\$1). The charter school must begin to use
2 the school building for classroom instruction not later than two (2)
3 years after acquiring the school building. If the school building is not
4 used for classroom instruction within two (2) years after acquiring the
5 school building, the school building shall be placed on the department's
6 list under subsection (f). If during the term of the lease the charter
7 school closes or ceases using the school building for classroom
8 instruction, the school building shall be placed on the department's list
9 under subsection (f). If a school building is sold to a charter school
10 under this subsection and the charter school or any entity related to the
11 charter school subsequently sells or transfers the school building to a
12 third party, the charter school or related entity must transfer an amount
13 equal to the gain in the property minus the adjusted basis (including
14 costs of improvements to the school building) to the school corporation
15 that initially sold the vacant school building to the charter school. Gain
16 and adjusted basis shall be determined in the manner prescribed by the
17 Internal Revenue Code and the applicable Internal Revenue Service
18 regulations and guidelines.

19 (i) During the term of a lease under subsection (h), the charter
20 school is responsible for the direct expenses related to the school
21 building leased, including utilities, insurance, maintenance, repairs,
22 and remodeling. The school corporation is responsible for any debt
23 incurred for or liens that attached to the school building before the
24 charter school leased the school building.

25 (j) Notwithstanding anything to the contrary in this section, and with
26 the sole exception of a waiver provided in subsection (n), when a
27 school building is designated as "Available" under subsection (g), the
28 school building must remain designated as "Available" and may not be
29 sold or otherwise disposed of for at least two (2) years. When the two
30 (2) year period has elapsed, the school corporation may sell or
31 otherwise dispose of the school building in accordance with
32 IC 36-1-11.

33 (k) Notwithstanding subsection (e), a governing body may request
34 a waiver from the department from the requirements of subsection (e).
35 In order for a governing body to receive a waiver under subsection (n),
36 the governing body must apply to the department, on a form prescribed
37 by the department, for the waiver. The application must include a
38 statement that the governing body believes that a charter school would
39 not be interested in leasing or purchasing the vacant or unused school
40 building.

41 (l) If the department receives a waiver request under subsection (k),
42 the department, within five (5) days after receiving the waiver request



1 under subsection (k); shall notify each charter school sponsor and
 2 statewide organization representing charter schools in Indiana by
 3 certified mail of the waiver request received under subsection (k). The
 4 notice must include a copy of the governing body's waiver request.

5 (m) Not later than thirty (30) days after a charter school sponsor or
 6 statewide organization representing charter schools in Indiana receives
 7 a notice described in subsection (l); the charter school sponsor or a
 8 statewide organization representing charter schools may submit a
 9 qualified objection to the governing body's request for a waiver under
 10 subsection (k). The qualified objection must be submitted to the
 11 department in writing. In order for an objection to be considered a
 12 qualified objection by the department, the objection must include:

13 (1) the name of the charter school that is interested in leasing or
 14 purchasing the vacant or unused school building; and

15 (2) a time frame, which may not exceed one (1) year from the date
 16 of the objection, in which the charter school intends to begin
 17 providing classroom instruction in the vacant or unused school
 18 building.

19 (n) If the department receives a qualified objection under subsection
 20 (m); the vacant or unused school building shall remain on the
 21 department's list under subsection (f) with the designation with which
 22 the building is listed under subsection (g) at the time the department
 23 receives the waiver request. If the department does not receive a
 24 qualified objection; the department shall grant the governing body's
 25 request for a waiver. A governing body that receives a waiver under
 26 this subsection may sell or otherwise dispose of the unused or vacant
 27 school building in accordance with IC 36-1-11.

28 SECTION 134. IC 20-26-7-3 IS REPEALED [EFFECTIVE JULY
 29 1, 2015]. Sec. 3: Any building or other property owned by a civil
 30 township may be conveyed to the corresponding school township: in
 31 the manner prescribed in section 4 of this chapter.

32 SECTION 135. IC 20-26-7-4 IS REPEALED [EFFECTIVE JULY
 33 1, 2015]. Sec. 4: (a) To transfer or convey a building or other property
 34 from a civil township to the corresponding school township; a petition
 35 may be filed with the board of commissioners of the county in which
 36 the civil township is located that:

37 (1) asks for the conveyance or transfer of the building or other
 38 property;

39 (2) describes the nature of the building or other property to be
 40 conveyed or transferred; and

41 (3) contains the reasons for the conveyance or transfer.

42 (b) A petition must be:



1 (1) signed by a majority of the legal voters residing in the civil
2 township; and

3 (2) filed in the office of the county auditor.

4 When the petition is filed, the petitioners shall give a bond, with good
5 and sufficient freehold sureties; that is payable to the state; approved
6 by the board of county commissioners; and conditioned to pay all
7 expenses if the board of county commissioners does not authorize the
8 proposed conveyance or transfer.

9 (c) After a petition is filed, the county auditor shall give notice of
10 the filing of the petition by publication once a week for two (2)
11 consecutive weeks in one (1) newspaper printed and published in the
12 county and of general circulation in the county in which the civil
13 township is located.

14 (d) The board of commissioners shall:

15 (1) hear the petition at the next regular meeting and on the day
16 designated in the notice; and

17 (2) determine all matters concerning the petition.

18 If the board is satisfied as to the propriety of granting the petitioners'
19 request, the board shall make a finding to that effect and the trustee of
20 the civil township shall convey the building or other property belonging
21 to the civil township to the corresponding school township. The school
22 township shall hold, control, and manage the building or other
23 property. Expenses incurred in the conveyance of the property, if the
24 conveyance is authorized, shall be paid out of the general funds of the
25 civil township.

26 SECTION 136. IC 20-26-7-5, AS ADDED BY P.L.1-2005,
27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2015]: Sec. 5. A school corporation (as defined in
29 IC 36-1-2-17) may convey property owned by the school corporation
30 to a civil city or other political subdivision for civic purposes if:

31 (1) the governing body adopts a resolution recommending the
32 transfer and conveyance of the school property;

33 (2) the civil city or political subdivision agrees to accept the
34 school property; **and**

35 (3) the governing body executes a deed for the school property.
36 **and**

37 ~~(4)~~ the conveyance is not for payment or other consideration.

38 SECTION 137. IC 20-26-7-7, AS ADDED BY P.L.1-2005,
39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2015]: Sec. 7. ~~(a)~~ If a common school corporation has
41 acquired or acquires any personal property or real estate by gift, devise,
42 or bequest concerning which the donor or testator, at the time of



1 making the gift, bequest, or devise, does not include conditions or
 2 directions concerning the gift, bequest, or devise inconsistent with this
 3 section, the principal of the gifts, devises, and bequests is inviolate, but
 4 the interest, rents, incomes, issues, and profits thereof may be expended
 5 by the school corporation. The interest, rent, incomes, issues, and
 6 profits may not be devoted:

7 (1) to the payment of any obligation of the corporation incurred
 8 before the property was acquired;

9 (2) to the payment of the salaries or wages of:

10 (A) teachers of the branches commonly and generally taught
 11 in the public schools; or

12 (B) school or library officers or employees; or

13 (3) to purchase ordinary school furniture or supplies of the
 14 character required by the corporation to be paid for from the
 15 current income or revenue coming to it from taxes or by operation
 16 of law.

17 However, the interest, rents, incomes, issues, and profits may be
 18 devoted to any public educational or public library or similar purpose
 19 for which the managing board or trustee of the corporation believes
 20 adequate financial provision has not been made by law.

21 (b) If:

22 (1) the board or trustee desires to invest the principal of the gift,
 23 devise, or bequest in the erection or equipping, or both, of a
 24 building to be devoted to a special use of a public educational or
 25 library character; and

26 (2) the expressed will of the donor or testator will not be violated;
 27 the principal may be used for that purpose, notwithstanding any other
 28 provision of this chapter. This subsection may not be construed to
 29 permit its use for the building or equipping of buildings for ordinary
 30 graded or high schools.

31 SECTION 138. IC 20-26-7-10 IS REPEALED [EFFECTIVE JULY
 32 1, 2015]. Sec. 10. (a) If a person gives or bequeaths to trustees an
 33 amount of money that exceeds five thousand dollars (\$5,000) to erect
 34 a public school building or seminary in any unincorporated town; and
 35 upon the express or implied condition contained in the gift or bequest
 36 that an equal amount shall be raised by the citizens of the town or
 37 township for a like purpose; the township trustee of the township in
 38 which the town is located shall, upon the petition of a majority of the
 39 legal voters of the township; prepare, issue, and sell the bonds of the
 40 township to secure a loan of not more than fifteen thousand dollars
 41 (\$15,000); in anticipation of the revenue for special school purposes;
 42 to comply with the condition attached to the gift or devise. The bonds



1 must bear a rate of interest of not more than seven percent (7%) per
2 annum, payable at such time, within seven (7) years after the date, as
3 the trustee determines:

4 (b) Notwithstanding subsection (a), until all the bonds of any one (1)
5 issue have been redeemed:

- 6 (1) the township trustee may not make another issue; and
- 7 (2) bonds may not be sold at a less rate than ninety-five cents
8 (\$0.95) on the dollar.

9 SECTION 139. IC 20-26-7-11 IS REPEALED [EFFECTIVE JULY
10 1, 2015]. Sec. 11: The whole number of votes cast for candidates for
11 Congress at the last preceding congressional election in the township
12 is considered to be the whole number of legal voters of the township.
13 A majority of the names of these legal voters must be signed to the
14 petition presented to the township trustee; to which petition shall be
15 attached the affidavit or affidavits; as the trustee considers necessary;
16 of a competent and credible person or persons that the signatures of all
17 the names to the petition are genuine and that the persons who signed
18 the petition are, as the trustee believes, legal voters of the township.

19 SECTION 140. IC 20-26-7-12 IS REPEALED [EFFECTIVE JULY
20 1, 2015]. Sec. 12: (a) The township trustee shall:

- 21 (1) record the petition and the attached names in the record book
22 of the township; and
- 23 (2) file and preserve the petition, entering into the record the date
24 and time the petition was filed.

25 (b) If the township trustee is satisfied that the petition contains the
26 names of a majority of the legal voters of the township, the township
27 trustee shall prepare, issue, and sell bonds of the amount listed in the
28 petition, as provided in section 10 of this chapter.

29 (c) The township trustee shall accurately keep a record of all
30 proceedings concerning:

- 31 (1) the issue and sale of the bonds;
- 32 (2) to whom and for what amount the bonds are sold;
- 33 (3) the rate of interest; and
- 34 (4) the time when the bonds become due.

35 SECTION 141. IC 20-26-7-15, AS ADDED BY P.L.1-2005,
36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2015]: Sec. 15. (a) Before making the appraisalment and
38 assessment, the appraisers shall take an oath before the clerk of the
39 court to make a fair, true, and honest appraisalment of the real estate.

40 (b) After taking the oath under subsection (a), the appraisers shall
41 examine the real estate, hear evidence they consider necessary, and
42 make a report of their appraisalment to the court not more than five (5)



1 days after their appointment.

2 (c) After the examination under subsection (b), the township trustee
3 or school trustees of the school corporation, or a majority of them, may
4 pay to the clerk of the court, for the use of the owner or owners of the
5 real estate, the amount assessed.

6 (d) When the payment is made under subsection (c) and the
7 payment is shown to the court hearing the cause:

8 (1) the title to the real estate vests immediately in the school
9 corporation ~~or school township~~ for school purposes;

10 (2) the court shall cause the real estate to be conveyed to the
11 school corporation ~~or school township~~ by a commissioner
12 appointed for that purpose; and

13 (3) the school corporation ~~or school township~~ may immediately
14 take possession of the real estate for the purpose.

15 (e) When the report of the appraisers is filed, any party to the action,
16 not later than ten (10) days, may except to the amount of the
17 appraisal and valuation of the real estate and a trial may be had on
18 the exception before the court as other civil causes are tried. The court
19 shall fix the amount of the appraisal and assessment, and any party
20 to the action may appeal the judgment of the court as other civil cases
21 are appealed.

22 (f) If the township trustee or school trustees, or a majority of them,
23 except to the amount of the appraisal and assessment:

24 (1) the court shall convey the real estate to the school corporation;
25 ~~or school township;~~

26 (2) the title to the real estate vests immediately in the school
27 corporation ~~or school township~~ for the purposes; and

28 (3) subsequent proceedings upon the exceptions affect only the
29 amount of the appraisal and assessments.

30 SECTION 142. IC 20-26-7-17, AS AMENDED BY P.L.146-2008,
31 SECTION 466, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) A school corporation may:

33 (1) purchase buildings or lands, or both, for school purposes; and

34 (2) improve the buildings or lands, or both.

35 (b) ~~An existing building, other than a building obtained under~~
36 ~~IC 5-17-2 (before its repeal) or IC 4-13-1.7, permitting the purchase of~~
37 ~~suitable surplus government buildings, may not be purchased for use~~
38 ~~as a school building unless the building was originally constructed for~~
39 ~~use by the school corporation and used for that purpose for at least five~~
40 ~~(5) years preceding the acquisition as provided in this section through~~
41 ~~section 19 of this chapter.~~

42 (c) (b) Notwithstanding this section through section ~~19~~ 18 of this



1 chapter limiting the purchase of school buildings, a school corporation
2 may:

- 3 (1) purchase suitable buildings or lands, or both, adjacent to
- 4 school property for school purposes; and
- 5 (2) improve the buildings or lands, or both, after giving notice to
- 6 the taxpayers of the intention of the school corporation to
- 7 purchase.

8 The taxpayers of the school corporation have the same right of appeal
9 under the same procedure as provided for in IC 6-1.1-20-5 through
10 IC 6-1.1-20-6.

11 SECTION 143. IC 20-26-7-18, AS AMENDED BY P.L.146-2008,
12 SECTION 467, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2015]: Sec. 18. A school corporation may issue
14 and sell bonds under the general statutes governing the issuance of
15 bonds to purchase and improve buildings or lands, or both. All laws
16 relating to approval (if required) in a local public question under
17 IC 6-1.1-20, the filing of petitions remonstrances, and objecting
18 petitions, giving notices of the filing of petitions, the determination to
19 issue bonds, and the appropriation of the proceeds of the bonds are
20 applicable to the issuance of bonds under ~~sections~~ **section 17 through**
21 ~~19~~ of this chapter.

22 SECTION 144. IC 20-26-7-19 IS REPEALED [EFFECTIVE JULY
23 1, 2015]. ~~Sec. 19:~~ (a) If:

- 24 (1) a school township whose boundaries are coterminous with the
- 25 boundaries of the corresponding civil township has occupied as
- 26 lessee for at least five (5) years a building constructed for its use
- 27 as a school building;
- 28 (2) the township board finds that it would be in the best interests
- 29 of the school township and its taxpayers for the school township
- 30 to purchase the building; and
- 31 (3) the entire amount required to pay the cost of acquisition
- 32 cannot be provided by the school township on account of the
- 33 constitutional debt limitation;

34 the township board, with the approval of the township trustee, may
35 authorize the issuance of bonds by each of the school township and the
36 civil township to provide funds to pay the cost of acquisition of the
37 building.

38 (b) The amount of the civil township bonds may not exceed the
39 amount required to pay the cost of acquisition over and above the
40 amount that can validly be financed by the school township for that
41 purpose. The issuance of bonds must be authorized by separate
42 resolutions specifying the amount, terms, and conditions of the bonds



1 to be issued by each of the corporations. The bonds issued are the
 2 separate obligations of the corporations; respectively. The bonds must
 3 be payable at times and in amounts not later than twenty (20) years
 4 after the date of issuance as the township board may determine and
 5 shall otherwise be authorized; issued; and sold in accordance with the
 6 applicable general laws:

7 (c) As used in this section, "building" includes the land occupied by
 8 the school township for school purposes:

9 SECTION 145. IC 20-26-7-20 IS REPEALED [EFFECTIVE JULY
 10 1, 2015]. Sec. 20: (a) It is the policy of the state to promote the
 11 acquisition; construction; and erection of school facilities by the off-site
 12 construction method so school corporations might obtain needed school
 13 facilities that; in many cases; would be denied by the higher cost of
 14 conventional construction:

15 (b) As used in this section through section 26 of this chapter;
 16 "off-site construction" means the fabrication and assembly of the
 17 component parts of various materials at a point other than the
 18 construction site where the parts are normally fabricated or assembled:

19 SECTION 146. IC 20-26-7-21 IS REPEALED [EFFECTIVE JULY
 20 1, 2015]. Sec. 21: (a) If the governing body or officer of a school
 21 corporation determines to erect or build a school building or buildings
 22 in which off-site construction techniques are to be used; the governing
 23 body or officer shall advertise for plans and specifications and for bids
 24 covering the plans and specifications:

25 (b) A bidder must file the bidder's plans or specifications with its
 26 bid:

27 (c) The advertisement shall be published once each week for two (2)
 28 consecutive weeks in two (2) newspapers published in the school
 29 corporation. If only one (1) newspaper is published in the boundaries
 30 of the school corporation; the advertisement shall be published in that
 31 newspaper and in a newspaper of general circulation published in the
 32 county where the school corporation is located. If a newspaper is not
 33 published in the boundaries of the school corporation; the
 34 advertisement shall be published in any two (2) newspapers of general
 35 circulation published in the county where the school corporation is
 36 located. If only one (1) newspaper is published in the county where the
 37 school corporation is located; publication in one (1) newspaper is
 38 sufficient:

39 (d) The advertisement:

40 (1) must contain a description of the building or buildings to be
 41 erected and the estimated cost; and

42 (2) may not require plans and specifications or bids to be filed for



1 at least four (4) weeks after the date of the last publication of the
2 advertisement.

3 (e) Subject to other applicable provisions of sections 20 through 25
4 of this chapter, the school corporation may accept the bid of the lowest
5 bidder submitting plans and specifications considered satisfactory by
6 the school corporation for a building or buildings.

7 SECTION 147. IC 20-26-7-22 IS REPEALED [EFFECTIVE JULY
8 1, 2015]. Sec. 22: A school corporation may issue and sell bonds to
9 construct a building or buildings under the general statutes governing
10 the issuance and sale of bonds by school corporations if not in conflict
11 with sections 20 through 25 of this chapter.

12 SECTION 148. IC 20-26-7-23 IS REPEALED [EFFECTIVE JULY
13 1, 2015]. Sec. 23: (a) Before the execution of a contract under sections
14 20 through 25 of this chapter, the plans and specifications for a
15 building or buildings, which must be prepared by an architect or
16 engineer registered to practice in Indiana, must be submitted to:

- 17 (1) the state department of health;
- 18 (2) the division of fire and building safety; and
- 19 (3) any other agencies designated by law to pass on plans and
20 specifications for school buildings.

21 (b) The plans and specifications must be approved by each agency
22 in writing before the execution of the contract.

23 SECTION 149. IC 20-26-7-24 IS REPEALED [EFFECTIVE JULY
24 1, 2015]. Sec. 24: (a) After the completion of a school building or
25 buildings erected or constructed under this chapter and before
26 acceptance by the school corporation, the division of fire and building
27 safety shall examine and inspect the building or buildings to determine
28 if the requirements of the contract and the plans and specifications
29 have been met.

30 (b) The division of fire and building safety shall immediately report
31 to the school corporation any deviation from any requirements.

32 (c) Before final payment and settlement is made, the division of fire
33 and building safety must file with the governing body or officer an
34 affidavit that all requirements of the contract and of the plans and
35 specifications have been fully and faithfully met.

36 SECTION 150. IC 20-26-7-25 IS REPEALED [EFFECTIVE JULY
37 1, 2015]. Sec. 25: Sections 20 through 24 of this chapter may not be
38 considered to alter, amend, or repeal any other Indiana statute.
39 However, the provisions of any other statute may not apply to
40 proceedings under sections 20 through 24 of this chapter to the extent
41 that the statute is inconsistent with sections 20 through 24 of this
42 chapter.



1 SECTION 151. IC 20-26-7-29 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 29: A school building may not be condemned and
3 declared unfit for use for school purposes except as provided in
4 sections 30 through 34 of this chapter.

5 SECTION 152. IC 20-26-7-30 IS REPEALED [EFFECTIVE JULY
6 1, 2015]. Sec. 30: A petition signed by:

7 (1) the state department of health;

8 (2) the state fire marshal; or

9 (3) at least twenty-five (25) legal residents of the school
10 corporation in which a school building is located; at least fifteen
11 (15) of whom are resident freeholders;

12 may be filed with the auditor of the county in which the school
13 corporation is located; alleging that the school building designated in
14 the petition is insanitary or otherwise unfit for use for school purposes
15 and should be condemned.

16 SECTION 153. IC 20-26-7-31 IS REPEALED [EFFECTIVE JULY
17 1, 2015]. Sec. 31: If a petition is filed under section 30 of this chapter,
18 the auditor of the county shall do the following:

19 (1) Mail one (1) copy of the petition to:

20 (A) the county superintendent of schools; and

21 (B) the township trustee or the president of the board of school
22 trustees or board of school commissioners of the school
23 corporation in which the school building is located.

24 (2) Give notice by one (1) publication in each of two (2)
25 newspapers circulating in the school corporation in which the
26 school building is located that a hearing will be held:

27 (A) at a place and at a time designated in the notice;

28 (B) not less than ten (10) days after the date on which the
29 notice is published;

30 (C) before the board of county commissioners and the county
31 council of the county, acting jointly; and

32 (D) at which an interested person may appear in person or by
33 attorney and be heard.

34 SECTION 154. IC 20-26-7-32 IS REPEALED [EFFECTIVE JULY
35 1, 2015]. Sec. 32: (a) The auditor shall call a special session of the
36 board of county commissioners and the county council to:

37 (1) conduct the hearing described in section 31 of this chapter;
38 and

39 (2) determine the matter submitted:

40 (b) The chairman of the county council shall preside at the hearing.

41 SECTION 155. IC 20-26-7-33 IS REPEALED [EFFECTIVE JULY
42 1, 2015]. Sec. 33: (a) The hearing described in section 31 of this



1 chapter may be adjourned from day to day:

2 (b) When the hearing has concluded, the board of county
3 commissioners and county council, acting jointly, shall determine from:

4 (1) the evidence submitted;

5 (2) an inspection of the building; or

6 (3) both the evidence and an inspection;

7 if the building should be condemned:

8 (c) If the board of county commissioners and county council, acting
9 jointly, determine that the building should be condemned, the board
10 and council shall fix a date when the order of the board and council
11 becomes effective. An appeal from the finding and determination of the
12 board of county commissioners may be made to the circuit or superior
13 court of the county in the same manner as appeals are taken from the
14 board of county commissioners:

15 SECTION 156. IC 20-26-7-34 IS REPEALED [EFFECTIVE JULY
16 1, 2015]. Sec. 34: (a) The state board may not:

17 (1) revoke the commission of a high school; or

18 (2) refuse to grant a commission to a high school when properly
19 applied for;

20 because of the physical condition of any of the buildings in which the
21 high school is conducted or maintained:

22 (b) The credits or the academic standing of a person who is a pupil
23 in or a graduate of a high school may not be affected or determined by
24 the physical condition of the building in which the pupil attended high
25 school:

26 SECTION 157. IC 20-26-7-35 IS REPEALED [EFFECTIVE JULY
27 1, 2015]. Sec. 35: (a) A decision of the state department of health to
28 build, change, or condemn a school building may be appealed by:

29 (1) a township trustee;

30 (2) a board of school trustees or board of school commissioners;

31 (3) a member of a township board; or

32 (4) at least ten (10) residents and taxpayers;

33 of a township, town, or city in which the matter involving the building,
34 changing, or condemnation of a school building occurred. The appeal
35 may be made to a circuit or superior court of the county in which the
36 township is located. A final appeal may be made to any court of last
37 resort in Indiana:

38 (b) The appeal must:

39 (1) be made in the name of the person making the appeal or in the
40 name of the officer making the appeal; and

41 (2) be perfected by filing a complaint or petition:

42 (A) in the office of the clerk of the court to which the appeal



1 is taken;
2 (B) not more than thirty (30) days after the date of final
3 decision by the state department of health that ordered the
4 changing, condemnation, or building of the school building
5 was made; and
6 (C) that sets forth the facts being appealed.
7 (c) The:
8 (1) state department of health; and
9 (2) township trustee, board of school commissioners, or board of
10 school trustees if the appeal is made by the residents and
11 taxpayers or by a member of the township board;
12 shall be named as defendants in the cause of action.
13 (d) Notice of the filing and pendency of the appeal shall be made by
14 serving a summons, regularly issued by the court where cause of action
15 is pending, on the state health commissioner at least ten (10) days
16 before the hearing of the cause.
17 (e) The appeal shall be tried as other civil causes are tried in
18 Indiana. If the appeal is made by private citizens, bond approved by the
19 court shall be given to cover costs and reasonable attorney's fees if the
20 appeal is not sustained.
21 SECTION 158. IC 20-26-7-43 IS REPEALED [EFFECTIVE JULY
22 1, 2015]. Sec. 43: (a) This section applies to school corporations
23 organized and formed through reorganization under IC 20-23-4,
24 IC 20-23-6, or IC 20-23-7 and school townships under IC 20-23-3.
25 (b) This section applies only when a school corporation or school
26 township sustains loss by fire, wind, cyclone, or other disaster of all or
27 a major part of its school building or school buildings.
28 (c) A school corporation or school township seeking to exercise its
29 right of eminent domain under IC 32-24 to obtain land for use in
30 reconstructing or replacing the school building or school buildings may
31 not condemn more than twice the acreage established by the state board
32 as the minimum acreage requirement for the type of school building
33 damaged or destroyed and being reconstructed or replaced. In
34 determining the acreage, land already owned by the school corporation
35 or school township that adjoins any part of the land out of which
36 additional land is sought to be condemned shall be used in computing
37 the total acreage for the reconstruction or replacement of the school
38 building or school buildings under this section. The need for the
39 additional land is subject to judicial review in the court where the
40 condemnation action is filed and may, at the request of either party, be
41 tried either by the court or a jury before appraisers are appointed with
42 full rights of appeal; by either party, from the interlocutory findings.



1 SECTION 159. IC 20-26-7-44 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 44: (a) If:

3 (1) a school township has acquired or acquires any personal
4 property or money by gift, devise, or bequest;

5 (2) the donor or testator, at the time of making the gift, devise, or
6 bequest does not or did not attach any conditions or directions
7 concerning the way or manner in which the gift, devise, or
8 bequest may or shall be used or expended for the benefit of the
9 public schools of the school township; and

10 (3) a petition is signed by at least fifty (50) resident freeholders of
11 the school township and filed before August 2 with the trustee of
12 the school township, requesting the township board to appropriate
13 and transfer all of the gift, devise, or bequest to a capital projects
14 fund or debt service fund to be used for the erection of a new
15 school building or buildings;

16 the trustee shall give notice to the taxpayers of the school township, by
17 publication, that on the same day on which the township board meets
18 to establish the tax levy for the ensuing year, all persons interested in
19 the proposed petition may appear and be heard:

20 (b) If the township board grants the petition after the hearing, the
21 township board shall appropriate and transfer all the money of the gift,
22 devise, or bequest to a capital projects fund or debt service fund for the
23 erection of a new school building or buildings:

24 (c) If any gift, devise, or bequest subject to this section consists of
25 stocks, bonds, or other personal property, the township trustee, with the
26 consent and approval of the township board, may sell the stocks, bonds,
27 or other personal property for not less than the market value of the
28 property on the day on which the property is sold:

29 SECTION 160. IC 20-26-8 IS REPEALED [EFFECTIVE JULY 1,
30 2015]. (Community Use of School Property).

31 SECTION 161. IC 20-26-9-2, AS AMENDED BY P.L.54-2006,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2015]: Sec. 2. (a) This subsection applies before July 1, 2007:
34 As used in this chapter, "qualifying school building" refers to a public
35 school building in which:

36 (1) at least twenty-five percent (25%) of the students who were
37 enrolled at that school building during the prior school year
38 qualified for free or reduced price lunches under guidelines
39 established under 42 U.S.C. 1758(b); and

40 (2) lunches are served to students:

41 (b) This subsection applies after June 30, 2007. As used in this
42 chapter, "qualifying school building" refers to a public school building



1 in which:

2 (1) at least fifteen percent (15%) of the students who were

3 enrolled at that school building during the prior school year

4 qualified for free or reduced price lunches under guidelines

5 established under 42 U.S.C. 1758(b); and

6 (2) lunches are served to students.

7 SECTION 162. IC 20-26-9-12, AS AMENDED BY P.L.146-2008,

8 SECTION 468, IS AMENDED TO READ AS FOLLOWS

9 [EFFECTIVE JULY 1, 2015]: Sec. 12. (a) School cities, ~~school~~

10 ~~townships~~, school towns, and joint districts may:

11 (1) establish, equip, operate, and maintain school kitchens and

12 school lunchrooms for the improvement of the health of students

13 and for the advancement of the educational work of their

14 respective schools;

15 (2) employ all necessary directors, assistants, and agents; and

16 (3) appropriate funds for the school lunch program.

17 Participation in a school lunch program under this chapter is

18 discretionary with the governing board of a school corporation.

19 (b) If federal funds are not available to operate a school lunch

20 program:

21 (1) the state may not participate in a school lunch program; and

22 (2) money appropriated by the state for that purpose and not

23 expended shall immediately revert to the state general fund.

24 (c) Failure on the part of the state to participate in the school lunch

25 program does not invalidate any appropriation made or school lunch

26 program carried on by a school corporation by means of gifts or money

27 appropriated from state tuition support distributions received by the

28 school corporation.

29 SECTION 163. IC 20-26-9-18 IS REPEALED [EFFECTIVE JULY

30 1, 2015]. Sec. 18: (a) Before July 1, 2007, each school board shall

31 establish a coordinated school health advisory council (referred to as

32 the "advisory council" in this section). The advisory council may

33 review the corporation's wellness policies on a yearly basis and suggest

34 to the school board for approval changes to the policies that comply

35 with the requirements of federal Public Law 108-265 and

36 IC 5-22-15-24(c) before July 1 of each year. The advisory council must

37 hold at least one (1) hearing at which public testimony about the local

38 wellness policy being developed is allowed:

39 (b) The school board shall appoint the members of the advisory

40 council, which must include the following:

41 (1) Parents;

42 (2) Food service directors and staff.



- 1 (3) Students;
- 2 (4) Nutritionists or certified dietitians;
- 3 (5) Health care professionals;
- 4 (6) School board members;
- 5 (7) A school administrator;
- 6 (8) Representatives of interested community organizations;
- 7 (c) The school board shall adopt a school district policy on child
- 8 nutrition and physical activity that takes into consideration
- 9 recommendations made by the advisory council.
- 10 (d) The department shall, in consultation with the state department
- 11 of health, provide technical assistance to the advisory councils;
- 12 including providing information on health, nutrition, and physical
- 13 activity, through educational materials and professional development
- 14 opportunities. The department shall provide the information given to
- 15 an advisory council under this subsection to a school or parent upon
- 16 request.
- 17 SECTION 164. IC 20-26-9-19 IS REPEALED [EFFECTIVE JULY
- 18 1, 2015]. See. 19. (a) This section does not apply to a food or beverage
- 19 item that is:
- 20 (1) part of a school lunch program or school breakfast program;
- 21 (2) sold in an area that is not accessible to students;
- 22 (3) sold after normal school hours; or
- 23 (4) sold or distributed as part of a fundraiser conducted by
- 24 students, teachers, school groups, or parent groups; if the food or
- 25 beverage is not intended for student consumption during the
- 26 school day.
- 27 However, this section applies to a food or beverage item that is sold in
- 28 the a la carte line of a school cafeteria and is not part of the federal
- 29 school lunch program or federal school breakfast program.
- 30 (b) A vending machine at an elementary school that dispenses food
- 31 or beverage items may not be accessible to students.
- 32 (c) At least fifty percent (50%) of the food items available for sale
- 33 at a school or on school grounds must qualify as better choice foods
- 34 and at least fifty percent (50%) of the beverage items available for sale
- 35 at a school or on school grounds must qualify as better choice
- 36 beverages. Food and beverage items are subject to the following for
- 37 purposes of this subsection:
- 38 (1) The following do not qualify as better choice beverages:
- 39 (A) Soft drinks, punch, iced tea, and coffee.
- 40 (B) Fruit or vegetable based drinks that contain less than fifty
- 41 percent (50%) real fruit or vegetable juice or that contain
- 42 additional caloric sweeteners.



- 1 (C) Except for low fat and fat free chocolate milk, drinks that
 2 contain caffeine.
- 3 (2) The following qualify as better choice beverages:
 4 (A) Fruit or vegetable based drinks that:
 5 (i) contain at least fifty percent (50%) real fruit or vegetable
 6 juice; and
 7 (ii) do not contain additional caloric sweeteners.
- 8 (B) Water and seltzer water that do not contain additional
 9 caloric sweeteners.
- 10 (C) Low fat and fat free milk, including chocolate milk, soy
 11 milk, rice milk, and other similar dairy and nondairy calcium
 12 fortified milks.
- 13 (D) Isotonic beverages.
- 14 (3) Food items that meet all the following standards are
 15 considered better choice foods:
 16 (A) Not more than thirty percent (30%) of their total calories
 17 are from fat.
 18 (B) Not more than ten percent (10%) of their total calories are
 19 from saturated and trans fat.
 20 (C) Not more than thirty-five percent (35%) of their weight is
 21 from sugars that do not occur naturally in fruits, vegetables, or
 22 dairy products.
- 23 (d) A food item available for sale at a school or on school grounds
 24 may not exceed the following portion limits if the food item contains
 25 more than two hundred ten (210) calories:
 26 (1) In the case of potato chips, crackers, popcorn, cereal, trail
 27 mixes, nuts, seeds, dried fruit, and jerky, one and seventy-five
 28 hundredths (1.75) ounces.
 29 (2) In the case of cookies and cereal bars, two (2) ounces.
 30 (3) In the case of bakery items, including pastries, muffins, and
 31 donuts, three (3) ounces.
 32 (4) In the case of frozen desserts, including ice cream, three (3)
 33 fluid ounces.
 34 (5) In the case of nonfrozen yogurt, eight (8) ounces.
 35 (6) In the case of entree items and side dish items, including
 36 french fries and onion rings, the food item available for sale may
 37 not exceed the portion of the same entree item or side dish item
 38 that is served as part of the school lunch program or school
 39 breakfast program.
- 40 (e) A beverage item available for sale at a school or on school
 41 grounds may not exceed twenty (20) ounces.
- 42 SECTION 165.IC 20-26-10-10 IS REPEALED [EFFECTIVE JULY



1 1, 2015]. Sec. 10: Two (2) or more school corporations within a county
 2 may through their respective school trustees and boards engage in any
 3 of the following:

- 4 (1) Joint employment of professional personnel.
- 5 (2) Joint purchases of necessary supplies, equipment, and other
 6 materials that the participating school officers consider proper to
 7 the operation of their respective schools.

8 The cost of these services and purchases to participating corporations
 9 shall be determined by their proportionate use in the schools of
 10 participating corporations. The county superintendent of schools is the
 11 administrator of these joint activities.

12 SECTION 166. IC 20-26-10-11 IS REPEALED [EFFECTIVE JULY
 13 1, 2015]. Sec. 11: (a) A county board of education may authorize the
 14 county superintendent of schools to establish a joint service and supply
 15 fund; into which fund the participating school corporations shall pay
 16 their proportionate share under an agreement for the joint services and
 17 supplies in which the school corporations are interested. The county
 18 superintendent of schools may disburse from the service and supply
 19 fund proper expenditures to pay salaries of jointly employed personnel
 20 and other joint service expenditures:

21 (b) The county superintendent of schools shall keep a complete
 22 written accounting of all receipts and disbursements related to the joint
 23 service and supply fund in a form approved by the state board of
 24 accounts. The accounting shall be audited by the state board of
 25 accounts. The county superintendent of schools shall make a complete
 26 and detailed financial report of all receipts and disbursements in the
 27 joint service and supply fund at the end of each fiscal year and shall
 28 furnish copies of the report to all participating school corporations.

29 SECTION 167. IC 20-26-11-19 IS REPEALED [EFFECTIVE JULY
 30 1, 2015]. Sec. 19: (a) This section through section 29 of this chapter
 31 concern the transfer of students for education from one (1) school
 32 corporation (transferor corporation) to another school corporation
 33 (transferee corporation) in compliance with a court order as described
 34 in this section. This chapter applies solely in a situation where a court
 35 of the United States or of Indiana in a suit to which the transferor or
 36 transferee corporation or corporations are parties has found the
 37 following:

- 38 (1) A transferor corporation has violated the equal protection
 39 clause of the Fourteenth Amendment to the Constitution of the
 40 United States by practicing de jure racial segregation of the
 41 students within its borders.
- 42 (2) A unitary school system within the meaning of the Fourteenth



1 Amendment cannot be implemented within the boundaries of the
2 transferor corporation.

3 (3) The Fourteenth Amendment compels the court to order a
4 transferor corporation to transfer its students for education to one
5 (1) or more transferee corporations to effect a plan of
6 desegregation in the transferor corporation that is acceptable
7 within the meaning of the Fourteenth Amendment.

8 (b) This chapter does not apply until all appeals from the order;
9 whether taken by the transferor corporation, any transferee corporation
10 or any party to the action, have been exhausted or the time for taking
11 the appeals has expired, except where all stays of a transfer order
12 pending appeal or further court action have been denied.

13 SECTION 168. IC 20-26-11-20 IS REPEALED [EFFECTIVE JULY
14 1, 2015]. Sec. 20: (a) As used in sections 19 through 29 of this chapter,
15 "class of school" refers to a classification of each school in the
16 transferee corporation by the grades taught therein (generally
17 denominated as elementary schools, middle schools or junior high
18 schools, high schools, and special schools such as schools for special
19 education, career and technical education, or career education).
20 Elementary schools include schools containing kindergarten, but for
21 purposes of this chapter, a kindergarten student shall be counted as
22 one-half (1/2) student.

23 (b) As used in sections 19 through 29 of this chapter, "transferee
24 corporation" means the school corporation receiving students under a
25 court order described in section 19 of this chapter.

26 (c) As used in sections 19 through 29 of this chapter, "transferor
27 corporation" means the school corporation transferring students under
28 a court order described in section 19 of this chapter.

29 (d) As used in sections 19 through 29 of this chapter, "transferred
30 student" means any student transferred under a court order described
31 in section 19 of this chapter.

32 SECTION 169. IC 20-26-11-21 IS REPEALED [EFFECTIVE JULY
33 1, 2015]. Sec. 21: (a) The governing body of a transferee corporation
34 may add two (2) members, one (1) of whom must be a resident of the
35 contributing geographic area within the transferor corporation from
36 which students are being bused, to the transferee corporation's
37 governing body for each transferor corporation that the transferee
38 corporation serves. These members are in addition to the number of
39 members of the governing body who are residents of the transferee
40 corporation.

41 (b) Each member who is a resident of a contributing transferor
42 corporation added to the governing body of a transferee corporation by



- 1 this section:
- 2 (1) shall be elected by a majority of all registered and eligible
- 3 voters who vote in each applicable school board election in the
- 4 school corporation;
- 5 (2) must have the same qualifications, other than residency or
- 6 property ownership; that are required for a member of the
- 7 governing body who is a resident of the transferee corporation;
- 8 and
- 9 (3) serves for the same number of years as members of the
- 10 governing body who are residents of the transferee corporation.
- 11 (c) The members of the governing body of the transferee corporation
- 12 shall appoint by majority vote the first additional members of a
- 13 governing body under this section. The members appointed under this
- 14 subsection serve until replacement members are elected under
- 15 subsections (d) and (e):
- 16 (d) The first elected members of a governing body from a transferor
- 17 corporation shall be elected at the first election after the members are
- 18 added under subsection (a):
- 19 (1) that occurs in the transferor corporation; and
- 20 (2) where one (1) or more members of the governing body of the
- 21 transferor corporation are elected.
- 22 The election shall be conducted in the manner required by law for the
- 23 conduct of elections of governing bodies of school corporations.
- 24 (e) This subsection applies to an additional member of a governing
- 25 body appointed under subsection (c) to whom subsection (d) does not
- 26 apply. The first additional elected member of a governing body must
- 27 be elected at the first election after the members are added under
- 28 subsection (a) where one (1) or more members of the governing body
- 29 of the transferee corporation are elected. The election must be
- 30 conducted in the manner required by law for the conduct of elections
- 31 of governing bodies of school corporations.
- 32 SECTION 170. IC 20-26-11-22 IS REPEALED [EFFECTIVE JULY
- 33 1, 2015]. Sec. 22: (a) The transferee corporation is entitled to receive
- 34 from the transferor corporation transfer tuition for each transferred
- 35 student for each school year calculated in two (2) parts as follows:
- 36 (1) Operating cost.
- 37 (2) Capital cost.
- 38 These costs must be allocated on a per student basis separately for each
- 39 class of school.
- 40 (b) The operating cost for each class of school must be based on the
- 41 total expenditures of the transferee corporation for the class from its
- 42 general fund expenditures as set out on the classified budget forms



1 prescribed by the state board of accounts; excluding from the
 2 calculation capital outlay; debt service; costs of transportation; salaries
 3 of board members; contracted service for legal expenses; and any
 4 expenditure that is made out of the general fund from extracurricular
 5 account receipts; for the school year.

6 (c) The capital cost for each class of school must consist of the
 7 lesser of the following alternatives:

8 (1) The capital cost must be based on an amount equal to five
 9 percent (5%) of the cost of transferee corporation's physical plant;
 10 equipment; and all items connected to the physical plant or
 11 equipment; including:

12 (A) buildings; additions; and remodeling to the buildings;
 13 excluding ordinary maintenance; and

14 (B) on-site and off-site improvements such as walks; sewers;
 15 waterlines; drives; and playgrounds;

16 that have been paid or are obligated to be paid in the future out of
 17 the general fund; capital projects fund; or debt service fund;
 18 including principal and interest, lease rental payments; and funds
 19 that were legal predecessors to these funds. If an item of the
 20 physical plant; equipment; appurtenances; or part of the item is
 21 more than twenty (20) years old at the beginning of the school
 22 year; the capital cost of the item shall be disregarded in making
 23 the capital cost computation.

24 (2) The capital cost must be based on the amount budgeted from
 25 the general fund for capital outlay for physical plant; equipment;
 26 and appurtenances and the amounts levied for the debt service
 27 fund and the capital projects fund for the calendar year in which
 28 the school year ends.

29 (d) If an item of expense or cost cannot be allocated to a class of
 30 school; the item shall be prorated to all classes of schools on the basis
 31 of the ADM of each class in the transferee corporation; as determined
 32 in the fall count of ADM in the school year; compared to the total
 33 current ADM therein; as determined in the fall count of ADM in the
 34 school year.

35 (e) The transfer tuition for each student transferred for each school
 36 year shall be calculated by dividing the transferee school corporation's
 37 total operating costs and the total capital costs for the class of school
 38 in which the student is enrolled by the ADM of students therein; as
 39 determined in the fall count of ADM in the school year. If a transferred
 40 student is enrolled in a transferee corporation for less than the full
 41 school year; the transfer tuition shall be calculated by the proportion of
 42 such school year for which the transferred student is enrolled. A school



1 year for this purpose consists of the number of days school is in session
 2 for student attendance. A student shall be enrolled in a transferee
 3 school, whether or not the student is in attendance, unless the:

- 4 (1) student's residence is outside the area of students transferred
 5 to the transferee corporation;
 6 (2) student has been excluded or expelled from school; or
 7 (3) student has been confirmed as a school dropout.

8 The transferor and transferee corporations may enter into written
 9 agreements concerning the amount of transfer tuition. If an agreement
 10 cannot be reached, the amount shall be determined by the state
 11 superintendent, with costs to be established; where in dispute, by the
 12 state board of accounts.

13 (f) The transferor corporation shall pay the transferee corporation,
 14 when billed, the amount of curricular material rental due from
 15 transferred students who are unable to pay the curricular material rental
 16 amount. The transferor corporation is entitled to collect the amount of
 17 the curricular material rental from the appropriate township trustee,
 18 from its own funds, or from any other source, in the amounts and
 19 manner provided by law.

20 SECTION 171. IC 20-26-11-23 IS REPEALED [EFFECTIVE JULY
 21 1, 2015]. Sec. 23: (a) If a transfer is ordered to commence in a school
 22 year, where the transferor corporation has net additional costs over
 23 savings (on account of any transfer ordered) allocable to the state fiscal
 24 year in which the school year begins, and where the transferee
 25 corporation does not have budgeted funds for the net additional costs,
 26 the net additional costs may be recovered by one (1) or more of the
 27 following methods in addition to any other methods provided by
 28 applicable law:

- 29 (1) An emergency loan made under IC 20-48-1-7 to be paid, out
 30 of the debt service levy and fund, or a loan from any state fund
 31 made available for the net additional costs.
 32 (2) An advance in the state fiscal year of state funds, which would
 33 otherwise become payable to the transferee corporation after such
 34 state fiscal year under law.
 35 (3) A grant or grants in the calendar year from any funds of the
 36 state made available for the net additional costs.

37 (b) The net additional costs must be certified by the department of
 38 local government finance. Repayment of any advance or loan from the
 39 state shall be made from state tuition support distributions or other
 40 money available to the school corporation.

41 SECTION 172. IC 20-26-11-24 IS REPEALED [EFFECTIVE JULY
 42 1, 2015]. Sec. 24: Transfer tuition for each school year shall be paid by



1 the transferor corporation during the term of the year and following the
 2 end of term in four (4) installments within ten (10) days after the first
 3 day of November, February, May and August, respectively. The first
 4 three (3) payments shall be calculated on the basis of estimates based
 5 on the previous year's cost per student and the enrollment for the day
 6 schools are open in the transferee corporation next preceding the
 7 applicable payment date.

8 SECTION 173. IC 20-26-11-25 IS REPEALED [EFFECTIVE JULY
 9 1, 2015]. Sec. 25: (a) Payment of the operating cost must be paid from
 10 and received to the respective general funds of the transferor and
 11 transferee corporations:

12 (b) Payment of capital costs must be made by the transferor
 13 corporation; at its discretion; from any fund or source and be received
 14 by the transferee corporation; at its discretion; either to the capital
 15 projects fund or to the debt service fund:

16 SECTION 174. IC 20-26-11-26 IS REPEALED [EFFECTIVE JULY
 17 1, 2015]. Sec. 26: The transferor corporation shall provide each
 18 transferred student transportation to and from the school in the
 19 transferee corporation to which the student is assigned. However, the
 20 transferor corporation may require the transferred student to walk a
 21 reasonable distance from the student's home to school or to a
 22 transportation pickup point.

23 SECTION 175. IC 20-26-11-27 IS REPEALED [EFFECTIVE JULY
 24 1, 2015]. Sec. 27: Transportation must be provided by the transferor
 25 corporation to each transferred student under IC 20-27. However, the
 26 transferor corporation may contract with the transferee corporation to
 27 provide transportation to the transferred students at the expense of the
 28 transferor corporation; and that the transferor corporation; in addition
 29 to the other means of financing the purchase of transportation
 30 equipment; may make the purchases out of its capital projects fund:

31 SECTION 176. IC 20-26-11-29 IS REPEALED [EFFECTIVE JULY
 32 1, 2015]. Sec. 29: (a) The provisions of sections 19 through 29 of this
 33 chapter concerning the calculation of transfer tuition; the credits for
 34 state distribution; state reimbursement of transportation costs; or other
 35 state reimbursement may be implemented by rules adopted by the state
 36 board:

37 (b) The state board shall adopt rules for the enforcement of the
 38 payment of transfer tuition. The payment enforcement may include the
 39 withholding of state support from the transferor corporation for the
 40 benefit of the transferee corporation:

41 (c) A transferor or the transferee corporation may dispute the
 42 amount of transfer tuition or state reimbursement by petitioning the



1 state superintendent. Any dispute in the amount of transfer tuition or
 2 state reimbursement shall be determined by the state superintendent.

3 SECTION 177. IC 20-26-12-1, AS AMENDED BY P.L.286-2013,
 4 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 1. (a) Except as provided in subsections
 6 subsection (b) and (c) and notwithstanding any other law, each
 7 governing body shall purchase from a publisher, either individually or
 8 through a purchasing cooperative of school corporations, the curricular
 9 materials selected by the proper local officials, and shall rent the
 10 curricular materials to each student enrolled in a public school that is:

11 (1) in compliance with the minimum certification standards of the
 12 state board; and

13 (2) located within the attendance unit served by the governing
 14 body.

15 (b) This section does not prohibit the purchase of curricular
 16 materials at the option of a student or the providing of free curricular
 17 materials by the governing body under sections 6 through 21 of this
 18 chapter.

19 (c) (b) This section does not prohibit a governing body from
 20 suspending the operation of this section under a contract entered into
 21 under IC 20-26-15.

22 SECTION 178. IC 20-26-12-2, AS AMENDED BY P.L.286-2013,
 23 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 2. (a) A governing body may purchase from a
 25 publisher any curricular material selected by the proper local officials.
 26 The governing body may rent the curricular materials to students
 27 enrolled in any public or nonpublic school that is:

28 (1) in compliance with the minimum certification standards of the
 29 state board; and

30 (2) located within the attendance unit served by the governing
 31 body.

32 The annual rental rate may not exceed twenty-five percent (25%) of the
 33 retail price of the curricular materials.

34 (b) Notwithstanding subsection (a), the governing body may not
 35 assess a rental fee of more than fifteen percent (15%) of the retail price
 36 of curricular materials that have been:

37 (1) extended for usage by students under section 24(c) of this
 38 chapter; and

39 (2) paid for through rental fees previously collected.

40 (c) (b) This section does not limit other laws.

41 SECTION 179. IC 20-26-12-3 IS REPEALED [EFFECTIVE JULY
 42 1, 2015]. Sec. 3: (a) Upon a written determination by the governing



1 body of a school corporation that curricular materials are no longer
 2 scheduled for use in the school corporation; the governing body may
 3 sell, exchange, transfer, or otherwise convey the curricular materials.
 4 However, before a governing body may mutilate or otherwise destroy
 5 curricular materials; the governing body must first comply with the
 6 following provisions:

7 (1) Subsection (b);

8 (2) Subsection (c);

9 (3) Section 4 of this chapter;

10 (4) Section 5 of this chapter:

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

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

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

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

28 SECTION 180. IC 20-26-12-4 IS REPEALED [EFFECTIVE JULY
 29 1, 2015]. Sec. 4. (a) A school corporation shall compile a list of
 30 curricular materials in storage under section 3 of this chapter. The list
 31 must include the names of the publishers and the number of volumes
 32 being stored. The list must be mailed to the department. The
 33 department shall maintain a master list of all curricular materials being
 34 stored by school corporations:

35 (b) Upon request, the state superintendent shall mail to a nonprofit
 36 corporation or institution located in Indiana a list of curricular
 37 materials available for access. A nonprofit corporation or institution
 38 may acquire the curricular materials from the appropriate school
 39 corporation by paying only the cost of shipping and mailing.

40 SECTION 181. IC 20-26-12-5 IS REPEALED [EFFECTIVE JULY
 41 1, 2015]. Sec. 5. Curricular materials stored for at least three (3)
 42 months under section 3 of this chapter may not be mutilated or



1 destroyed and must be maintained and stored according to regulations
2 prescribed by local and state health authorities. Curricular materials
3 that have not been requested after at least three (3) months may be
4 mutilated, destroyed, or otherwise disposed of by the school
5 corporation.

6 SECTION 182. IC 20-26-12-6 IS REPEALED [EFFECTIVE JULY
7 1, 2015]. Sec. 6: (a) Sections 7 through 21 of this chapter apply to
8 school libraries that contain free curricular materials. The curricular
9 materials must be selected by the proper local officials.

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

14 SECTION 183. IC 20-26-12-7 IS REPEALED [EFFECTIVE JULY
15 1, 2015]. Sec. 7: (a) If a petition requesting the establishment of an
16 elementary school library is filed with a governing body, the governing
17 body shall provide a library containing curricular materials in sufficient
18 numbers to meet the needs of every resident student in each of the eight
19 (8) grades of each elementary school. The petition must be signed by
20 at least fifty-one percent (51%) of the registered voters of the governing
21 body's school corporation.

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

32 SECTION 184. IC 20-26-12-8 IS REPEALED [EFFECTIVE JULY
33 1, 2015]. Sec. 8: A petition for an elementary or a high school library
34 under section 7 of this chapter must be in substantially the following
35 form:

36 To the governing body of the school corporation of _____
37 We, the undersigned voters of the school corporation of _____
38 respectfully petition the governing body of the school corporation of
39 _____ to establish an elementary school (or high school, as
40 appropriate) library and to lend its school curricular materials free of
41 charge to the resident students of the school corporation of
42 _____, under IC 20-26-12.



1 NAME ADDRESS DATE
2 _____
3 _____
4 STATE OF INDIANA)
5)
6 _____ COUNTY) SS:
7 _____ being duly sworn, deposes and says that he or she is
8 the circulator of this petition paper and that the appended signatures
9 were made in his or her presence and are the genuine signatures of the
10 persons whose names they purport to be. Signed _____
11 Subscribed and sworn to before me this ____ day of _____,
12 20 __. _____ Notary Public
13 SECTION 185. IC 20-26-12-9 IS REPEALED [EFFECTIVE JULY
14 1, 2015]. Sec. 9: The signatures to each petition may be appended to
15 one (1) petition paper. An affidavit of the circulator must be attached
16 to each petition paper. The affidavit must state that each signature was
17 made in the circulator's presence and is the genuine signature of the
18 person whose name it purports to be. Each signature must be made in
19 ink or indelible pencil. Each signer shall state the signer's name, the
20 signer's residence by street and number, or any other description
21 sufficient to identify the place and the date of the signing.
22 SECTION 186. IC 20-26-12-10 IS REPEALED [EFFECTIVE JULY
23 1, 2015]. Sec. 10: A person who signs a petition under this chapter
24 must be registered to vote in the precinct in which the person resides
25 to be qualified to sign and to have the signature count.
26 SECTION 187. IC 20-26-12-11 IS REPEALED [EFFECTIVE JULY
27 1, 2015]. Sec. 11: All petition papers requesting the establishment of
28 a library under this chapter must be assembled and filed as one (1)
29 instrument before July 2.
30 SECTION 188. IC 20-26-12-12 IS REPEALED [EFFECTIVE JULY
31 1, 2015]. Sec. 12: (a) A governing body shall examine petition papers
32 filed under section 11 of this chapter and shall have the names checked
33 against the voter registration records in the county in which the
34 governing body's school corporation is located.
35 (b) A governing body may employ clerks to check voter registration
36 records under this section. The governing body may pay these expenses
37 from the school corporation's general fund without a specific
38 appropriation.
39 (c) A clerk employed under subsection (b) shall take an oath to
40 perform honestly and faithfully. The clerk is entitled to daily
41 compensation of not more than three dollars (\$3) for this work.
42 SECTION 189. IC 20-26-12-13 IS REPEALED [EFFECTIVE JULY



1 2015]. Sec. 13: If a sufficient petition is filed under section 11 of this
 2 chapter, a governing body shall note on the records of the governing
 3 body's school corporation that by filing the petition the school
 4 corporation must maintain:

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

9 (2) a high school library containing curricular materials in
 10 sufficient numbers to meet the needs of every resident student in
 11 each of the four (4) grades of each high school located within the
 12 school corporation;

13 as applicable.

14 SECTION 190. IC 20-26-12-14 IS REPEALED [EFFECTIVE JULY
 15 1, 2015]. Sec. 14: (a) This subsection applies to a school corporation
 16 described in section 13(1) of this chapter. The governing body shall
 17 make the first appropriation from the school corporation's general fund
 18 in August following the petition's filing. Not later than the school term
 19 following the first appropriation, the library must be established and
 20 curricular materials must be loaned to resident students enrolled in the
 21 first five (5) grades of the elementary school. Not later than the second
 22 school term following the first appropriation, curricular materials must
 23 be procured and loaned to resident students enrolled in the eight (8)
 24 grades of the elementary school:

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

35 SECTION 191. IC 20-26-12-15 IS REPEALED [EFFECTIVE JULY
 36 1, 2015]. Sec. 15: (a) A governing body shall purchase the necessary
 37 curricular materials from publishers. The publisher shall ship the
 38 curricular materials to the governing body not more than ninety (90)
 39 days after the requisition. On receipt of the curricular materials, the
 40 governing body's school corporation has custody of the curricular
 41 materials. The governing body shall provide a receipt to the contracting
 42 publisher and reimburse the contracting publisher the amount owed by



1 the school corporation from the school corporation's general fund:

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

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

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

7 (3) at a price based on the original price to the school corporation
8 minus a reasonable reduction for damage from usage.

9 SECTION 192. IC 20-26-12-16 IS REPEALED [EFFECTIVE JULY
10 1, 2015]. Sec. 16: Upon receipt of the curricular materials, a governing
11 body shall loan the curricular materials at no charge to each resident
12 student. Library curricular materials are available to each resident
13 student under this chapter and under regulations prescribed by the
14 superintendent and governing body of the school corporation.

15 SECTION 193. IC 20-26-12-17 IS REPEALED [EFFECTIVE JULY
16 1, 2015]. Sec. 17: (a) If a student transfers to a school corporation other
17 than the one in which the student resides under IC 20-26-11, the
18 governing body of the school corporation to which the student transfers
19 shall purchase a sufficient supply of curricular materials for the
20 transferred student.

21 (b) In the annual settlement between the school corporations for
22 tuition of transferred students, the amounts must include rental of the
23 curricular materials furnished to the transferred students. The state
24 board shall determine the rental rate.

25 SECTION 194. IC 20-26-12-18 IS REPEALED [EFFECTIVE JULY
26 1, 2015]. Sec. 18: A governing body may provide a sufficient amount
27 of curricular materials for sale to resident students at the price
28 stipulated in the contracts under which the curricular materials are
29 supplied to the governing body's school corporation. Proceeds from
30 sales under this section must be paid into the school corporation's
31 general fund.

32 SECTION 195. IC 20-26-12-19 IS REPEALED [EFFECTIVE JULY
33 1, 2015]. Sec. 19: A governing body shall provide sufficient library
34 facilities for the curricular materials to best accommodate the resident
35 students.

36 SECTION 196. IC 20-26-12-20 IS REPEALED [EFFECTIVE JULY
37 1, 2015]. Sec. 20: A governing body shall prescribe reasonable rules
38 and regulations for the care, custody, and return of library curricular
39 materials. A resident student using library curricular materials is
40 responsible for the loss, mutilation, or defacement of the library
41 curricular materials, other than reasonable wear.

42 SECTION 197. IC 20-26-12-21 IS REPEALED [EFFECTIVE JULY



1 1, 2015]. Sec. 21: A governing body shall provide for the fumigation
 2 or destruction of library curricular materials at the times and under
 3 regulations prescribed by local and state health authorities. Before a
 4 governing body may mutilate or otherwise destroy curricular materials;
 5 the governing body shall provide at no cost and subject to availability
 6 one (1) copy of any curricular material that is no longer scheduled for
 7 use in the school corporation to:

8 (1) the parent of each child who is enrolled in the school
 9 corporation and who wishes to receive a copy of the curricular
 10 material; and

11 (2) if any curricular materials remain after distribution under
 12 subdivision (1); to any resident of the school corporation who
 13 wishes to receive a copy of the curricular material.

14 SECTION 198. IC 20-26-12-22 IS REPEALED [EFFECTIVE JULY
 15 1, 2015]. Sec. 22: If a school corporation purchases curricular materials
 16 on a time basis:

17 (1) the schedule for payments shall coincide with student
 18 payments to the school corporation for curricular material rental;
 19 and

20 (2) the schedule must not require the school corporation to
 21 assume a greater burden than payment of twenty-five percent
 22 (25%) within thirty (30) days after the beginning of the school
 23 year immediately following delivery by the contracting publisher
 24 with the school corporation's promissory note evidencing the
 25 unpaid balance.

26 SECTION 199. IC 20-26-12-23, AS AMENDED BY P.L.286-2013,
 27 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 23. (a) A school corporation may:

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

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

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

35 (b) Notwithstanding subsection (a), a school township may not
 36 borrow money to purchase curricular materials unless a petition
 37 requesting such an action and bearing the signatures of twenty-five
 38 percent (25%) of the resident taxpayers of the school township has
 39 been presented to and approved by the township trustee and township
 40 board.

41 SECTION 200. IC 20-26-12-24, AS AMENDED BY P.L.286-2013,
 42 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 24. (a) The superintendent shall establish
2 procedures for adoption of curricular materials.

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

6 (c) A special committee of teachers and parents may also be
7 appointed to review books, magazines, and audiovisual material used
8 or proposed for use in the classroom to supplement state adopted
9 curricular materials and may make recommendations to the
10 superintendent and the governing body concerning the use of these
11 materials.

12 ~~(d)~~ Curricular materials selected shall be used for the lesser of:

13 ~~(1)~~ six ~~(6)~~ years; or

14 ~~(2)~~ the effective period of the academic standards adopted by the
15 state board to which the curricular materials are aligned:

16 ~~(e)~~ A selection may be extended beyond that period for up to six ~~(6)~~
17 years:

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

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

25 ~~(h)~~ Notwithstanding subsection ~~(g)~~ and this chapter, the
26 superintendent, advisory committee, and governing body shall adopt
27 reading curricular materials from the list of recommended curricular
28 materials provided by the department under IC 20-20-5.5:

29 ~~(i)~~ ~~(f)~~ A governing body may not purchase curricular materials from
30 a publisher unless the publisher agrees, in accordance with Sections
31 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities
32 Education Improvement Act 2004 (20 U.S.C. 1400 et seq.), to provide
33 or grant a license to the school corporation to allow for the
34 reproduction of adopted curricular materials in:

35 (1) large type;

36 (2) Braille; and

37 (3) audio format.

38 SECTION 201. IC 20-26-13-10, AS AMENDED BY P.L.268-2013,
39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2015]: Sec. 10. Except as provided in section 11 of this
41 chapter, the four (4) year graduation rate for a cohort in a high school
42 is the percentage determined under STEP FIVE of the following



- 1 formula:
- 2 STEP ONE: Determine the grade 9 enrollment at the beginning of
- 3 the reporting year three (3) years before the reporting year for
- 4 which the graduation rate is being determined.
- 5 STEP TWO: Add:
- 6 (A) the number determined under STEP ONE; and
- 7 (B) the number of students who:
- 8 (i) have enrolled in the high school after the date on which
- 9 the number determined under STEP ONE was determined;
- 10 and
- 11 (ii) have the same expected graduation year as the cohort.
- 12 STEP THREE: Subtract from the sum determined under STEP
- 13 TWO the number of students who have left the cohort for any of
- 14 the following reasons:
- 15 (A) Transfer to another public or nonpublic school.
- 16 (B) ~~Except as provided in IC 20-33-2-28.6;~~ Removal by the
- 17 student's parents under IC 20-33-2-28 to provide instruction
- 18 equivalent to that given in the public schools.
- 19 (C) Withdrawal because of a long term medical condition or
- 20 death.
- 21 (D) Detention by a law enforcement agency or the department
- 22 of correction.
- 23 (E) Placement by a court order or the department of child
- 24 services.
- 25 (F) Enrollment in a virtual school.
- 26 (G) Leaving school, if the student attended school in Indiana
- 27 for less than one (1) school year and the location of the student
- 28 cannot be determined.
- 29 (H) Leaving school, if the location of the student cannot be
- 30 determined and the student has been reported to the Indiana
- 31 clearinghouse for information on missing children and missing
- 32 endangered adults.
- 33 (I) Withdrawing from school before graduation, if the student
- 34 is a high ability student (as defined in IC 20-36-1-3) who is a
- 35 full-time student at an accredited institution of higher
- 36 education during the semester in which the cohort graduates.
- 37 STEP FOUR: Determine the total number of students determined
- 38 under STEP TWO who have graduated during the current
- 39 reporting year or a previous reporting year.
- 40 STEP FIVE: Divide:
- 41 (A) the number determined under STEP FOUR; by
- 42 (B) the remainder determined under STEP THREE.



1 SECTION 202. IC 20-26-17-4, AS ADDED BY P.L.200-2011,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 4. If a school corporation for any twelve (12)
 4 month period beginning on the first health plan issue or renewal date
 5 that occurs after December 31, 2011, spends in excess of the amount
 6 specified in section 3 of this chapter, the school corporation shall do
 7 the following:

8 (1) Not more than forty-five (45) days after the renewal date on
 9 which the school corporation is determined to be noncompliant
 10 with section 3 of this chapter, submit to the state personnel
 11 department a plan to achieve compliance. ~~The plan may include~~
 12 ~~health plan benefit changes and implementation of best practices~~
 13 ~~described in section 6 of this chapter.~~

14 (2) Twelve (12) months after the date a plan is submitted under
 15 subdivision (1), certify to the state personnel department the
 16 school corporation's compliance with section 3 of this chapter.

17 (3) If the school corporation fails to file the certification described
 18 in subdivision (2), beginning on the first renewal or expiration
 19 date of the school corporation's health plan after the twelve (12)
 20 month period described in subdivision (2) expires, elect to
 21 participate in the state employee health plan as provided in
 22 IC 5-10-8-6.7. to provide any school corporation employee health
 23 coverage.

24 A school corporation shall provide additional information, data, and
 25 documentation that is requested by the state personnel department to
 26 substantiate compliance with this section.

27 SECTION 203. IC 20-26-17-5, AS ADDED BY P.L.200-2011,
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 5. The following apply with respect to a school
 30 corporation's employee health coverage program:

31 (1) If the school corporation pays a commission, a bonus, an
 32 override, a contingency fee, or any other compensation to an
 33 insurance producer or other adviser in connection with the health
 34 coverage, the school corporation shall:

35 (A) specify the commission, bonus, override, contingency fee,
 36 or other compensation in the school corporation's annual
 37 budget fixed under IC 6-1.1-17; and

38 (B) make the information specified under clause (A) available
 39 to the public upon request.

40 (2) ~~The school corporation shall perform audits once each five (5)~~
 41 ~~years to ensure that covered dependents of school corporation~~
 42 ~~employees are entitled to coverage under the school corporation's~~



- 1 employee health coverage program:
- 2 ~~(2)~~ (2) The school corporation may allow:
- 3 (A) members of the school corporation's governing body; or
- 4 (B) an attorney of the school corporation's governing body;
- 5 to be covered under the school corporation's employee health
- 6 coverage program.
- 7 ~~(3)~~ (3) All individuals insured under the school corporation's
- 8 employee health coverage program:
- 9 (A) are eligible for the same coverage as all other individuals
- 10 insured under the program; and
- 11 (B) to the extent allowed by federal law, may pay different
- 12 amounts for the coverage.

13 SECTION 204. IC 20-26-17-6 IS REPEALED [EFFECTIVE JULY
 14 1, 2015]. Sec. 6: A school corporation may consider the following best
 15 practices with respect to the school corporation's employee health
 16 coverage program:

- 17 (1) Obtaining more than one (1) estimate for the coverage;
- 18 including use of health care service discounts and medical
- 19 management; to obtain the most cost savings in the program:
- 20 (2) Requiring employer contributions of at least fifty percent
- 21 (50%) and not more than eighty-five percent (85%) of the cost of
- 22 the coverage.
- 23 (3) Offering at least one (1) of each of the following; in
- 24 accordance with the requirements of the Internal Revenue Code;
- 25 as an option for the school corporation's employees:
- 26 (A) A high deductible health plan with a health savings
- 27 account.
- 28 (B) A health reimbursement arrangement.
- 29 (4) Offering wellness programs to the school corporation's
- 30 employees.
- 31 (5) Either:
- 32 (A) joining a consortium or trust of school corporations; or
- 33 (B) electing to participate in the state employee health plan as
- 34 provided in IC 5-10-8-6.7;
- 35 to provide school corporation employee health coverage to all
- 36 school corporation employees.
- 37 (6) Providing medical clinics on the property of the school
- 38 corporation for individuals insured under the school corporation
- 39 employee health coverage program:

40 SECTION 205. IC 20-26-17-7 IS REPEALED [EFFECTIVE JULY
 41 1, 2015]. Sec. 7: A consortium or trust of school corporations referred
 42 to in this chapter shall accept any school corporation for participation



1 in the consortium or trust if the school corporation agrees to participate
 2 in the consortium's or trust's best practice requirements.

3 SECTION 206. IC 20-26-17-8 IS REPEALED [EFFECTIVE JULY
 4 1, 2015]. Sec. 8: (a) This chapter does not require a school corporation
 5 employee to participate in a school corporation's employee health
 6 coverage program:

7 (b) With respect to a collective bargaining agreement that is in
 8 effect on July 1, 2011, this chapter does not:

9 (1) give a party to the collective bargaining agreement any greater
 10 rights under the collective bargaining agreement than the party
 11 had before July 1, 2011; or

12 (2) annul, modify, or limit the collective bargaining agreement.

13 SECTION 207. IC 20-26-17-9 IS REPEALED [EFFECTIVE JULY
 14 1, 2015]. Sec. 9: Not later than December 31 in each calendar year, a
 15 school corporation shall report the following information for the school
 16 year ending in the calendar year to the legislative council in an
 17 electronic format under IC 5-14-6 and the state personnel department:

18 (1) The employer's share of the cost of coverage of the state
 19 employee health plan used by the school corporation, in total and
 20 separated out to show the amount payable per covered individual
 21 by type of family or single coverage plan:

22 (2) The covered individual's share of the cost of coverage of the
 23 state employee health plan used by the school corporation, in total
 24 and separated out to show the amount payable per covered
 25 individual by type of family or single coverage plan:

26 (3) The total cost of coverage incurred by the individual's covered
 27 by the health plan and the school corporation:

28 A school corporation shall provide additional information, data, and
 29 documentation that is requested by the state personnel department to
 30 substantiate compliance with this section.

31 SECTION 208. IC 20-27-3-5.5 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2015]: **Sec. 5.5. (a) The committee shall adopt
 34 and enforce rules under IC 4-22-2 that allow for the display of paid
 35 advertisements on a school bus operated by or on behalf of school
 36 corporations.**

37 (b) The rules adopted under subsection (a) must provide that
 38 any advertisement displayed on a school bus may not be placed in
 39 a manner that:

40 (1) obstructs the school bus driver's vision through the
 41 windshield or any other window;

42 (2) impedes the school bus driver's operation of any



- 1 **equipment;**
- 2 **(3) distracts the attention of other motorists from the school**
- 3 **bus's warning lamps or stop signal arm when the school bus**
- 4 **is loading or unloading students; or**
- 5 **(4) obscures the number or name of the school corporation.**
- 6 **(c) The rules adopted under subsection (a) must provide that**
- 7 **any advertisement displayed on a school bus must be:**
- 8 **(1) advertising of a commercial venture;**
- 9 **(2) painted or affixed by decal;**
- 10 **(3) consistent with community standards; and**
- 11 **(4) age and developmentally appropriate for students.**
- 12 **(d) The rules adopted under subsection (a) must provide that**
- 13 **any advertisement displayed on a school bus may not:**
- 14 **(1) promote any substance or activity that is illegal for**
- 15 **minors, such as alcohol, tobacco, drugs, or gambling;**
- 16 **(2) promote any political party, candidate, or issue; or**
- 17 **(3) contain sexual material.**
- 18 **(e) A commercial advertiser that contracts with a school**
- 19 **corporation for the use of space for an advertisement shall pay:**
- 20 **(1) the cost of placing the advertisement on a school bus; and**
- 21 **(2) for the removal of the advertisement after the term of the**
- 22 **contract has expired.**
- 23 **(f) The school corporation shall deposit the revenue from the**
- 24 **sale of advertising space on a school bus in the school corporation's**
- 25 **transportation fund.**

26 SECTION 209. IC 20-27-4-2 IS REPEALED [EFFECTIVE JULY
 27 1, 2015]. Sec. 2: A security agreement under this chapter may not run
 28 for more than six (6) years: The agreement must be amortized in equal
 29 or approximately equal installments, payable on the first day of January
 30 and July each year: The first installment of principal and interest must
 31 be due and payable on the first day of July next following the collection
 32 of a tax that was levied after execution of the security agreement.

33 SECTION 210. IC 20-27-4-5, AS ADDED BY P.L.1-2005,
 34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 5. (a) If a school corporation requires funds to
 36 purchase a school bus for cash, the school corporation may, instead of
 37 issuing general obligation bonds, negotiate for and borrow funds or
 38 purchase the school bus on an installment conditional sales contract or
 39 a promissory note secured by the school bus.

40 (b) To effect a loan, the school corporation shall execute a
 41 negotiable note or notes to the lender. ~~The notes may not extend for~~
 42 ~~more than six (6) years and are payable at the same times and in the~~



1 same manner as provided for security agreements in section 2 of this
2 chapter.

3 (c) Before a note described in this section is executed, an
4 appropriation for the amount of the purchase price of the school bus
5 and any incidental expenses connected with the purchase or the loan,
6 must be made in the same manner as other appropriations are made,
7 except that the amount of the appropriation is not limited by the
8 amount of funds available at the time of the loan or purchase or by the
9 amount of funds to be raised by a tax levy effective at the time of the
10 loan.

11 (d) A petition to borrow, a notice to taxpayers, or other formality is
12 not necessary to borrow funds under this section except as specifically
13 provided in this chapter.

14 SECTION 211. IC 20-27-4-6, AS ADDED BY P.L.1-2005,
15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2015]: Sec. 6. (a) The purchase of a school bus shall be made
17 in the same manner as provided by law for the purchase of school
18 supplies by a school corporation.

19 (b) If a school bus is purchased under a security agreement, the
20 required notice to bidders or solicitation of bids must set:

21 (1) the length of time the security agreement shall run; and

22 (2) the terms of the security agreement, including the security
23 agreement price and interest rate.

24 (c) The low bid for a security agreement shall be determined by
25 adding to each bidding price the net interest cost and then comparing
26 the totals of the price and interest on each bid. ~~Any difference between~~
27 ~~the cash and the security agreement prices may not be considered a~~
28 ~~charge under section 2 of this chapter. Instead;~~ A separate statement of
29 each price shall be made to enable the governing body to determine the
30 advisability of purchasing a school bus under a security agreement.

31 SECTION 212. IC 20-27-4-9 IS REPEALED [EFFECTIVE JULY
32 1, 2015]. Sec. 9: (a) ~~This section does not apply to the purchase of a~~
33 ~~special purpose bus.~~

34 (b) ~~Before a school corporation may purchase a school bus that is~~
35 ~~equipped with safety belts; the governing body must conduct a public~~
36 ~~hearing to explain why the governing body is purchasing the school bus~~
37 ~~equipped with safety belts rather than using the purchase money for~~
38 ~~other student safety measures in the school corporation.~~

39 SECTION 213. IC 20-27-5-4, AS ADDED BY P.L.1-2005,
40 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 4. (a) If a school corporation owns the school bus
42 equipment in its entirety, the school corporation may employ a school



1 bus driver on a school year basis in the same manner as other
2 noninstructional employees are employed.

3 (b) If a school corporation employs a school bus driver under
4 subsection (a), the employment contract between the school
5 corporation and the school bus driver must be in writing.

6 (c) (b) A school corporation that hires a school bus driver under this
7 section shall purchase and carry public liability and property damage
8 insurance covering the operation of school bus equipment in
9 compliance with IC 9-25.

10 (d) (c) Sections 5 through 32 of this chapter do not apply to the
11 employment of a school bus driver hired under this section.

12 SECTION 214. IC 20-27-5-5, AS ADDED BY P.L.1-2005,
13 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 5. (a) If a school bus driver is required to furnish
15 the school bus body or the school bus chassis, or both, the governing
16 body of the school corporation shall ~~may~~ enter into a written
17 transportation contract with the school bus driver **under IC 5-22.**

18 (b) The transportation contract may include a provision allowing the
19 school bus driver to be eligible for the life and health insurance
20 benefits and other fringe benefits available to other school personnel.

21 SECTION 215. IC 20-27-5-6, AS ADDED BY P.L.1-2005,
22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2015]: Sec. 6. (a) ~~When a fleet contractor is required to~~
24 ~~provide two (2) or more school buses and school bus drivers;~~ The
25 governing body of the school corporation shall ~~may~~ enter into a written
26 fleet contract with the fleet contractor **under IC 5-22.**

27 (b) The fleet contract may include a provision allowing the school
28 bus drivers to be eligible for the life and health insurance benefits and
29 other fringe benefits available to other school personnel.

30 SECTION 216. IC 20-27-5-7, AS ADDED BY P.L.1-2005,
31 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 7. Transportation ~~or and~~ fleet contracts ~~may either~~
33 **entered into by a school corporation shall be entered into under**
34 **IC 5-22.**

35 (1) ~~negotiated and let after receiving bids on the basis of~~
36 ~~specifications; as provided for in section 10 of this chapter; or~~

37 (2) ~~negotiated on the basis of proposals by a bidder in which the~~
38 ~~bidder suggests additional or altered specifications.~~

39 A school corporation negotiating and executing a transportation
40 contract shall comply with section 5 and sections 9 through 16 of this
41 chapter. A school corporation negotiating and executing a fleet contract
42 shall comply with sections 8 through 16 of this chapter.



1 SECTION 217. IC 20-27-5-8 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 8: (a) The governing body of a school corporation shall
3 adopt specifications for transportation and fleet contracts before
4 entering into a transportation or fleet contract under section 5 or 6 of
5 this chapter:

6 (b) The specifications shall be prepared and placed on file in the
7 office of the governing body at least fifteen (15) days before the
8 advertised date for beginning negotiations or receiving proposals or
9 bids. However, if a school corporation is under the jurisdiction of a
10 county superintendent of schools, the specifications shall be placed on
11 file in the office of the county superintendent.

12 (c) All specifications are public records and are open, during regular
13 office hours, for inspection by the public.

14 SECTION 218. IC 20-27-5-9 IS REPEALED [EFFECTIVE JULY
15 1, 2015]. Sec. 9: The specifications for contracts adopted under section
16 8 of this chapter must include the following:

- 17 (1) A description of the route for which the contract is to be let.
- 18 (2) The approximate number of students to be transported on the
19 route.
- 20 (3) The approximate number of miles to be traveled each school
21 day on the route.
- 22 (4) The type of school bus equipment required to be furnished by
23 the school bus driver or fleet contractor, including the seating
24 capacity of the equipment required.
- 25 (5) The amount of public liability and property damage insurance
26 coverage, if any, required to be furnished by the school bus driver
27 or fleet contractor. If a school corporation owns either the chassis
28 or the body of the school bus equipment, the specifications must
29 recite the amount and kind of insurance coverage required to be
30 furnished by a bidding school bus driver. In addition to the
31 amount and kind of insurance set forth in the specifications, the
32 governing body, the school bus driver, or the fleet contractor may,
33 at their own election and at their own expense, carry additional
34 insurance, including health, accident, and medical payments
35 insurance.
- 36 (6) The amount of surety bond required to be furnished by the
37 school bus driver.
- 38 (7) The length of the term for which the contract may be let.
39 However, a township trustee may not enter into a school bus
40 contract that has a term extending beyond the June 30 following
41 the expiration date of the trustee's term of office.
- 42 (8) Any other relevant information necessary to advise a



1 prospective bidder of the terms and conditions of the
2 transportation contract or fleet contract.

3 SECTION 219. IC 20-27-5-10, AS ADDED BY P.L.1-2005,
4 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 10. (a) The governing body shall give notice to the
6 public at least ten (10) days before beginning negotiations or receiving
7 proposals or bids for transportation or fleet contracts. Notice shall be
8 given in the manner provided by IC 5-3-1. The notice must include the
9 following information:

10 (1) That the governing body will negotiate, receive proposals, or
11 receive bids for transportation contracts and fleet contracts on a
12 specified date.

13 (2) That the governing body will execute contracts for the school
14 bus routes of the school corporation.

15 (3) That the specifications for the routes and related information
16 are on file in the office of the governing body. ~~or in the office of~~
17 ~~the county superintendent.~~

18 (b) A transportation or fleet contract may not be negotiated until
19 notice has been given under this section.

20 SECTION 220. IC 20-27-5-11 IS REPEALED [EFFECTIVE JULY
21 1, 2015]. Sec. 11. (a) Except as provided in subsection (b), if the
22 duration of a transportation or fleet contract is for more than one (1)
23 full school year, the contract must be let before the May 1 preceding
24 the beginning of the first school year covered by the contract.

25 (b) A contract described in subsection (a) that is let after the May 1
26 preceding the beginning of the first school year covered by the contract
27 is valid if the contract was let after May 1 due to an emergency
28 situation.

29 SECTION 221. IC 20-27-5-12 IS REPEALED [EFFECTIVE JULY
30 1, 2015]. Sec. 12. (a) If a transportation or fleet contract is let under
31 sections 5 through 11 of this chapter, or let after renegotiation under
32 section 16 of this chapter, the contract shall be awarded to the lowest
33 responsible bidder, subject to the limitations in this section and in
34 sections 14 and 15 of this chapter.

35 (b) The governing body may refuse to award the bid to the lowest
36 responsible bidder if the amount of the bid is not satisfactory to the
37 school corporation.

38 SECTION 222. IC 20-27-5-14 IS REPEALED [EFFECTIVE JULY
39 1, 2015]. Sec. 14. A governing body may reject any or all bids. If a bid
40 is not received for a specified route, the governing body may either
41 readvertise for bids or negotiate a contract for the route without further
42 advertising.



1 SECTION 223. IC 20-27-5-15 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 15: The governing body may alter a school bus route at
3 any time. If the altered route is longer than the route in the original
4 contract, the school bus driver or fleet contractor shall be paid
5 additional compensation for each additional mile or fraction of a mile.
6 The additional compensation shall be based on the average rate per
7 mile in the original contract.

8 SECTION 224. IC 20-27-5-16 IS REPEALED [EFFECTIVE JULY
9 1, 2015]. Sec. 16: The governing body may require the school bus
10 driver or fleet contractor to furnish equipment with greater seating
11 capacity at any time. When a school bus driver or fleet contractor is
12 required to furnish different equipment during the term of the contract,
13 the contracting parties may mutually agree to the cancellation of the
14 existing contract and renegotiate a new contract for the balance of the
15 term of the original contract. Action taken by a governing body under
16 section 15 of this chapter does not preclude simultaneous action under
17 this section.

18 SECTION 225. IC 20-27-5-17 IS REPEALED [EFFECTIVE JULY
19 1, 2015]. Sec. 17: Notwithstanding any other provision in this chapter,
20 the governing body may, with the consent of the other party or parties
21 to the contract, amend an existing transportation or fleet contract to
22 make any necessary adjustments caused by a fluctuation in the cost of
23 fuel that occurs during the term of the contract.

24 SECTION 226. IC 20-27-5-18 IS REPEALED [EFFECTIVE JULY
25 1, 2015]. Sec. 18: If highway or road conditions require a school bus
26 driver to drive a greater distance than provided by the contract,
27 additional compensation shall be paid to the school bus driver or fleet
28 contractor. The additional compensation shall be computed as if the
29 governing body had lengthened the route under section 15 of this
30 chapter.

31 SECTION 227. IC 20-27-5-20 IS REPEALED [EFFECTIVE JULY
32 1, 2015]. Sec. 20: After notice to the governing body or its authorized
33 agent, a school bus driver may provide a substitute driver for any of the
34 following reasons:

- 35 (1) Illness of the school bus driver.
- 36 (2) Illness or death of a member of the school bus driver's family.
- 37 (3) Compulsory absence of a school bus driver because of jury
38 duty.
- 39 (4) Performance of services and duties related to the Indiana State
40 Association of School Bus Drivers, Inc.
- 41 (5) Performance of services and duties required by service in the
42 general assembly.



1 (6) Attendance at meetings of the committee.

2 (7) Management by a school bus driver of the school bus driver's
3 personal business affairs. However, a school bus driver may not
4 be absent for management of personal business affairs for more
5 than ten (10) days in any one (1) school year without the approval
6 of the governing body.

7 SECTION 228. IC 20-27-5-22 IS REPEALED [EFFECTIVE JULY
8 1, 2015]. Sec. 22: (a) A school bus driver's transportation contract may
9 be terminated for:

10 (1) incompetency;

11 (2) physical disability;

12 (3) negligence; or

13 (4) failure to faithfully perform the school bus driver's duties
14 under the contract;

15 only after the school bus driver has received notice and a hearing:

16 (b) Notice under subsection (a) must:

17 (1) be in writing; and

18 (2) allow a reasonable time before the hearing.

19 (c) The school bus driver may appear at a hearing under subsection
20 (a) either in person or by counsel:

21 SECTION 229. IC 20-27-5-24 IS REPEALED [EFFECTIVE JULY
22 1, 2015]. Sec. 24: When a physical examination reveals that a school
23 bus driver is physically unfit to perform the transportation contract, the
24 school bus driver shall:

25 (1) furnish a substitute school bus driver who is qualified under
26 section 21 of this chapter; or

27 (2) assign the school bus driver's transportation contract, if the
28 governing body approves, to a person qualified under this chapter.

29 SECTION 230. IC 20-27-5-25 IS REPEALED [EFFECTIVE JULY
30 1, 2015]. Sec. 25: (a) If a school bus driver is found physically unfit
31 and fails to perform the duty required by section 24 of this chapter, the
32 governing body may terminate the school bus driver's contract after the
33 school bus driver has been given notice and an opportunity for a
34 hearing:

35 (b) Notice under subsection (a) must:

36 (1) be in writing; and

37 (2) allow a reasonable time before the hearing.

38 (c) The school bus driver may appear at a hearing under subsection
39 (a) either in person or by counsel:

40 SECTION 231. IC 20-27-5-26, AS ADDED BY P.L.1-2005,
41 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2015]: Sec. 26. (a) A fleet contract entered into under this



1 chapter must provide the following:

2 (1) The fleet contractor is responsible for the employment;

3 physical condition; and conduct of every school bus driver

4 employed by the fleet contractor.

5 (2) The fleet contractor shall submit to the governing body a list

6 of the names; addresses; telephone numbers; and route

7 assignments of all regular and substitute school bus drivers

8 employed by the fleet contractor.

9 (3) All school bus drivers employed by the fleet contractor must

10 meet the physical, moral, and license standards prescribed in

11 IC 20-27-8.

12 (b) (4) School bus drivers employed by a fleet contractor shall

13 attend the annual safety meeting for school bus drivers sponsored by

14 the committee and the state police department in accordance with

15 IC 20-27-8-9.

16 (5) Failure to employ school bus drivers who meet and maintain

17 the physical, moral, and license standards of IC 20-27-8; or failure

18 to compel attendance of a school bus driver at the annual safety

19 meeting; is a breach of contract and may result in termination of

20 the fleet contract and in forfeiture of the surety bond.

21 SECTION 232. IC 20-27-8-13, AS ADDED BY P.L.1-2005,

22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

23 JULY 1, 2015]: Sec. 13. (a) The committee shall provide a uniform

24 system for the registration of school bus drivers who are required to

25 attend the annual safety meetings or workshops. This registration

26 system must do the following:

27 (1) Accurately reflect the attendance of each school bus driver at

28 each session of the annual meeting or workshop.

29 (2) Provide a registration form indicating the school bus driver's

30 name and legal address, and the name of the school the school bus

31 driver represents.

32 (b) The state superintendent shall supervise registration of school

33 bus drivers at the annual safety meetings or workshops.

34 (c) The principal of each school shall prepare and collect the

35 attendance records of school bus drivers who attend any safety meeting

36 or workshops and shall make a written report of the attendance records

37 to the state superintendent not more than ten (10) days after the

38 meeting or workshop.

39 (d) Records of attendance shall be filed in the office of the state

40 superintendent and maintained there as public records for at least three

41 (3) years.

42 SECTION 233. IC 20-27-9-6, AS ADDED BY P.L.1-2005,



1 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 6. (a) In addition to the exemptions granted in this
3 chapter and notwithstanding section 16 of this chapter, a school
4 corporation may allow a school bus operated under a fleet or
5 transportation contract and not owned in whole or in part by a public
6 agency to be used for the transportation of a group or an organization
7 for any distance, if that group or organization agrees to maintain the
8 condition of the school bus and to maintain order on the school bus
9 while in use.

10 (b) When authorizing transportation described in subsection (a), the
11 school corporation shall require the owner of the school bus to:

- 12 (1) obtain written authorization of the superintendent of the
- 13 contracting school corporation;
- 14 (2) clearly identify the school bus with the name of the sponsoring
- 15 group; and
- 16 (3) provide proof to the superintendent and the sponsoring group
- 17 of financial responsibility, as required by IC 9-25 ~~and~~
- 18 ~~IC 20-27-5-9~~ for the transportation.

19 (c) The governing body of a school corporation may allow, by
20 written authorization, the use of a school bus owned in whole or in part
21 by the school corporation for the transportation needs of a fair or
22 festival operated by or affiliated with a nonprofit organization exempt
23 from federal taxation under Section 501(c)(3) through 501(c)(7) of the
24 Internal Revenue Code.

25 SECTION 234. IC 20-28-6-2, AS AMENDED BY P.L.6-2012,
26 SECTION 137, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A contract entered into by a
28 teacher and a school corporation must:

- 29 (1) be in writing;
- 30 (2) be signed by both parties; and
- 31 (3) contain the:
 - 32 (A) beginning date of the school term as determined annually
 - 33 by the school corporation;
 - 34 (B) number of days in the school term as determined annually
 - 35 by the school corporation;
 - 36 (C) total salary to be paid to the teacher during the school year;
 - 37 (D) number of salary payments to be made to the teacher
 - 38 during the school year; and
 - 39 (E) number of hours per day the teacher is expected to work,
 - 40 as discussed pursuant to IC 20-29-6-7.

41 (b) The contract may provide for the annual determination of the
42 teacher's annual compensation by a local salary schedule, which is part



1 of the contract. **under IC 20-29-6.** The salary schedule may be
 2 changed by **subsequent adoption of salary changes under the**
 3 **collective bargaining process.** the school corporation on or before
 4 May 1 of a year, with the changes effective the next school year. A
 5 teacher affected by the changes shall be furnished with printed copies
 6 of the changed schedule not later than thirty (30) days after the
 7 schedule's adoption:

8 (c) A contract under this section is also governed by the following
 9 statutes:

- 10 (1) IC 20-28-9-5 through IC 20-28-9-6.
- 11 (2) IC 20-28-9-9 through IC 20-28-9-11.
- 12 (3) IC 20-28-9-13.
- 13 (4) IC 20-28-9-14.

14 (d) A governing body shall provide the blank contract forms
 15 carefully worded by the state superintendent, and have them signed.
 16 The contracts are public records open to inspection by the residents of
 17 each school corporation.

18 (e) An action may be brought on a contract that conforms with
 19 subsections (a)(1), (a)(2), and (d).

20 SECTION 235. IC 20-28-6-6 IS REPEALED [EFFECTIVE JULY
 21 1, 2015]. Sec. 6: (a) A temporary teacher's contract shall be used only
 22 for employing:

23 (1) a teacher to serve in the absence of a teacher who has been
 24 granted a leave of absence by the school corporation for:

- 25 (A) engaging in defense service or in service auxiliary to
 26 defense service;
- 27 (B) professional study or advancement;
- 28 (C) exchange teaching;
- 29 (D) extended disability to which a licensed physician has
 30 attested; or
- 31 (E) serving in the general assembly; or

32 (2) a new teacher for a position:

- 33 (A) that is funded by a grant outside the school funding
 34 formula for which funding is available only for a specified
 35 period or purpose; or
- 36 (B) vacated by a teacher who is under a regular contract and
 37 who temporarily accepts a teacher position that is funded by a
 38 grant outside the school funding formula for which funding is
 39 available only for a specified period or purpose.

40 (b) The temporary teacher's contract must contain:

- 41 (1) the provisions of the regular teacher's contract except those
 42 providing for continued tenure of position;



- 1 (2) a blank space for the name of the teacher granted the leave;
- 2 which may not be used on another temporary teacher's contract
- 3 for the same leave of absence; and
- 4 (3) an expiration date that:
 - 5 (A) is the date of the return of the teacher on leave; and
 - 6 (B) is not later than the end of the school year.
- 7 (c) If a teacher is employed on the temporary teacher's contract for
- 8 at least sixty (60) days in a school year, the teacher may, on request,
- 9 receive the service credit that the teacher would otherwise receive with
- 10 regard to the Indiana state teachers' retirement fund.

11 SECTION 236. IC 20-28-6-7, AS AMENDED BY P.L.90-2011,
 12 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 7. (a) As used in this section, "teacher" includes
 14 an individual who:

- 15 (1) holds a substitute teacher's license; and
- 16 (2) provides instruction in a joint summer school program under
- 17 IC 20-30-7-5.
- 18 (b) The supplemental service teacher's contract shall be used when
- 19 a teacher provides professional service in evening school or summer
- 20 school employment, except when a teacher or other individual is
- 21 employed to supervise or conduct noncredit courses or activities.

22 (c) If a teacher serves more than one hundred twenty (120) days on
 23 a supplemental service teacher's contract in a school year, the following
 24 apply:

- 25 (1) Sections 1, 2, 3, and 8 of this chapter;
- 26 (2) IC 20-28-10-1 through IC 20-28-10-5;
- 27 (d) (c) The salary of a teacher on a supplemental service contract
- 28 shall be determined by the superintendent. The superintendent may, but
- 29 is not required to, base the salary on the regular salary schedule for the
- 30 school corporation.

31 SECTION 237. IC 20-28-7.5-1, AS AMENDED BY P.L.286-2013,
 32 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 1. (a) This chapter applies to a teacher in a school
 34 corporation (as defined in IC 20-18-2-16(a)).

35 (b) A principal may decline to continue a probationary teacher's
 36 contract under sections 2 through 4 of this chapter if the probationary
 37 teacher:

- 38 (1) receives an ineffective designation on a performance
- 39 evaluation under IC 20-28-11.5;
- 40 (2) receives two (2) consecutive improvement necessary ratings
- 41 on a performance evaluation under IC 20-28-11.5; or
- 42 (3) is subject to a justifiable decrease in the number of teaching



- 1 positions or any reason relevant to the school corporation's
2 interest.
- 3 (e) Except as provided in subsection (e), a principal may not decline
4 to continue a professional or established teacher's contract unless the
5 teacher is subject to a justifiable decrease in the number of teaching
6 positions:
- 7 **(b) A contract with a teacher may be canceled immediately in
8 the manner set forth in sections 2 through 4 of this chapter for any
9 of the following reasons:**
- 10 **(1) Immorality.**
- 11 **(2) Insubordination, which means a willful refusal to obey the
12 state school laws or reasonable rules adopted for the
13 governance of the school building or the school corporation.**
- 14 **(3) A justifiable decrease in the number of teaching positions,
15 which must be determined on the basis of performance rather
16 than seniority. In cases where teachers are placed in the same
17 performance category, any of the items in IC 20-28-9-1.5(b)
18 may be considered.**
- 19 **(4) Incompetence, including:**
- 20 **(A) for probationary teachers, receiving an ineffective
21 designation on a performance evaluation or receiving two
22 (2) consecutive improvement necessary ratings on a
23 performance evaluation under IC 20-28-11.5; or**
- 24 **(B) for any teacher, receiving an ineffective designation on
25 two (2) consecutive performance evaluations or an
26 ineffective designation or improvement necessary rating
27 under IC 20-28-11.5 for three (3) years of any five (5) year
28 period.**
- 29 **(5) Neglect of duty.**
- 30 **(6) A conviction of an offense listed in IC 20-28-5-8(c).**
- 31 **(7) Other good or just cause.**
- 32 **(c) In addition to the requirements set forth in subsection (b), a
33 probationary teacher's contract may be canceled for any reason
34 relevant to the school corporation's interest.**
- 35 **(d) After June 30, 2012, The cancellation of a teacher's contracts
36 contract due to a justifiable decrease in the number of teaching
37 positions shall be determined on the basis of performance rather than
38 seniority. In cases where teachers are placed in the same performance
39 category, any of the items in IC 20-28-9-1.5(b) may be considered.**
- 40 **(e) A contract with a teacher may be canceled immediately in the
41 manner set forth in sections 2 through 4 of this chapter for any of the
42 following reasons:**



- 1 (1) Immorality:
- 2 (2) Insubordination, which means a willful refusal to obey the
- 3 state school laws or reasonable rules adopted for the governance
- 4 of the school building or the school corporation:
- 5 (3) Justifiable decrease in the number of teaching positions:
- 6 (4) Incompetence, including receiving:
- 7 (A) an ineffective designation on two (2) consecutive
- 8 performance evaluations under IC 20-28-11.5; or
- 9 (B) an ineffective designation or improvement necessary
- 10 rating in three (3) years of any five (5) year period:
- 11 (5) Neglect of duty:
- 12 (6) A conviction for an offense listed in IC 20-28-5-8(c):
- 13 (7) Other good or just cause:

14 SECTION 238. IC 20-28-7.5-2, AS ADDED BY P.L.90-2011,
 15 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 2. (a) Before a ~~teacher is refused continuation of~~
 17 ~~the teacher's contract, teacher's contract is canceled,~~ the teacher has
 18 the following rights:

- 19 (1) The principal shall notify the teacher of the principal's
- 20 preliminary decision. The notification must be:
- 21 (A) in writing; and
- 22 (B) delivered in person or mailed by registered or certified
- 23 mail to the teacher at the teacher's last known address.
- 24 (2) The notice in subdivision (1) must include a written statement,
- 25 subject to IC 5-14-3-4, giving the reasons for the preliminary
- 26 decision.
- 27 ~~(3) Notification due to a reduction in force must be delivered~~
- 28 ~~between May 1 and July 1.~~
- 29 (b) For a cancellation of a teacher's contract for a reason other than
- 30 a reduction in force, the notice required under subsection (a)(1) must
- 31 inform the teacher that, not later than five (5) days after the teacher's
- 32 receipt of the notice, the teacher may request a private conference with
- 33 the superintendent. The superintendent must set the requested meeting
- 34 not later than ten (10) days after the request.
- 35 (c) At the conference between the superintendent and the teacher,
- 36 the teacher may be accompanied by a representative.
- 37 (d) After the conference between the superintendent and the teacher,
- 38 the superintendent shall make a written recommendation to the
- 39 governing body of the school corporation regarding the cancellation of
- 40 the teacher's contract.
- 41 (e) If the teacher does not request a conference under subsection (b),
- 42 the principal's preliminary decision is considered final.



1 (f) For items listed in section (1)(c)(3); (1)(c)(4); or (1)(c)(6) of this
 2 chapter, if the teacher files a request with the governing body for an
 3 additional private conference not later than five (5) days after the initial
 4 private conference with the superintendent, the teacher is entitled to an
 5 additional private conference with the governing body before the
 6 governing body makes a final decision, which must be in writing;
 7 concerning the cancellation of the teacher's contract.

8 (g) (f) For items listed in section (1)(c)(1); (1)(c)(2); (1)(c)(5); or
 9 (1)(c)(7) of this chapter, if, not later than five (5) days after the initial
 10 private conference with the superintendent, the **If a professional or**
 11 **established** teacher files a request with the governing body for an
 12 additional private conference **not later than five (5) days after the**
 13 **initial private conference with the superintendent**, the teacher is
 14 entitled to an additional private conference with the governing body
 15 before the governing body makes a final decision. The final decision
 16 must be in writing and must be made not more than thirty (30) days
 17 after the governing body receives the teacher's request for the
 18 additional private conference. At the private conference the governing
 19 body shall do the following:

20 (1) Allow the teacher to present evidence to refute the reason or
 21 reasons for contract cancellation and supporting evidence
 22 provided by the school corporation. Any evidence presented at the
 23 private conference must have been exchanged by the parties at
 24 least seven (7) days before the private conference.

25 (2) Consider whether a preponderance of the evidence supports
 26 the cancellation of the teacher's contract.

27 SECTION 239. IC 20-28-7.5-6 IS REPEALED [EFFECTIVE JULY
 28 1, 2015]. Sec. 6: A contract entered into by a teacher and a school
 29 employer continues in force on the same terms and for the same wages;
 30 unless increased under IC 20-28-9-1.5; for the next school term
 31 following the date of the contract's termination unless one (1) of the
 32 following occurs:

33 (1) The school corporation refuses continuation of the contract
 34 under this chapter.

35 (2) The teacher delivers in person or by registered or certified
 36 mail to the school corporation the teacher's written resignation.

37 (3) The contract is replaced by another contract agreed to by the
 38 parties.

39 SECTION 240. IC 20-28-7.5-7, AS ADDED BY P.L.90-2011,
 40 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 7. (a) This chapter shall be construed to:

42 (1) limit the provisions of a collective bargaining agreement



1 negotiated under IC 20-29; and
2 (2) prohibit the negotiation of contracts that violate the
3 requirements of this chapter and IC 20-28-9-21 through
4 ~~IC 20-28-9-23.~~ **IC 20-28-9-22.**

5 (b) This chapter prohibits a school employer and an exclusive
6 representative (as defined in IC 20-29-2-9) from collectively bargaining
7 contracts that alter the requirements of this chapter and IC 20-28-9-21
8 through ~~IC 20-28-9-23.~~ **IC 20-28-9-22.**

9 (c) This chapter shall be construed to prohibit a school employer
10 and an exclusive representative from mutually agreeing to binding
11 arbitration concerning teacher dismissals.

12 SECTION 241. IC 20-28-7.5-8, AS AMENDED BY P.L.43-2014,
13 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 8. (a) This section does not apply to an individual
15 who works at a conversion charter school (as defined in IC 20-24-1-5)
16 for purposes of the individual's employment with the school
17 corporation that sponsored the conversion charter school.

18 (b) A contract entered into less than fourteen (14) days before the
19 day on which teachers must report for work between a school
20 corporation and a teacher is void if the teacher, at the time of signing
21 the contract, is bound by a previous contract to teach in a public school.
22 However, another contract may be signed by the teacher that will be
23 effective if the teacher:

24 (1) furnishes the principal a release by the ~~employer under the~~
25 ~~previous contract;~~ **first employer;** or

26 (2) shows proof that thirty (30) days written notice was delivered
27 by the teacher to the first employer.

28 (c) A principal may request from a teacher, at the time of
29 contracting, a written statement as to whether the teacher has signed
30 another teaching contract. However, the teacher's failure to provide the
31 statement is not a cause for subsequently voiding the contract.

32 SECTION 242. IC 20-28-8-3, AS AMENDED BY P.L.253-2013,
33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 3. (a) Before March 1 of the year during which the
35 contract of an assistant superintendent, a principal, or an assistant
36 principal is due to expire, the governing body of the school corporation,
37 or an employee at the direction of the governing body, shall give
38 written notice of renewal or refusal to renew the individual's contract
39 for the ensuing school year.

40 (b) ~~If notice is not given before March 1 of the year during which~~
41 ~~the contract is due to expire, the contract then in force shall be~~
42 ~~reinstated only for the ensuing school year.~~



1 (e) (b) This section does not prevent the modification or termination
 2 of a contract by mutual agreement of the assistant superintendent, the
 3 principal, or the assistant principal and the governing body.

4 SECTION 243. IC 20-28-8-6, AS AMENDED BY P.L.167-2013,
 5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 6. A contract entered into by a governing body
 7 and its superintendent is subject to the following conditions:

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

11 (2) The contract must be for a term of at least thirty-six (36)
 12 months.

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

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

21 SECTION 244. IC 20-28-8-8 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. ~~Sec. 8. If the governing body fails to give a termination notice~~
 23 ~~under section 7(3) of this chapter; the superintendent's contract is~~
 24 ~~extended for twelve (12) months following the expiration date of the~~
 25 ~~contract.~~

26 SECTION 245. IC 20-28-8-11, AS ADDED BY P.L.1-2005,
 27 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 11. (a) Before February 1 of the year during which
 29 the contract of a local director is due to expire, the managing body, or
 30 an employee at the direction of the managing body, shall give written
 31 notice of renewal or refusal to renew the local director's contract for the
 32 ensuing school year.

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

36 (e) (b) This section does not prevent the modification or termination
 37 of a contract by mutual agreement of the local director and the
 38 managing body.

39 SECTION 246. IC 20-28-9-1.5, AS ADDED BY P.L.286-2013,
 40 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 1.5. (a) This subsection applies to a contract in
 42 effect July 1, 2012, or upon the expiration of a contract in existence on



1 July 1, 2011, whichever is earlier, and governs salary increases for a
 2 teacher employed by a school corporation on or after the date this
 3 subsection takes effect. Compensation attributable to additional
 4 degrees or graduate credits earned before the effective date of the local
 5 salary schedule created under this chapter shall continue.
 6 Compensation attributable to additional degrees for which a teacher has
 7 started course work before July 1, 2011, and completed course work
 8 before September 2, 2014, shall also continue.

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

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

15 ~~(A) The number of years of a teacher's experience;~~

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

17 ~~(i) additional content area degrees beyond the requirements~~
 18 ~~for employment; or~~

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

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

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

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

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

27 **(A) additional content area degrees beyond the**
 28 **requirements for employment; or**

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

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

39 (d) A teacher who does not receive a raise or increment under
 40 subsection (c) may file a request with the superintendent or
 41 superintendent's designee not later than five (5) days after receiving
 42 notice that the teacher received a rating of ineffective. The teacher is



1 entitled to a private conference with the superintendent or
2 superintendent's designee.

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

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

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

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

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

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

19 SECTION 247. IC 20-28-9-21, AS AMENDED BY P.L.90-2011,
20 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 21. (a) This section and ~~sections~~ **section 22**
22 ~~through 23~~ of this chapter apply to the suspension of a teacher without
23 pay. ~~when the procedure for the cancellation of the teacher's contract~~
24 ~~under IC 20-28-7.5 does not apply.~~

25 (b) A teacher may be suspended from duty without pay only for the
26 following reasons:

27 (1) Immorality.

28 (2) Insubordination, which means the willful refusal to obey the
29 state school laws or reasonable rules prescribed for the
30 government of the school corporation.

31 (3) Neglect of duty.

32 (4) Substantial inability to perform teaching duties.

33 (5) Good and just cause.

34 SECTION 248. IC 20-28-9-22, AS ADDED BY P.L.1-2005,
35 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 22. (a) A teacher may be suspended without pay
37 only under the following procedure **set forth in this section:**

38 (1) ~~The teacher must be notified in writing not more than forty~~
39 ~~(40) days and not less than thirty (30) days before the date of the~~
40 ~~consideration of the date, time, and place for the consideration by~~
41 ~~the school corporation of the suspension of the teacher without~~
42 ~~pay.~~



- 1 (2) The teacher shall be furnished, not later than five (5) days
- 2 after a written request, a written statement of the reasons for the
- 3 consideration.
- 4 (3) The teacher may file a written request for a hearing not later
- 5 than fifteen (15) days after receipt of the notice of this
- 6 consideration.
- 7 (4) If a request for a hearing is filed, the teacher must be given a
- 8 hearing before the governing body on a day not earlier than five
- 9 (5) days after filing the request.
- 10 (5) The teacher must be given at least five (5) days notice of the
- 11 date, time, and place of the hearing.
- 12 (6) At the hearing, the teacher is entitled:
- 13 (A) to a full statement of the reasons for the proposed
- 14 suspension without pay; and
- 15 (B) to be heard and to present the testimony of witnesses and
- 16 other evidence bearing on the reasons for the proposed
- 17 suspension without pay.
- 18 (7) A teacher may not be suspended without pay until:
- 19 (A) the date is set for consideration of the suspension without
- 20 pay;
- 21 (B) after a hearing is held, if a hearing is requested by the
- 22 teacher; and
- 23 (C) except on the suspension of a superintendent's contract, the
- 24 superintendent has given recommendations on the suspension
- 25 not later than five (5) days after the school corporation makes
- 26 the request for recommendations.
- 27 (8) After complying with this section, the governing body of the
- 28 school corporation may suspend a teacher without pay for a
- 29 reasonable time by a majority vote evidenced by a signed
- 30 statement in the minutes of the board.
- 31 The vote to suspend a teacher without pay described in subdivision (8)
- 32 must be taken by the governing body on the date and at the time and
- 33 place specified in subdivision (1).
- 34 (1) The principal shall notify the teacher of the principal's
- 35 preliminary decision. The notification must be:
- 36 (A) in writing; and
- 37 (B) delivered in person or mailed by registered or certified
- 38 mail to the teacher at the teacher's last known address.
- 39 (2) The notice in subdivision (1) must include a written
- 40 statement, subject to IC 5-14-3-4, giving the reasons for the
- 41 preliminary decision.
- 42 (b) The notice required under subsection (a) must inform the



1 teacher that, not later than five (5) days after the teacher's receipt
 2 of the notice, the teacher may request a private conference with the
 3 superintendent. The superintendent must set the requested meeting
 4 not later than ten (10) days after the request.

5 (c) At the conference between the superintendent and the
 6 teacher, the teacher may be accompanied by a representative.

7 (d) This subsection does not apply to the suspension of a
 8 superintendent. After the conference between the superintendent
 9 and the teacher, the superintendent shall make a written
 10 recommendation to the governing body of the school corporation
 11 regarding the teacher's suspension without pay.

12 (e) If the teacher does not request a conference under subsection
 13 (b), the principal's preliminary decision is considered final.

14 (f) If, not later than five (5) days after the initial private
 15 conference with the superintendent, the teacher files a request with
 16 the governing body for an additional private conference, the
 17 teacher is entitled to an additional private conference with the
 18 governing body before the governing body makes a final decision.
 19 The final decision must be in writing and must be made not more
 20 than thirty (30) days after the governing body receives the
 21 teacher's request for the additional private conference. At the
 22 private conference, the governing body shall do the following:

23 (1) Allow the teacher to present evidence to refute the reason
 24 or reasons for suspension without pay and supporting
 25 evidence provided by the school corporation. Any evidence
 26 presented at the private conference must have been exchanged
 27 by the parties at least seven (7) days before the private
 28 conference.

29 (2) Consider whether a preponderance of the evidence
 30 supports the teacher's suspension without pay.

31 (g) At the first public meeting following a private conference
 32 with:

33 (1) the governing body under subsection (f); or

34 (2) the superintendent under subsection (b), if no conference
 35 with the governing body is requested;

36 the governing body may suspend a teacher without pay for a
 37 reasonable time by a majority vote evidenced by a signed statement
 38 in the minutes of the board. The decision of the governing body is
 39 final.

40 (h) The time periods set out in this section shall be extended for
 41 a reasonable period:

42 (1) when a teacher or school official is ill or absent from the



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school corporation; or
(2) for other reasonable cause.

SECTION 249. IC 20-28-9-23 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 23: The governing body may appoint an agent (who is not an employee of the school corporation but who may be a member of the governing body or an attorney retained to administer the hearing proceedings under this section) to issue subpoenas for the attendance of witnesses for either party at the hearing under section 22 of this chapter. A subpoena issued under this section shall be:

- (1) served by the party who seeks to compel the attendance of a witness; and
- (2) upon application to the court by the party, enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action.

SECTION 250. IC 20-28-10-1, AS AMENDED BY P.L.90-2011, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) A school corporation may grant a teacher a leave of absence not to exceed one (1) year for:

- (1) a sabbatical;
- (2) a disability leave; or
- (3) a sick leave.

(b) The school corporation may grant consecutive leaves to a teacher.

(c) A school corporation may grant partial compensation for a leave in an amount the school corporation determines. However, if a teacher on a sabbatical serves an employer that agrees to reimburse the school corporation in whole or in part of the amount of the teacher's regular salary, the school corporation may grant full or partial compensation.

(d) A teacher who is pregnant shall be granted a leave of absence for the period provided in and subject to section 5 of this chapter.

(e) Except where a contract is not required under IC 20-28-7.5 in a situation that occurs before or after the commencement of leave, the teacher and the school corporation shall execute a regular teacher's contract for each school year in which any part of the teacher's leave is granted.

(f) (e) The teacher has the right to return to a teaching position for which the teacher is certified or otherwise qualified under the rules of the state board.

SECTION 251. IC 20-28-10-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) This section and sections 7 through 11 of this chapter apply to a teacher who through:

- (1) volunteering; or



1 (2) statutory selection;
 2 enters defense service on a full-time basis:

3 (b) Because the United States Congress has decreed that it is
 4 imperative to increase and train United States armed forces personnel;
 5 this section and sections 7 through 11 of this chapter:

6 (1) provide protection for teachers who have been called to leave
 7 their positions to defend the nation due to the necessity of war or
 8 a state of emergency;

9 (2) preserve the status and contract rights under the laws to any
 10 teacher who enters the defense service; and

11 (3) place those teachers in a position that the defense service does
 12 not operate as an interruption of teaching service because the
 13 contract rights that each teacher had when entering the defense
 14 service are preserved during that service the same as if the teacher
 15 had not entered the service:

16 SECTION 252. IC 20-28-10-7 IS REPEALED [EFFECTIVE JULY
 17 1, 2015]. Sec. 7: A professional or established teacher:

18 (1) with an indefinite contract under IC 20-28-6-8; and

19 (2) who is described in section 6(a) of this chapter;
 20 is granted a leave of absence during the defense service:

21 SECTION 253. IC 20-28-10-8 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. Sec. 8: (a) If a probationary teacher who is described in
 23 section 6(a) of this chapter enters the defense service, the teacher's
 24 contract as a teacher and the teacher's rights to probationary successive
 25 years under contract are preserved with the school corporation as the
 26 teacher had them when entering the defense service:

27 (b) The period of probationary successive years of service under a
 28 teacher's contract that is a condition precedent to becoming a
 29 professional or established teacher under IC 20-28-6-8 is considered
 30 uninterrupted for a teacher to whom this section applies. However, this
 31 probationary period may not include the time spent in defense service.
 32 The teacher is granted a leave of absence during the defense service:

33 SECTION 254. IC 20-28-10-9 IS REPEALED [EFFECTIVE JULY
 34 1, 2015]. Sec. 9: On reinstatement, the status of the teacher described
 35 in section 6(a) of this chapter is the same as when the teacher entered
 36 the defense service. All rights to changes of salary or position, except
 37 as specified in section 8 of this chapter, accrue to the teacher as if no
 38 interruption had occurred:

39 SECTION 255. IC 20-28-10-10 IS REPEALED [EFFECTIVE JULY
 40 1, 2015]. Sec. 10: (a) A teacher described in section 6(a) of this chapter
 41 retains the teacher's contractual rights in the Indiana state teachers'
 42 retirement fund:



1 (b) Contributions and payments into the retirement fund shall be
 2 made in the same manner as they are made for a member of the fund
 3 who is granted a leave of absence under the law pertaining to that fund.

4 (c) The teacher is granted a leave of absence during the defense
 5 service:

6 SECTION 256. IC 20-28-10-11 IS REPEALED [EFFECTIVE JULY
 7 1, 2015]. Sec. 11: (a) Not later than sixty (60) days after:

- 8 (1) an honorable or medical discharge; or
- 9 (2) release from active participation in the defense service;

10 a teacher who has received a leave of absence for defense service shall
 11 return to the school corporation for reinstatement. The school
 12 corporation shall then reinstate the teacher.

13 (b) If the teacher is unable to return for reinstatement within the
 14 sixty (60) day period for any reason arising from mental or physical
 15 disability, the teacher has sixty (60) days after the date of removal of
 16 the disability to apply for reinstatement.

17 (c) On reinstatement or on written resignation submitted to the
 18 school corporation, the teacher's leave of absence and defense service
 19 is considered terminated:

20 SECTION 257. IC 20-29-2-10, AS ADDED BY P.L.1-2005,
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 10. "Governing body" means:

- 23 (1) a township trustee and the township board; of a school
- 24 township;
- 25 (2) a county board of education;
- 26 (3) (1) a board of school commissioners;
- 27 (4) (2) a metropolitan board of education;
- 28 (5) (3) a board of trustees;
- 29 (6) (4) any other board or commission charged by law with the
- 30 responsibility of administering the affairs of a school corporation;
- 31 or
- 32 (7) (5) the body that administers a charter school established
- 33 under IC 20-24.

34 SECTION 258. IC 20-29-2-12, AS AMENDED BY P.L.234-2007,
 35 SECTION 109, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2015]: Sec. 12. "School corporation" means a
 37 local public school corporation established under Indiana law. The term
 38 includes any:

- 39 (1) school city;
- 40 (2) school town;
- 41 (3) school township;
- 42 (4) (3) consolidated school corporation;



- 1 ~~(5)~~ **(4)** metropolitan school district;
- 2 ~~(6)~~ **(5)** township school corporation;
- 3 ~~(7)~~ **(6)** county school corporation;
- 4 ~~(8)~~ **(7)** united school corporation;
- 5 ~~(9)~~ **(8)** community school corporation; and
- 6 ~~(10)~~ **(9)** public career and technical education center or school or
- 7 school for children with disabilities established or maintained by
- 8 two (2) or more school corporations.
- 9 SECTION 259. IC 20-29-6-12 IS REPEALED [EFFECTIVE JULY
- 10 1, 2015]. ~~Sec. 12: Formal collective bargaining between a school~~
- 11 ~~corporation and the exclusive representative shall not begin before:~~
- 12 ~~(1) August 1 in the first year of the state budget biennium; or~~
- 13 ~~(2) August 1 in the second year of the state budget biennium if the~~
- 14 ~~parties agreed to a one (1) year contract during the first year of the~~
- 15 ~~state budget biennium or the contract provides for renegotiating~~
- 16 ~~certain financial items the second year of a two (2) year contract.~~
- 17 ~~Informal negotiations may be held before August 1.~~
- 18 SECTION 260. IC 20-30-2-2.2, AS AMENDED BY P.L.246-2013,
- 19 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2015]: Sec. 2.2. (a) As used in this section, "eligible student"
- 21 means a student in grade 11 or 12 who has:
- 22 (1) failed the ISTEP+ graduation exam at least twice;
- 23 (2) been determined to be chronically absent, by missing ten
- 24 percent (10%) or more of a school year for any reason;
- 25 (3) been determined to be a habitual truant, as identified under
- 26 IC 20-33-2-11;
- 27 (4) been significantly behind in credits for graduation, as
- 28 identified by an individual's school principal;
- 29 (5) previously undergone at least a second suspension from school
- 30 for the school year under IC 20-33-8-14 or IC 20-33-8-15;
- 31 (6) previously undergone an expulsion from school under
- 32 IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16; or
- 33 (7) been determined by the individual's principal and the
- 34 individual's parent or guardian to benefit by participating in the
- 35 school flex program.
- 36 (b) An eligible student who participates in a school flex program
- 37 must:
- 38 (1) attend school for at least three (3) hours of instructional time
- 39 per school day;
- 40 (2) pursue a timely graduation;
- 41 (3) provide evidence of college or technical career education
- 42 enrollment and attendance or proof of employment and labor that



1 is aligned with the student's career academic sequence under rules
 2 established by the Indiana bureau of child labor;
 3 (4) not be suspended or expelled while participating in a school
 4 flex program;
 5 (5) pursue course and credit requirements for a general diploma;
 6 and
 7 (6) maintain a ninety-five percent (95%) attendance rate.
 8 (c) A school may allow an eligible student in grade 11 or 12 to
 9 complete an instructional day that consists of three (3) hours of
 10 instructional time if the student participates in the school flex program.
 11 ~~(d) If one (1) or more students participate in a school flex program;~~
 12 ~~the principal shall, on forms provided by the department, submit a~~
 13 ~~yearly report to the department of student participation and graduation~~
 14 ~~rates of students who participate in the school flex program.~~
 15 SECTION 261. IC 20-30-3-1 IS REPEALED [EFFECTIVE JULY
 16 1, 2015]. Sec. 1: (a) The last Friday of April is designated for general
 17 observance as Arbor Day to encourage the planting of shade and forest
 18 trees, shrubs, and vines.
 19 (b) Each year the governor shall proclaim Arbor Day at least thirty
 20 ~~(30)~~ days before it occurs.
 21 (c) Appropriate exercises giving due honor to:
 22 (1) the conservators of forestry;
 23 (2) the founders of the study and conservation of Indiana forestry;
 24 and
 25 (3) a leading spirit of Indiana forestry conservation, Charles
 26 Warren Fairbanks;
 27 may be prepared by each superintendent and conducted in each school
 28 and by communities throughout Indiana.
 29 SECTION 262. IC 20-30-4-2, AS AMENDED BY P.L.140-2008,
 30 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 2. In consultation with the student's ~~guidance~~
 32 **school** counselor, after seeking consultation with each student's
 33 parents, and not later than the date on which the student completes
 34 grade 9, each student shall further develop the graduation plan
 35 developed in grade 6 under section 1.5 of this chapter to also include
 36 the following:
 37 (1) The subject and skill areas of interest to the student.
 38 (2) A program of study under the college/technology preparation
 39 curriculum adopted by the state board under IC 20-30-10-2 for
 40 grades 10, 11, and 12 that meets the interests and aptitude of the
 41 student.
 42 (3) Assurances that, upon satisfactory fulfillment of the plan, the



- 1 student:
- 2 (A) is entitled to graduate; and
- 3 (B) will have taken at least the minimum variety and number
- 4 of courses necessary to gain admittance to a state educational
- 5 institution.
- 6 (4) An indication of assessments (other than ISTEP and the
- 7 graduation examination) that the student plans to take voluntarily
- 8 during grade 10 through grade 12, and which may include any of
- 9 the following:
- 10 (A) The SAT Reasoning Test.
- 11 (B) The ACT test.
- 12 (C) Advanced placement exams.
- 13 (D) College readiness exams approved by the department.
- 14 (E) Workforce readiness exams approved by the department of
- 15 workforce development established under IC 22-4.1-2.
- 16 SECTION 263. IC 20-30-4-3, AS ADDED BY P.L.1-2005,
- 17 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2015]: Sec. 3. Any decisions regarding the requirements under
- 19 this chapter for a student who is a ~~child~~ **student** with a disability under
- 20 IC 20-35 shall be made in accordance with the individualized
- 21 education program for that student and federal law.
- 22 SECTION 264. IC 20-30-4-6, AS AMENDED BY P.L.268-2013,
- 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2015]: Sec. 6. (a) A student's ~~guidance~~ **school** counselor shall,
- 25 in consultation with the student and the student's parent, review
- 26 annually a student's graduation plan that was developed in grade 9
- 27 under section 2 of this chapter to determine if the student is progressing
- 28 toward fulfillment of the graduation plan.
- 29 (b) If a student is not progressing toward fulfillment of the
- 30 graduation plan, the school counselor shall provide counseling services
- 31 for the purpose of advising the student of credit recovery options and
- 32 services available to help the student progress toward graduation.
- 33 (c) If a student is not progressing toward fulfillment of the
- 34 graduation plan due to not achieving a passing score on the graduation
- 35 examination, the school counselor shall meet with the:
- 36 (1) teacher assigned to the student for remediation in each subject
- 37 area in which the student has not achieved a passing score on the
- 38 graduation examination;
- 39 (2) parents of the student; and
- 40 (3) student;
- 41 to discuss available remediation and to plan to meet the requirements
- 42 under IC 20-32-4.



1 SECTION 265. IC 20-30-5-12, AS ADDED BY P.L.1-2005,
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 12. (a) Each school corporation shall:

4 (1) include in the school corporation's curriculum instruction
 5 concerning the disease acquired immune deficiency syndrome
 6 (AIDS); and

7 (2) integrate this effort to the extent possible with instruction on
 8 other dangerous communicable diseases:

9 (b) A school corporation shall consider the recommendations of the
 10 AIDS advisory council established under IC 20-34-1 concerning
 11 community standards on the:

12 (1) content of the instruction;

13 (2) manner in which the information is presented; and

14 (3) grades in which the information is taught:

15 (c) Literature that is distributed to school children and young adults
 16 under this section must include information required by IC 20-34-3-17:

17 (d) The department, in consultation with the state department of
 18 health, shall develop AIDS educational materials. The department shall
 19 make the materials developed under this section available to school
 20 corporations.

21 SECTION 266. IC 20-30-5-15 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. Sec. 15. (a) Each school corporation shall include in the
 23 school corporation's high school health education curriculum
 24 instruction regarding breast cancer and testicular cancer as adopted by
 25 the state board; including the significance of early detection of these
 26 diseases through:

27 (1) monthly self-examinations; and

28 (2) regularly scheduled mammographies in the case of breast
 29 cancer:

30 (b) The department shall, in consultation with the state department
 31 of health, develop breast cancer and testicular cancer educational
 32 materials to be made available to school corporations to assist teachers
 33 assigned to teach the material described in this section:

34 (c) The:

35 (1) department shall develop guidelines; and

36 (2) state board shall adopt rules under IC 4-22-2;

37 concerning the instruction required under this section to assist teachers
 38 assigned to teach the material described in this section:

39 SECTION 267. IC 20-30-5-16 IS REPEALED [EFFECTIVE JULY
 40 1, 2015]. Sec. 16. (a) Each school corporation shall include in the
 41 school corporation's high school health education curriculum
 42 instruction regarding the human organ donor program and blood donor



1 program as adopted by the state board; including:
 2 (1) the purpose of the human organ donor program and blood
 3 donor program;
 4 (2) the statewide and nationwide need for human organ and blood
 5 donations; and
 6 (3) the procedure for participation in the human organ donor
 7 program and blood donor program.
 8 (b) The department shall, in consultation with the state department
 9 of health or any other appropriate organization, develop human organ
 10 donor program and blood donor program educational materials to be
 11 made available to school corporations to assist teachers assigned to
 12 teach the material described in this section.
 13 (c) The:
 14 (1) department shall develop guidelines; and
 15 (2) state board shall adopt rules under IC 4-22-2;
 16 concerning the instruction required under this section to assist teachers
 17 assigned to teach the material described in this section.
 18 SECTION 268. IC 20-30-5-18 IS REPEALED [EFFECTIVE JULY
 19 1, 2015]. Sec. 18. (a) The chief administrative officer of each:
 20 (1) public school (including a charter school as defined in
 21 IC 20-24-1-4); and
 22 (2) nonpublic school;
 23 shall ensure that information concerning meningococcal disease and its
 24 vaccines is provided to students and parents or guardians of students
 25 at the beginning of each school year.
 26 (b) The information provided under subsection (a) must include
 27 information concerning the:
 28 (1) causes;
 29 (2) symptoms; and
 30 (3) spread;
 31 of meningococcal disease and the places where parents and guardians
 32 of students may obtain additional information and vaccinations for their
 33 children.
 34 (c) The chief administrative officers and the department shall, in
 35 consultation with the state department of health or any other
 36 appropriate entity, develop materials to be made available to schools
 37 to assist schools in providing the information described in this section.
 38 (d) The department shall enforce this section.
 39 SECTION 269. IC 20-30-5.5 IS REPEALED [EFFECTIVE JULY
 40 1, 2015]. (Internet Safety).
 41 SECTION 270. IC 20-30-6 IS REPEALED [EFFECTIVE JULY 1,
 42 2015]. (Optional Curriculum).



1 SECTION 271. IC 20-30-7-4, AS ADDED BY P.L.1-2005,
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 4. ~~(a) An educational~~ **A school corporation shall**
 4 **determine the contents and curriculum of a voluntary summer**
 5 **school enrichment** program described in section 3 of this chapter.
 6 consists of one-half (1/2) day sessions in which students may:

- 7 (1) receive remediation on a voluntary basis;
 8 (2) develop further in areas first covered during the school year;
 9 or
 10 (3) experience specific educational programs that are not
 11 regularly provided as part of the established curriculum during the
 12 school year.

13 (b) The board shall adopt rules under IC 4-22-2 to implement this
 14 section and section 3 of this chapter, including rules governing the
 15 distribution of state funds for this purpose.

16 SECTION 272. IC 20-30-9-10 IS REPEALED [EFFECTIVE JULY
 17 1, 2015]. Sec. 10. ~~(a) Before June 1~~ of each year, the principal of each
 18 school operating a bilingual-bicultural program shall appoint a local
 19 advisory committee composed of:

- 20 (1) teachers of bilingual-bicultural instruction who are proficient
 21 in both English and a non-English language and certified to teach
 22 a subject, including the history and culture of both the United
 23 States and the homeland of the non-English language;
 24 (2) counselors;
 25 (3) community members; and
 26 (4) parents of students enrolled or eligible for enrollment in the
 27 bilingual-bicultural program.

28 A majority of the committee members must be parents of students
 29 enrolled or eligible for enrollment in the bilingual-bicultural program.

30 (b) Before July 1 of each year, the governing body of each school
 31 corporation operating a bilingual-bicultural program shall select at least
 32 one (1) representative from each local advisory committee to serve on
 33 a corporation advisory committee. A majority of the committee
 34 members must be parents of students enrolled or eligible for enrollment
 35 in the program.

36 (c) A member of a local and corporation advisory committee holds
 37 the position for one (1) year.

38 (d) The local and corporation advisory committees shall participate
 39 in planning, implementing, and evaluating the bilingual-bicultural
 40 programs. All bilingual-bicultural programs must be approved by the
 41 appropriate local advisory committee before implementation. If the
 42 advisory committee refuses to approve a program, the division shall



1 arbitrate the dispute.
 2 (e) All school corporations wishing to implement a
 3 bilingual-bicultural program shall apply to the state superintendent.
 4 (f) All bilingual-bicultural programs must be approved by the state
 5 board to qualify for the distribution of state funds to school
 6 corporations for the bilingual-bicultural programs.
 7 SECTION 273. IC 20-31-2-6, AS ADDED BY P.L.1-2005,
 8 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 6. "Exceptional learner" refers to the following:
 10 (1) A **child student** with a disability (as defined in ~~IC 20-35-1-2~~;
 11 **IC 20-35-1-8**).
 12 (2) A high ability student (as defined in IC 20-36-1-3).
 13 SECTION 274. IC 20-31-4-2, AS ADDED BY P.L.1-2005,
 14 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 2. (a) A school in Indiana **that elects to be**
 16 **accredited**, may be accredited:
 17 (1) under the performance based accreditation system established
 18 by this chapter; or
 19 (2) by implementing a quality focused approach to school
 20 improvement such as the criteria for the Malcolm Baldrige
 21 National Quality Award for Education or for a national or regional
 22 accreditation agency that is recommended by the education
 23 roundtable and approved by the state board.
 24 (b) The state board shall establish the following:
 25 (1) A performance based accreditation system for accrediting
 26 schools in Indiana under this chapter.
 27 (2) A procedure for determining whether a school is making
 28 progress toward meeting the criteria for the Malcolm Baldrige
 29 National Quality Award for Education or a national or regional
 30 accreditation agency.
 31 (c) The department shall establish a schedule for accrediting schools
 32 **that elect to be accredited** under this chapter.
 33 (d) **A school that elects to be accredited or to retain the school's**
 34 **accreditation under the performance based accreditation system**
 35 **shall comply with this chapter.**
 36 SECTION 275. IC 20-31-4-7, AS ADDED BY P.L.1-2005,
 37 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 7. (a) If the department determines that:
 39 (1) a school has complied with all the legal standards under
 40 section 6 of this chapter; and
 41 (2) the school's performance has met the expectations for that
 42 school in the areas described in section 5 of this chapter;



1 the state board shall make a determination that the school has acquired
2 full accreditation status.

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

7 SECTION 276. IC 20-31-4-8, AS ADDED BY P.L.1-2005,
8 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2015]: Sec. 8. (a) If the department verifies that:

10 (1) a school **seeking accreditation** has not complied with all the
11 legal standards under section 6 of this chapter; or

12 (2) the school's performance has not met the expectations for that
13 school in the areas described in section 5 of this chapter;

14 a review panel of at least three (3) members shall conduct an onsite
15 evaluation of that school to make a recommendation to the state board
16 as to the accreditation status of that school.

17 (b) The department may not publish or otherwise make available for
18 public inspection any information concerning a school's compliance
19 with legal standards under section 6 of this chapter, the meeting of
20 performance expectations under section 5 of this chapter, the
21 assignment of an onsite review panel under this section, or the
22 recommended accreditation status of the school until all onsite reviews
23 have taken place and recommendations to the state board concerning
24 the accreditation status of the school have been made.

25 SECTION 277. IC 20-31-4-12, AS ADDED BY P.L.1-2005,
26 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2015]: Sec. 12. (a) Upon receipt of a review panel's
28 recommendation, the state board shall make one (1) of the following
29 determinations as to the accreditation status of the school:

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

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

36 (3) Probationary accreditation with the next review being
37 conducted one (1) year after the state board's determination of
38 probationary accreditation **if the school elects to retain**
39 **accreditation.**

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

42 SECTION 278. IC 20-31-4-13, AS ADDED BY P.L.1-2005,



1 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 13. If a school is assigned probationary
3 accreditation status, **and the school elects to achieve full**
4 **accreditation status**, the governing body of the school corporation
5 shall:

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

9 (2) raise the school's level of accreditation within three (3) years
10 after the school is assigned probationary status.

11 SECTION 279. IC 20-31-4-14, AS ADDED BY P.L.1-2005,
12 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 14. (a) If a school having probationary status:

14 (1) fails to make progress; or

15 (2) at the end of three (3) years has not achieved full accreditation
16 status;

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

19 (b) A school corporation on probationary accreditation status **that**
20 **elects to achieve full accreditation status** shall direct its efforts
21 toward raising the level of accreditation of each of its schools that are
22 on probationary accreditation status to full accreditation status within
23 one (1) year after the school corporation is assigned probationary
24 accreditation status.

25 SECTION 280. IC 20-31-4-15 IS REPEALED [EFFECTIVE JULY
26 1, 2015]. ~~Sec. 15: If a school corporation on probationary accreditation~~
27 ~~status does not raise the level of accreditation of each of its schools that~~
28 ~~are on probationary accreditation status to full accreditation status~~
29 ~~within one (1) year after the school corporation was assigned~~
30 ~~probationary accreditation status; the department shall submit to the~~
31 ~~general assembly recommendations concerning the operation and~~
32 ~~administration of the school corporation and the schools within that~~
33 ~~school corporation.~~

34 SECTION 281. IC 20-31-5-3, AS ADDED BY P.L.1-2005,
35 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 3. (a) **This section does not apply to a school**
37 **that is designated with a grade of "A" through "C" under**
38 **IC 20-31-8-3 in the year immediately preceding the year in which**
39 **the school's initial plan is implemented.**

40 (b) The committee must submit a school's initial plan to the
41 superintendent by March 1 of the school year before the year of
42 implementation. The superintendent:



1 (1) shall review the plan to ensure that the plan aligns with the
 2 school corporation's objectives, goals, and expectations;
 3 (2) may make written recommendations of modifications to the
 4 plan to ensure alignment; and
 5 (3) shall return the plan and any recommendations to the
 6 committee by April 1 of the school year before the year of
 7 implementation.

8 ~~(b)~~ (c) A committee may modify the plan to comply with
 9 recommendations made by the superintendent under subsection ~~(a)~~;
 10 (b).

11 ~~(c)~~ (d) A committee shall submit:
 12 (1) the plan; and
 13 (2) the written recommendations of the superintendent;
 14 to the governing body by May 1 of the school year before the year of
 15 implementation.

16 ~~(d)~~ (e) An initial plan must be established by June 1 of the school
 17 year before the year of implementation by approval of the governing
 18 body. The governing body shall approve a plan for each school in the
 19 school corporation. When a plan is presented to the governing body,
 20 the governing body must either accept or reject the plan and may not
 21 revise the plan. A plan is established when written evidence of
 22 approval is attached to the plan.

23 SECTION 282. IC 20-31-5-7, AS ADDED BY P.L.1-2005,
 24 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 7. The department shall act as a clearinghouse for
 26 plans and shall make effective plans available to school corporations
 27 as models to use in developing and carrying out plans.

28 SECTION 283. IC 20-31-9.5-8 IS REPEALED [EFFECTIVE JULY
 29 1, 2015]. Sec. 8: (a) If the state board; upon remand of the Marion
 30 County Circuit Court case of Board of School Commissioners of the
 31 City of Indianapolis v. Indiana State Board of Education and Indiana
 32 Department of Education (cause number 49D03-1206-MI-023257);
 33 determines that the Indianapolis public school corporation or any other
 34 school corporation is entitled to a distribution to correct the amount
 35 that was withheld under IC 20-31-9.5 during July through December
 36 2012 from state tuition support and federal funds otherwise to be
 37 distributed to the school corporation; the following apply:
 38 (1) The state board shall make distributions to the following:
 39 (A) The Indianapolis public school corporation;
 40 (B) Any other school corporation affected by a redetermination
 41 of the amount that was withheld under IC 20-31-9.5 during
 42 July through December 2012.



1 (2) Before making a distribution to a school corporation under
 2 this section, the state board must obtain from the recipient school
 3 corporation an agreement that the school corporation will dismiss
 4 and not pursue any claims against the state or any state officer or
 5 entity, the special management team, or the turnaround academy
 6 with regard to distributions received by the special management
 7 team or turnaround academy under IC 20-31-9.5 during July
 8 through December 2012.

9 (b) There is appropriated from the state general fund to the state
 10 board for the 2012-2013 state fiscal year, seven million four hundred
 11 five thousand eight hundred ninety-two dollars (\$7,405,892) to make
 12 distributions as provided in subsection (a):

13 SECTION 284. IC 20-31-11-6, AS AMENDED BY P.L.146-2008,
 14 SECTION 474, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A public school that receives
 16 a monetary award under this chapter may expend that award for any
 17 educational purpose for that school except **athletics**.

18 (1) **athletics;**

19 (2) **salaries for school personnel; or**

20 (3) **salary bonuses for school personnel.**

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

24 SECTION 285. IC 20-32-3-2, AS ADDED BY P.L.1-2005,
 25 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 2. As used in this chapter, "student" refers to a
 27 student who meets the following conditions:

28 (1) Is enrolled in a public school, an accredited nonpublic school,
 29 or a nonpublic school that has requested and received from the
 30 state board specific approval for the school's education program.

31 (2) Is in at least grade 9.

32 (3) If the student is a **child student** with a disability (as defined in
 33 ~~IC 20-35-1-2~~; **IC 20-35-1-8**), would benefit from the
 34 participation under this chapter as determined by the
 35 individualized education program for the student.

36 SECTION 286. IC 20-32-4-5, AS AMENDED BY P.L.268-2013,
 37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 5. (a) This section applies to a student who is a
 39 **child student** with a disability (as defined in ~~IC 20-35-1-2~~;
 40 **IC 20-35-1-8**).

41 (b) If the student does not achieve a passing score on the graduation
 42 examination, the student's case conference committee may determine



1 that the student is eligible to graduate if the case conference committee
2 finds the following:

3 (1) The student's teacher of record, in consultation with a teacher
4 of the student in each subject area in which the student has not
5 achieved a passing score, makes a written recommendation to the
6 case conference committee. The recommendation must:

7 (A) be aligned with the governing body's relevant policy;

8 (B) be concurred in by the principal of the student's school;
9 and

10 (C) be supported by documentation that the student has
11 attained the academic standard in the subject area based on:

12 (i) tests other than the graduation examination; or

13 (ii) classroom work.

14 (2) The student meets all the following requirements:

15 (A) Retakes the graduation examination in each subject area
16 in which the student did not achieve a passing score as often
17 as required by the student's individualized education program.

18 (B) Completes remediation opportunities provided to the
19 student by the student's school to the extent required by the
20 student's individualized education program.

21 (C) Maintains a school attendance rate of at least ninety-five
22 percent (95%) to the extent required by the student's
23 individualized education program with excused absences not
24 counting against the student's attendance.

25 (D) Maintains at least a "C" average or the equivalent in the
26 courses comprising the credits specifically required for
27 graduation by rule of the state board.

28 (E) Otherwise satisfies all state and local graduation
29 requirements.

30 SECTION 287. IC 20-32-4-6, AS ADDED BY P.L.105-2005,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 6. A decision with regard to whether a student
33 who is a ~~child~~ **student** with a disability (as defined in ~~IC 20-35-1-2~~
34 **IC 20-35-1-8**) is subject to the requirements of section 1(b)(2) of this
35 chapter shall be made in accordance with the student's individualized
36 education program and federal law.

37 SECTION 288. IC 20-32-5-5, AS AMENDED BY P.L.73-2011,
38 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2015]: Sec. 5. The department shall make general language
40 arts essay scoring rubrics available to the public at least four (4)
41 months before the administration of a test. An essay question, a scoring
42 rubric, or an anchor paper used in the ISTEP program must not seek or



1 compile information about a ~~student's~~ **student that is prohibited**
 2 **under 20 U.S.C. 1232(h).**

- 3 (1) ~~personal attitudes~~;
 4 (2) ~~political views~~;
 5 (3) ~~religious beliefs~~;
 6 (4) ~~family relationships~~; or
 7 (5) ~~other matters listed in IC 20-30-5-17(b)~~.

8 The ISTEP program citizens' review committee shall determine
 9 whether an essay question or a scoring rubric complies with this
 10 section.

11 SECTION 289. IC 20-32-5-16, AS ADDED BY P.L.1-2005,
 12 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 16. (a) A student who is a **child student** with a
 14 disability (as defined in ~~IC 20-35-1-2~~) **IC 20-35-1-8**) shall be tested
 15 under this chapter with appropriate accommodations in testing
 16 materials and procedures unless the individuals who develop the ~~child's~~
 17 **student's** individualized education program determine that testing or
 18 a part of the testing under this chapter is not appropriate for the student
 19 and that an alternate assessment will be used to test the student's
 20 achievement.

21 (b) Any decision concerning a student who is a **child student** with
 22 a disability (as defined in ~~IC 20-35-1-2~~) **IC 20-35-1-8**) regarding the
 23 student's:

- 24 (1) participation in testing under this chapter;
 25 (2) receiving accommodations in testing materials and
 26 procedures;
 27 (3) participation in remediation under IC 20-32-8; or
 28 (4) retention at the same grade level for consecutive school years;

29 shall be made in accordance with the student's individualized education
 30 program in compliance with the ISTEP program manual and federal
 31 law.

32 SECTION 290. IC 20-32-7-1, AS AMENDED BY P.L.99-2007,
 33 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2015]: Sec. 1. A decision requiring a student
 35 who is a **child student** with a disability (as defined in ~~IC 20-35-1-2~~)
 36 **IC 20-35-1-8**) to undergo a student diagnostic assessment under this
 37 chapter or be retained at a particular grade level shall be made in
 38 accordance with the student's individualized education program and
 39 federal law.

40 SECTION 291. IC 20-32-7-6 IS REPEALED [EFFECTIVE JULY
 41 1, 2015]. Sec. 6: Upon the written consent of:

- 42 (1) the student; or



1 (2) if the student is not emancipated, the student's parent;
 2 the contents of the student's portfolio may be disclosed to a student's
 3 prospective employer.

4 SECTION 292. IC 20-32-8-11, AS ADDED BY P.L.1-2005,
 5 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 11. Notwithstanding the requirements of this
 7 chapter, any decisions made with regard to:

- 8 (1) attendance in a remediation program;
 9 (2) ISTEP program testing; and
 10 (3) the grade level placement;

11 for a student who is a ~~child~~ **student** with a disability (as defined in
 12 ~~IC 20-35-1-2~~) **IC 20-35-1-8**) shall be made in accordance with the
 13 individualized education program, state law, and federal law.

14 SECTION 293. IC 20-33-2-7, AS ADDED BY P.L.246-2005,
 15 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) In addition to the
 17 requirements of sections 4 through 6 of this chapter, a student must be
 18 at least five (5) years of age on **August 1 of the school year**

- 19 (1) ~~July 1 of the 2005-2006 school year;~~ or
 20 (2) ~~August 1 of the 2006-2007 school year or any subsequent~~
 21 ~~school year;~~

22 to officially enroll in a kindergarten program offered by a school
 23 corporation. However, subject to subsection (c), the governing body of
 24 the school corporation ~~shall~~ **may** adopt a procedure affording a parent
 25 of a student who does not meet the minimum age requirement set forth
 26 in this subsection the right to appeal to the superintendent for
 27 enrollment of the student in kindergarten at an age earlier than the age
 28 set forth in this subsection.

29 (b) In addition to the requirements of sections 4 through 6 of this
 30 chapter and subsection (a), and subject to subsection (c), if a student
 31 enrolls in school as allowed under section 6 of this chapter and has not
 32 attended kindergarten, the superintendent shall make a determination
 33 as to whether the student shall enroll in kindergarten or grade 1 based
 34 on the particular model assessment adopted by the governing body
 35 under subsection (c).

36 (c) To assist the principal and governing bodies, the department
 37 shall do the following:

- 38 (1) Establish guidelines to assist each governing body ~~in~~
 39 **establishing that decides to adopt** a procedure for making
 40 appeals to the superintendent under subsection (a).
 41 (2) Establish criteria by which a governing body may adopt a
 42 model assessment that may be used in making the determination



1 under subsection (b).
 2 SECTION 294. IC 20-33-2-9, AS AMENDED BY P.L.1-2010,
 3 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 9. (a) The governing body of each school
 5 corporation shall designate the appropriate ~~employees of the school~~
 6 ~~corporation to conduct individuals to attend~~ the exit interviews for
 7 students described in section 6(3) of this chapter. ~~Each exit interview~~
 8 ~~must be personally attended by:~~

- 9 ~~(1) the student's parent;~~
 10 ~~(2) the student;~~
 11 ~~(3) each designated appropriate school employee; and~~
 12 ~~(4) the student's principal.~~

13 (b) A student who is at least sixteen (16) years of age but less than
 14 eighteen (18) years of age is bound by the requirements of compulsory
 15 school attendance and may not withdraw from school before graduation
 16 unless:

- 17 (1) the student, the student's parent, and the principal agree to the
 18 withdrawal;
 19 (2) ~~at the exit interview~~; the student provides written
 20 acknowledgment of the withdrawal that meets the requirements
 21 of subsection (c) and the:
 22 (A) student's parent; and
 23 (B) school principal;
 24 each provide written consent for the student to withdraw from
 25 school; and
 26 (3) the withdrawal is due to:
 27 (A) financial hardship and the individual must be employed to
 28 support the individual's family or a dependent;
 29 (B) illness; or
 30 (C) an order by a court that has jurisdiction over the student.

31 (c) A written acknowledgment of withdrawal under subsection (b)
 32 must include a statement that the student and the student's parent
 33 understand that withdrawing from school is likely to:

- 34 (1) reduce the student's future earnings; and
 35 (2) increase the student's likelihood of being unemployed in the
 36 future.

37 SECTION 295. IC 20-33-2-11, AS ADDED BY P.L.242-2005,
 38 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the
 40 minimum requirements for qualifying for the issuance of an operator's
 41 license or a learner's permit, and subject to subsections (c) through (e),
 42 an individual who is:



1 (1) at least thirteen (13) years of age but less than fifteen (15)
 2 years of age;
 3 (2) a habitual truant under the definition of habitual truant
 4 established under subsection (b); and
 5 (3) identified in the information submitted to the bureau of motor
 6 vehicles under subsection (f);
 7 may not be issued an operator's license or a learner's permit to drive a
 8 motor vehicle under IC 9-24 until the individual is at least eighteen
 9 (18) years of age.
 10 (b) Each governing body ~~shall~~ **may** establish and include as part of
 11 the written copy of its discipline rules described in IC 20-33-8-12:
 12 (1) a definition of a child who is designated as a habitual truant,
 13 which must, at a minimum, define the term as a student who is
 14 chronically absent, by having unexcused absences from school for
 15 more than ten (10) days of school in one (1) school year; **and**
 16 ~~(2) the procedures under which subsection (a) will be~~
 17 ~~administered; and~~
 18 ~~(3) (2) all other pertinent matters related to this action.~~
 19 (c) An individual described in subsection (a) is entitled to the
 20 procedure described in IC 20-33-8-19.
 21 (d) An individual described in subsection (a) who is at least thirteen
 22 (13) years of age and less than eighteen (18) years of age is entitled to
 23 a periodic review of the individual's attendance record in school to
 24 determine whether the prohibition described in subsection (a) shall
 25 continue. The periodic reviews may not be conducted less than one (1)
 26 time each school year.
 27 (e) Upon review, the governing body may determine that the
 28 individual's attendance record has improved to the degree that the
 29 individual may become eligible to be issued an operator's license or a
 30 learner's permit.
 31 (f) ~~Before:~~
 32 ~~(1) February 1; and~~
 33 ~~(2) October 1;~~
 34 ~~of each year~~ The governing body of the school corporation ~~shall~~ **may**
 35 submit to the bureau of motor vehicles the pertinent information
 36 concerning an individual's ineligibility under subsection (a) to be
 37 issued an operator's license or a learner's permit.
 38 (g) The department shall develop guidelines concerning criteria
 39 used in defining a habitual truant that may be considered by a
 40 governing body in complying with subsection (b).
 41 SECTION 296. IC 20-33-2-17.7, AS ADDED BY P.L.32-2014,
 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 17.7. (a) Except as provided in subsection (b), the
 2 governing body of a school corporation or the chief administrative
 3 officer of a nonpublic school system shall authorize the absence and
 4 excuse of each school student if the student or a member of the
 5 student's household participates or exhibits in the Indiana state fair for
 6 educational purposes, as evidenced in writing by the student's parent
 7 and as approved in writing by the student's school principal. The
 8 number of excused absences a student may receive under this section
 9 may not exceed: ~~five (5) instructional days~~

10 **(1) for a student in grades 1 through 6, twenty-five (25) hours**
 11 **of instructional time; or**

12 **(2) for a student in grades 7 through 12, thirty (30) hours of**
 13 **instructional time;**

14 in a school year. A student excused from school attendance under this
 15 section may not be recorded as being absent on any date for which the
 16 excuse is operative and may not be penalized by the school in any
 17 manner.

18 (b) In order for a student to receive an excused absence under
 19 subsection (a), the student must be in good academic standing, as
 20 determined by the school corporation.

21 SECTION 297. IC 20-33-2-21, AS ADDED BY P.L.1-2005,
 22 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 21. (a) ~~Each principal and teacher in a public~~
 24 ~~school that is attended by a student subject to the compulsory school~~
 25 ~~attendance law under this chapter shall furnish, on request of the~~
 26 ~~superintendent of the school corporation in which they are employed,~~
 27 ~~a list of:~~

28 ~~(1) names;~~

29 ~~(2) addresses; and~~

30 ~~(3) ages;~~

31 ~~of all minors attending the school. When a student withdraws from~~
 32 ~~school, the principal and teacher shall immediately report to the~~
 33 ~~superintendent the student's name and address and the date of the~~
 34 ~~student's withdrawal.~~

35 ~~(b) (a)~~ Each principal or school administrator in a nonpublic school
 36 that is attended by a student who is subject to the compulsory school
 37 attendance law under this chapter shall furnish, on request of the state
 38 superintendent, the number of students by grade level attending the
 39 school.

40 ~~(c) (b)~~ If:

41 (1) a student withdraws from a nonpublic school; and

42 (2) no public or other nonpublic school has requested the student's



1 educational records within fifteen (15) school days after the date
 2 the student withdrew from school;
 3 the nonpublic school shall report to the state superintendent or the
 4 superintendent of the school corporation in which the nonpublic school
 5 is located, the name and address of the student and the date the student
 6 withdrew from school.

7 SECTION 298. IC 20-33-2-31, AS AMENDED BY P.L.2-2006,
 8 SECTION 151, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2015]: Sec. 31. (a) ~~In a county that has been~~
 10 ~~completely reorganized into one (1) or more school corporations under~~
 11 ~~IC 20-23-4, the governing body of each school corporation with at least~~
 12 ~~one thousand five hundred (1,500) students in ADA shall appoint an~~
 13 ~~attendance officer. The governing body of each school corporation that~~
 14 ~~has fewer than one thousand five hundred (1,500) students in ADA~~
 15 ~~may appoint or the governing bodies of two (2) or more school~~
 16 **corporations jointly may appoint:**

- 17 (1) ~~an one (1) attendance officer; and~~
- 18 (2) ~~one (1) additional attendance officer for every seven~~
 19 ~~thousand five hundred (7,500) students in ADA in the school~~
 20 ~~corporation or school corporations.~~

21 **The county council shall appropriate, and the board of county**
 22 **commissioners shall allow, the funds necessary to pay the salary**
 23 **and expenses of attendance officers appointed in accordance with**
 24 **this section.**

25 (b) ~~If the governing body of a school corporation that has discretion~~
 26 ~~in whether to appoint an attendance officer declines to make an~~
 27 ~~appointment, the superintendent of the school corporation shall serve~~
 28 ~~as ex officio attendance officer under section 35 of this chapter.~~

29 (b) ~~Whenever the governing body of a school corporation makes an~~
 30 ~~appointment under this section, it shall appoint an individual~~
 31 ~~nominated by the superintendent. However, the governing body may~~
 32 ~~decline to appoint any nominee and require another nomination. The~~
 33 ~~salary of each attendance officer appointed under this section shall be~~
 34 ~~fixed by the governing body. In addition to salary, the attendance~~
 35 ~~officer is entitled to receive reimbursement for actual expenses~~
 36 ~~necessary to properly perform the officer's duties. The salary and~~
 37 ~~expenses of an attendance officer appointed under this section shall be~~
 38 ~~paid by the treasurer of the school corporation.~~

39 SECTION 299. IC 20-33-2-32 IS REPEALED [EFFECTIVE JULY
 40 1, 2015]. Sec. 32. (a) ~~In a county that has not been completely~~
 41 ~~reorganized under IC 20-23-4, the governing body of each school~~
 42 ~~corporation that constitutes a separate attendance district under section~~



1 30 of this chapter shall appoint an attendance officer. One (1)
 2 additional attendance officer may be appointed for every seven
 3 thousand five hundred (7,500) students in ADA in the corporation.

4 (b) Whenever the governing body of a school corporation makes an
 5 appointment under this section, it shall appoint an individual
 6 nominated by the superintendent. However, the governing body may
 7 decline to appoint any nominee and require another nomination. The
 8 salary of each attendance officer appointed under this section shall be
 9 fixed by the governing body. In addition to salary, the officer is entitled
 10 to receive reimbursement for actual expenses necessary to properly
 11 perform the officer's duties. The salary and expenses of an attendance
 12 officer appointed under this section shall be paid by the treasurer of the
 13 county in which the officer serves, on a warrant signed by the county
 14 auditor. The county council shall appropriate, and the board of county
 15 commissioners shall allow, the funds necessary to make these
 16 payments. However, a warrant shall not be issued to an attendance
 17 officer until the attendance officer has filed an itemized statement with
 18 the county auditor. This statement shall show the time employed and
 19 expenses incurred. The superintendent shall approve the statement and
 20 certify that it is correct.

21 SECTION 300. IC 20-33-2-33 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. Sec. 33: (a) In a county that has not been completely
 23 reorganized under IC 20-23-4, all school corporations that do not
 24 individually constitute separate attendance districts under section 30 of
 25 this chapter together constitute a remainder attendance district. The
 26 governing bodies of each remainder attendance district with at least
 27 one thousand five hundred (1,500) students in ADA shall appoint an
 28 attendance officer. One (1) additional attendance officer may be
 29 appointed for every seven thousand five hundred (7,500) students in
 30 ADA in the district. The governing bodies of a remainder attendance
 31 district with less than one thousand five hundred (1,500) students in
 32 ADA may appoint an attendance officer. If the governing bodies have
 33 discretion in whether to appoint an attendance officer and decline to
 34 make an appointment, the superintendent or superintendents involved
 35 shall serve as ex officio attendance officers under section 35 of this
 36 chapter.

37 (b) The governing bodies of the school corporations involved shall
 38 together form an appointing authority for attendance officers with the
 39 governing body of each school corporation having one (1) vote. This
 40 appointing authority shall appoint an individual nominated by the
 41 superintendent. However, the appointing authority may reject any
 42 nominee and require another nomination. The salary of each attendance



1 officer appointed under this section shall be fixed by the appointing
 2 authority. In addition to salary, the officer is entitled to receive
 3 reimbursement for actual expenses necessary to properly perform the
 4 officer's duties. The salary and expenses of an attendance officer
 5 appointed under this section shall be paid by the treasurer of the county
 6 in which the officer serves, on a warrant signed by the county auditor.
 7 The county council shall appropriate, and the board of county
 8 commissioners shall allow, the funds necessary to make these
 9 payments. However, a warrant may not be issued to an attendance
 10 officer until the officer has filed an itemized statement with the county
 11 auditor. This statement must show the time employed and expenses
 12 incurred. The appropriate superintendent shall approve the statement
 13 and certify that it is correct.

14 SECTION 301. IC 20-33-2-34 IS REPEALED [EFFECTIVE JULY
 15 1, 2015]. Sec. 34. (a) This section applies to a county having a
 16 population of:

17 (1) more than twenty-five thousand eight hundred (25,800) but
 18 less than twenty-six thousand (26,000); or

19 (2) more than one hundred fifty thousand (150,000) but less than
 20 one hundred seventy thousand (170,000):

21 (b) Notwithstanding sections 32 and 33 of this chapter, in a county
 22 that has not been completely reorganized under IC 20-23-4, the
 23 governing body of each school corporation constituting a separate
 24 attendance district under section 30 of this chapter shall appoint an
 25 attendance officer. One (1) additional attendance officer may be
 26 appointed for every seven thousand five hundred (7,500) students in
 27 ADA in the school corporation. The governing body of each school
 28 corporation that does not individually constitute a separate attendance
 29 district may appoint an attendance officer.

30 (c) If the governing body of the school corporation makes an
 31 appointment under this section, it shall appoint an individual who is
 32 nominated by the superintendent of the school corporation. However,
 33 the governing body may decline to appoint a nominee and may require
 34 another nomination to be made by the superintendent. If the governing
 35 body has discretion in whether to appoint an attendance officer under
 36 subsection (b) and declines to make an appointment, the superintendent
 37 of the school corporation involved shall serve as ex officio attendance
 38 officer under section 35 of this chapter.

39 (d) The salary, including fringe benefits, of each attendance officer
 40 appointed under this section shall be fixed by the governing body of the
 41 school corporation and shall be paid by the treasurer of the school
 42 corporation.



1 (e) Each attendance officer appointed under this section is entitled
 2 to receive reimbursement from the school corporation for the actual
 3 and necessary expenses incurred by the attendance officer in the proper
 4 performance of the attendance officer's duties:

5 SECTION 302. IC 20-33-2-35, AS AMENDED BY P.L.90-2011,
 6 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 35. If the governing body of a school corporation
 8 elects not to appoint an attendance officer under section 31 of this
 9 chapter, or an appointing authority elects not to appoint an attendance
 10 officer under section 33 of this chapter, the superintendent shall serve
 11 as an ex officio attendance officer. A superintendent acting in this
 12 capacity may designate one (1) or more school employees as assistant
 13 attendance officers. These assistant attendance officers shall act under
 14 the superintendent's direction and perform the duties the superintendent
 15 assigns. Ex officio attendance officers and assistant attendance officers
 16 appointed under this section shall receive no additional compensation
 17 for performing attendance services.

18 SECTION 303. IC 20-33-2-36 IS REPEALED [EFFECTIVE JULY
 19 1, 2015]. Sec. 36: The governing bodies of two (2) or more school
 20 corporations may enter into a voluntary mutual agreement for the joint
 21 employment of an attendance officer. The agreement must stipulate the
 22 manner in which the joint attendance officer is appointed, paid, and
 23 supervised. The attendance officer may then be appointed, paid, and
 24 supervised under the terms of the agreement. However, compensation
 25 for any attendance officer employed under this section shall be paid
 26 entirely by the school corporations involved with no assistance from
 27 the civil government.

28 SECTION 304. IC 20-33-2-37 IS REPEALED [EFFECTIVE JULY
 29 1, 2015]. Sec. 37: The governing body of a school corporation that has
 30 fewer than one thousand five hundred (1,500) students in ADA may
 31 organize the school corporation as a separate attendance district and
 32 appoint an attendance officer. The governing body, in making the
 33 appointment, shall appoint an individual nominated by the
 34 superintendent. However, it may decline to appoint any nominee and
 35 require another nomination. All compensation for an attendance officer
 36 appointed under this section shall be paid by the treasurer of the school
 37 corporation in which the officer is employed.

38 SECTION 305. IC 20-33-2-38, AS ADDED BY P.L.1-2005,
 39 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2015]: Sec. 38. Any school corporation attendance district, or
 41 remainder attendance district or school corporations may appoint
 42 more attendance officers than are specifically authorized or required



1 under **section 31** of this chapter. However, these additional attendance
 2 officers shall be appointed in the same manner as required by law for
 3 other attendance officers. Compensation for additional attendance
 4 officers appointed under this section shall be paid entirely by the
 5 school corporation or school corporations involved.

6 SECTION 306. IC 20-33-2-40, AS ADDED BY P.L.1-2005,
 7 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 40. (a) Each attendance officer may serve original
 9 and other process in cases arising under this chapter.

10 (b) An attendance officer may enter any place where a child is
 11 employed to determine whether violations of this chapter ~~or of~~
 12 ~~IC 20-33-3~~ have occurred. When an attendance officer or a school
 13 official is exercising the power granted under this subsection, any
 14 officer, manager, director, employee or other person who refuses to
 15 permit the attendance officer's or the school official's entry into a place
 16 of business or interferes with ~~his~~ **the officer's or official's**
 17 investigation in any way commits a violation of this chapter.

18 SECTION 307. IC 20-33-5-7.5 IS REPEALED [EFFECTIVE JULY
 19 1, 2015]. Sec. 7.5: (a) ~~If a school corporation does not request~~
 20 ~~reimbursement under this chapter before April 1 of a particular school~~
 21 ~~year, the school corporation shall, before the following June 1 of that~~
 22 ~~year, estimate and report to the department the percentage of the school~~
 23 ~~corporation's students who are enrolled in the school corporation and~~
 24 ~~are eligible for assistance under this chapter.~~

25 (b) ~~The state board may adopt emergency rules in the manner~~
 26 ~~provided in IC 4-22-2-37.1 to implement this section.~~

27 SECTION 308. IC 20-33-6 IS REPEALED [EFFECTIVE JULY 1,
 28 2015]. (Parental Participation in a Student's Education).

29 SECTION 309. IC 20-33-8-16, AS AMENDED BY P.L.114-2012,
 30 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 16. (a) As used in this section, "firearm" has the
 32 meaning set forth in IC 35-47-1-5.

33 (b) As used in this section, "deadly weapon" has the meaning set
 34 forth in IC 35-31.5-2-86. The term does not include a firearm or
 35 destructive device.

36 (c) As used in this section, "destructive device" has the meaning set
 37 forth in IC 35-47.5-2-4.

38 (d) Notwithstanding section 20 of this chapter, a student who is:

- 39 (1) identified as bringing a firearm or destructive device to school
 40 or on school property; or
 41 (2) in possession of a firearm or destructive device on school
 42 property;



1 must be expelled for at least one (1) calendar year, with the return of
 2 the student to be at the beginning of the first school semester after the
 3 end of the one (1) year period.

4 (e) The superintendent may, on a case by case basis, modify the
 5 period of expulsion under subsection (d) for a student who is expelled
 6 under this section.

7 (f) Notwithstanding section 20 of this chapter, a student who is:

8 (1) identified as bringing a deadly weapon to school or on school
 9 property; or

10 (2) in possession of a deadly weapon on school property;
 11 may be expelled for not more than one (1) calendar year.

12 (g) A superintendent or the superintendent's designee shall
 13 immediately notify the appropriate law enforcement agency having
 14 jurisdiction over the property where the school is located if a student
 15 engages in a behavior described in subsection (d). The superintendent
 16 may give similar notice if the student engages in a behavior described
 17 in subsection (f). Upon receiving notification under this subsection, the
 18 law enforcement agency shall begin an investigation and take
 19 appropriate action.

20 (h) A student with ~~disabilities~~ **a disability** (as defined in
 21 ~~IC 20-35-7-7~~ **IC 20-35-1-8**) who possesses a firearm on school
 22 property is subject to procedural safeguards under 20 U.S.C. 1415.

23 SECTION 310. IC 20-33-8-25, AS AMENDED BY P.L.66-2009,
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 25. (a) This section applies to an individual who:

26 (1) is a member of the administrative staff, a teacher, or other
 27 school staff member; and

28 (2) has students under the individual's charge.

29 (b) An individual may take disciplinary action instead of or in
 30 addition to suspension and expulsion that is necessary to ensure a safe,
 31 orderly, and effective educational environment. Disciplinary action
 32 under this section may include the following:

33 (1) Counseling with a student or group of students.

34 (2) Conferences with a parent or group of parents.

35 (3) Assigning additional work.

36 (4) Rearranging class schedules.

37 (5) Requiring a student to remain in school after regular school
 38 hours:

39 (A) to do additional school work; or

40 (B) for counseling.

41 (6) Restricting extracurricular activities.

42 (7) Removal of a student by a teacher from that teacher's class for



- 1 a period not to exceed:
- 2 (A) five (5) class periods for middle, junior high, or high
- 3 school students; or
- 4 (B) one (1) school day for elementary school students;
- 5 if the student is assigned regular or additional school work to
- 6 complete in another school setting.
- 7 (8) Assignment by the principal of:
- 8 (A) a special course of study;
- 9 (B) an alternative educational program; or
- 10 (C) an alternative school.
- 11 (9) Assignment by the principal of the school where the recipient
- 12 of the disciplinary action is enrolled of not more than one hundred
- 13 twenty (120) hours of service with a nonprofit organization
- 14 operating in or near the community where the school is located or
- 15 where the student resides. The following apply to service assigned
- 16 under this subdivision:
- 17 (A) A principal may not assign a student under this
- 18 subdivision unless the student's parent approves:
- 19 (i) the nonprofit organization where the student is assigned;
- 20 and
- 21 (ii) the plan described in clause (B)(i).
- 22 A student's parent may request or suggest that the principal
- 23 assign the student under this subdivision.
- 24 (B) The principal shall make arrangements for the student's
- 25 service with the nonprofit organization. Arrangements must
- 26 include the following:
- 27 (i) A plan for the service that the student is expected to
- 28 perform.
- 29 (ii) A description of the obligations of the nonprofit
- 30 organization to the student, the student's parents, and the
- 31 school corporation where the student is enrolled.
- 32 (iii) Monitoring of the student's performance of service by
- 33 the principal or the principal's designee.
- 34 (iv) Periodic reports from the nonprofit organization to the
- 35 principal and the student's parent or guardian of the student's
- 36 performance of the service.
- 37 (C) The nonprofit organization must obtain liability insurance
- 38 in the amount and of the type specified by the school
- 39 corporation where the student is enrolled that is sufficient to
- 40 cover liabilities that may be incurred by a student who
- 41 performs service under this subdivision.
- 42 (D) Assignment of service under this subdivision suspends the



1 implementation of a student's suspension or expulsion. A
 2 student's completion of service assigned under this subdivision
 3 to the satisfaction of the principal and the nonprofit
 4 organization terminates the student's suspension or expulsion.
 5 (10) Removal of a student from school sponsored transportation.
 6 (11) Referral to the juvenile court having jurisdiction over the
 7 student.

8 (c) As used in this subsection, "physical assault" means the knowing
 9 or intentional touching of another person in a rude, insolent, or angry
 10 manner. When a student physically assaults a person having authority
 11 over the student, the principal of the school where the student is
 12 enrolled shall refer the student to the juvenile court having jurisdiction
 13 over the student. However, a student with ~~disabilities~~ **a disability** (as
 14 defined in ~~IC 20-35-7-7~~ **IC 20-35-1-8**) who physically assaults a
 15 person having authority over the student is subject to procedural
 16 safeguards under 20 U.S.C. 1415.

17 SECTION 311. IC 20-33-8-30 IS REPEALED [EFFECTIVE JULY
 18 1, 2015]. Sec. 30: (a) This section applies to the following:

- 19 (1) A student who:
 20 (A) is expelled from a school corporation or charter school
 21 under this chapter; or
 22 (B) withdraws from a school corporation or charter school to
 23 avoid expulsion:
 24 (2) A student who:
 25 (A) is required to separate for disciplinary reasons from a
 26 nonpublic school or a school in a state other than Indiana by
 27 the administrative authority of the school; or
 28 (B) withdraws from a nonpublic school or a school in a state
 29 other than Indiana in order to avoid being required to separate
 30 from the school for disciplinary reasons by the administrative
 31 authority of the school:
 32 (b) The student referred to in subsection (a) may enroll in another
 33 school corporation or charter school during the period of the actual or
 34 proposed expulsion or separation if:
 35 (1) the student's parent informs the school corporation in which
 36 the student seeks to enroll and also:
 37 (A) in the case of a student withdrawing from a charter school
 38 that is not a conversion charter school to avoid expulsion; the
 39 conversion charter school; or
 40 (B) in the case of a student withdrawing from a conversion
 41 charter school to avoid expulsion:
 42 (i) the conversion charter school; and



1 (ii) the school corporation that sponsored the conversion
 2 charter school;
 3 of the student's expulsion, separation, or withdrawal to avoid
 4 expulsion or separation;
 5 (2) the school corporation (and, in the case of a student
 6 withdrawal described in subdivision (1)(A) or (1)(B); the charter
 7 school) consents to the student's enrollment; and
 8 (3) the student agrees to the terms and conditions of enrollment
 9 established by the school corporation (or, in the case of a student
 10 withdrawal described in subdivision (1)(A) or (1)(B); the charter
 11 school or conversion charter school);

12 (e) If:
 13 (1) a student's parent fails to inform the school corporation of the
 14 expulsion or separation or withdrawal to avoid expulsion or
 15 separation; or
 16 (2) a student fails to follow the terms and conditions of enrollment
 17 under subsection (b)(3);

18 the school corporation or charter school may withdraw consent and
 19 prohibit the student's enrollment during the period of the actual or
 20 proposed expulsion or separation:

21 (d) Before a consent is withdrawn under subsection (c) the student
 22 must have an opportunity for an informal meeting before the principal
 23 of the student's proposed school. At the informal meeting, the student
 24 is entitled to:

- 25 (1) a written or an oral statement of the reasons for the withdrawal
- 26 of the consent;
- 27 (2) a summary of the evidence against the student; and
- 28 (3) an opportunity to explain the student's conduct.

29 (e) This section does not apply to a student who is expelled under
 30 section 17 of this chapter.

31 SECTION 312. IC 20-33-8-33, AS AMENDED BY P.L.125-2012,
 32 SECTION 402, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2015]: Sec. 33. Before February 1 and before
 34 October 1 of each year, except when a hearing has been requested to
 35 determine financial hardship under IC 9-24-2-1(a)(4), a principal **shall**
 36 **may** submit to the bureau of motor vehicles the pertinent information
 37 concerning an individual's ineligibility under IC 9-24-2-1 to be issued
 38 a driver's license or learner's permit, or concerning the suspension of
 39 driving privileges under IC 9-24-2-4.

40 SECTION 313. IC 20-33-8-34, AS ADDED BY P.L.1-2005,
 41 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 34. (a) Notwithstanding any other law, a



1 suspension, an expulsion, or another disciplinary action against a
 2 student who is a ~~child~~ **student** with a disability (as defined in
 3 ~~IC 20-35-1-2~~) **IC 20-35-1-8**) is subject to the:

- 4 (1) procedural requirements of 20 U.S.C. 1415; and
 5 (2) rules adopted by the state board.

6 (b) The division of special education shall propose rules under
 7 IC 20-35-2-1(b)(5) to the state board for adoption under IC 4-22-2
 8 governing suspensions, expulsions, and other disciplinary action for a
 9 student who is a ~~child~~ **student** with a disability (as defined in
 10 ~~IC 20-35-1-2~~): **IC 20-35-1-8**).

11 SECTION 314. IC 20-33-8.5-11, AS ADDED BY P.L.242-2005,
 12 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 11. Notwithstanding the terms of the agreement,
 14 a suspension, an expulsion, or a referral of a student who is a ~~child~~
 15 **student** with a disability (as defined in ~~IC 20-1-6-1~~) **IC 20-35-1-8**) is
 16 subject to the:

- 17 (1) procedural requirements of 20 U.S.C. 1415; and
 18 (2) rules adopted by the Indiana state board of education.

19 SECTION 315. IC 20-33-9-1, AS ADDED BY P.L.1-2005,
 20 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 1. Sections 5 through ~~9~~ **8** of this chapter apply to
 22 the following:

- 23 (1) A violation under IC 7.1-5-7 (concerning minors and alcoholic
 24 beverages).
 25 (2) A violation under IC 35-48-4 (offenses related to controlled
 26 substances).

27 SECTION 316. IC 20-33-9-5, AS ADDED BY P.L.1-2005,
 28 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 5. **Except as provided in section 7 of this**
 30 **chapter**, if a person other than a member of the administrative staff
 31 who is an employee of a school corporation has personally observed:

- 32 (1) a violation described in section 1 of this chapter; or
 33 (2) a delinquent act that would be a violation under section 1 of
 34 this chapter if the violator were an adult;

35 in, on, or within one thousand (1,000) feet of the school property of the
 36 school corporation employing the person, the person shall immediately
 37 report the violation in writing to a member of the administrative staff
 38 of the school corporation employing the person.

39 SECTION 317. IC 20-33-9-6, AS ADDED BY P.L.1-2005,
 40 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 6. **Except as provided in section 7 of this**
 42 **chapter**, a member of the administrative staff who, based on personal



1 knowledge or on the report of another employee of the school
 2 corporation, believes that a person has committed a violation described
 3 in section 1 of this chapter or a delinquent act that would be a violation
 4 described in section 1 of this chapter if the violator were an adult in,
 5 on, or within one thousand (1,000) feet of the school property of the
 6 school corporation employing the member, ~~shall immediately~~ **may**
 7 report:

- 8 (1) a general description of the violation;
- 9 (2) the name or a general description of each violator known to
 10 the member;
- 11 (3) the date, time, and and place of the violation;
- 12 (4) the name or a general description of each person who the
 13 member knows witnessed any part of the violation; and
- 14 (5) a general description and the location of any property that the
 15 member knows was involved in the violation;

16 in writing to a law enforcement officer.

17 SECTION 318. IC 20-33-9-7, AS ADDED BY P.L.1-2005,
 18 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 7. A report is ~~not required~~ **may not be made**
 20 under sections 5 through 6 of this chapter if:

- 21 (1) a federal statute or regulation;
- 22 (2) IC 20-28-10-17, IC 25-33-1-17, IC 34-46-3-1, or another state
 23 statute; or
- 24 (3) a rule adopted by a state agency;

25 imposes a duty on the employee of the school corporation or member
 26 of the administrative staff not to disclose privileged or confidential
 27 information that otherwise would have been the basis of a report.

28 SECTION 319. IC 20-33-9-9 IS REPEALED [EFFECTIVE JULY
 29 1, 2015]. Sec. 9: ~~The law enforcement agencies and the school~~
 30 ~~corporations in each county shall develop and administer a program to~~
 31 ~~efficiently implement this chapter.~~

32 SECTION 320. IC 20-33-9-10, AS AMENDED BY P.L.72-2006,
 33 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 10. ~~In addition to any other duty to report arising~~
 35 ~~under this article,~~ An individual who has reason to believe that a school
 36 employee:

- 37 (1) has received a threat;
- 38 (2) is the victim of intimidation;
- 39 (3) is the victim of battery; or
- 40 (4) is the victim of harassment;

41 ~~shall~~ **may** report that information as ~~required by~~ **set forth in** this
 42 chapter.



1 SECTION 321. IC 20-33-9-10.5, AS ADDED BY P.L.190-2013,
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 10.5. (a) This section does not apply to a charter
 4 school or an accredited nonpublic school.

5 (b) A school employee ~~shall~~ **may** report any incidence of suspected
 6 criminal gang activity, criminal gang intimidation, or criminal gang
 7 recruitment to the principal and the school safety specialist.

8 (c) The principal and the school safety specialist may take
 9 appropriate action to maintain a safe and secure school environment,
 10 including providing appropriate intervention services.

11 SECTION 322. IC 20-33-9-11, AS AMENDED BY P.L.72-2006,
 12 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 11. (a) If an individual who ~~is required to~~ **may**
 14 make a report under this chapter is a member of the staff of a school,
 15 the individual shall make the report by immediately notifying the
 16 principal of the school that a school employee may have received a
 17 threat or may be the victim of intimidation, battery, or harassment.

18 (b) An individual who receives a report under subsection (a) ~~shall~~
 19 **immediately may** make a report or cause a report to be made under
 20 section 13 of this chapter.

21 SECTION 323. IC 20-33-9-12 IS REPEALED [EFFECTIVE JULY
 22 1, 2015]. ~~Sec. 12. This chapter does not relieve an individual of the~~
 23 ~~obligation to report a threat, intimidation, a battery, or harassment on~~
 24 ~~the individual's own behalf, unless a report has already been made to~~
 25 ~~the best of the individual's belief.~~

26 SECTION 324. IC 20-33-9-13, AS AMENDED BY P.L.72-2006,
 27 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 13. An individual who ~~has a duty~~ **may** under
 29 sections 10 ~~through 12~~ **and 11** of this chapter ~~to~~ report that a school
 30 employee may have received a threat or may be the victim of
 31 intimidation, battery, or harassment, ~~shall immediately~~ **may** make an
 32 oral report to the local law enforcement agency.

33 SECTION 325. IC 20-33-10 IS REPEALED [EFFECTIVE JULY 1,
 34 2015]. (Access to High School Student Information by Military
 35 Organizations).

36 SECTION 326. IC 20-33-11 IS REPEALED [EFFECTIVE JULY 1,
 37 2015]. (Interrogation of a Student).

38 SECTION 327. IC 20-34-1 IS REPEALED [EFFECTIVE JULY 1,
 39 2015]. (Acquired Immune Deficiency Syndrome Advisory Council).

40 SECTION 328. IC 20-34-2 IS REPEALED [EFFECTIVE JULY 1,
 41 2015]. (Drug-Free Schools Committee).

42 SECTION 329. IC 20-34-3-15 IS REPEALED [EFFECTIVE JULY



1 1, 2015]. Sec. 15: (a) Whenever the test required under section 14 of
 2 this chapter discloses that the hearing of a student is impaired and the
 3 student cannot be taught advantageously in regular classes, the
 4 governing body of the school corporation shall provide appropriate
 5 remedial measures and correctional devices. The governing body shall
 6 advise the student's parent of the proper medical care, attention, and
 7 treatment needed. The governing body shall provide approved
 8 mechanical auditory devices and prescribe courses in lip reading by
 9 qualified, competent, and approved instructors. The state
 10 superintendent and the director of the rehabilitation services bureau of
 11 the division of disability and rehabilitative services shall:

12 (1) cooperate with school corporations to provide assistance under
 13 this section; and

14 (2) provide advice and information to assist school corporations
 15 in complying with this section.

16 The governing body may adopt rules for the administration of this
 17 section.

18 (b) Each school corporation may receive and accept bequests and
 19 donations for immediate use or as trusts or endowments to assist in
 20 meeting costs and expenses incurred in complying with this section.
 21 When funds for the full payment of the expenses are not otherwise
 22 available in a school corporation, an unexpended balance in the state
 23 treasury that is available for the use of local schools and is otherwise
 24 unappropriated may be loaned to the school corporation for that
 25 purpose by the governor. A loan made by the governor under this
 26 section shall be repaid to the fund in the state treasury from which the
 27 loan came not more than two (2) years after the date it was advanced.
 28 Loans under this section shall be repaid through the levying of taxes in
 29 the borrowing school corporation.

30 SECTION 330. IC 20-34-3-17 IS REPEALED [EFFECTIVE JULY
 31 1, 2015]. Sec. 17: (a) The state board shall provide information
 32 stressing the moral aspects of abstinence from sexual activity in any
 33 literature that it distributes to students and young adults concerning
 34 available methods for the prevention of acquired immune deficiency
 35 syndrome (AIDS). The literature must state that the best way to avoid
 36 AIDS is for young people to refrain from sexual activity until they are
 37 ready as adults to establish, in the context of marriage, a mutually
 38 faithful monogamous relationship.

39 (b) The state board may not distribute AIDS literature described in
 40 subsection (a) to students without the consent of the governing body of
 41 the school corporation the students attend.

42 SECTION 331. IC 20-34-3-20, AS AMENDED BY P.L.132-2007,



1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 20. (a) The governing body of a school
3 corporation shall require each school in the governing body's
4 jurisdiction to conduct periodic fire drills during the school year in
5 compliance with rules adopted under IC 4-22-2 by the state board. **A**
6 **rule adopted under this subsection may not require more than one**
7 **(1) fire drill during each semester.**

8 (b) Each school and attendance center shall conduct at least:

9 (1) one (1) tornado preparedness drill; and

10 (2) one (1) manmade occurrence disaster drill;

11 during each semester.

12 (c) The governing body of a school corporation shall require each
13 principal to file a certified statement that all drills have been conducted
14 as required under this section.

15 SECTION 332. IC 20-35-1-2 IS REPEALED [EFFECTIVE JULY
16 1, 2015]. Sec. 2: "~~Child with a disability~~" means a child who:

17 ~~(1) is at least three (3) years of age but less than twenty-two (22)~~
18 ~~years of age; and~~

19 ~~(2) because of physical or mental disability is incapable of being~~
20 ~~educated properly and efficiently through normal classroom~~
21 ~~instruction, but who, with the advantage of a special educational~~
22 ~~program, may be expected to benefit from instruction in~~
23 ~~surroundings designed to further the educational, social, or~~
24 ~~economic status of the child.~~

25 SECTION 333. IC 20-35-1-5 IS REPEALED [EFFECTIVE JULY
26 1, 2015]. Sec. 5: "~~Preschool child with a disability~~" refers to a child
27 ~~with a disability who is at least three (3) years of age by June 1 of the~~
28 ~~school year.~~

29 SECTION 334. IC 20-35-1-8 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2015]: Sec. 8. "**Student with a disability**"
32 **means an individual who:**

33 **(1) is at least three (3) years of age but less than twenty-two**
34 **(22) years of age; and**

35 **(2) because of physical or mental disability is incapable of**
36 **being educated properly and efficiently through normal**
37 **classroom instruction, but who, with the advantage of a**
38 **special educational program, may be expected to benefit from**
39 **instruction in surroundings designed to further the**
40 **educational, social, or economic status of the student.**

41 SECTION 335. IC 20-35-2-1, AS AMENDED BY P.L.234-2007,
42 SECTION 121, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) There is established under the
 2 state board a division of special education. The division shall exercise
 3 all the power and duties set out in this chapter, IC 20-35-3 through
 4 IC 20-35-6, and IC 20-35-8.

5 (b) The governor shall appoint, upon the recommendation of the
 6 state superintendent, a director of special education who serves at the
 7 pleasure of the governor. The amount of compensation of the director
 8 shall be determined by the budget agency with the approval of the
 9 governor. The director has the following duties:

10 (1) To do the following:

11 (A) Have general supervision of all programs, classes, and
 12 schools for ~~children with disabilities~~; **students with a**
 13 **disability**, including those conducted by public schools, the
 14 Indiana School for the Blind and Visually Impaired, the
 15 Indiana School for the Deaf, the department of correction, the
 16 state department of health, the division of disability and
 17 rehabilitative services, and the division of mental health and
 18 addiction.

19 (B) Coordinate the work of schools ~~described in clause (A):~~
 20 **that receive state or federal funding for special education**
 21 **or programs.**

22 For programs for preschool children with disabilities as required
 23 under IC 20-35-4-9; have general supervision over programs;
 24 classes; and schools; including those conducted by the schools or
 25 other state or local service providers as contracted for under
 26 IC 20-35-4-9. However, general supervision does not include the
 27 determination of admission standards for the state departments,
 28 boards; or agencies authorized to provide programs or classes
 29 under this chapter.

30 (2) ~~To adopt, with the approval of the state board, rules governing~~
 31 ~~the curriculum and instruction, including licensing of personnel~~
 32 ~~in the field of education, as provided by law.~~

33 (3) ~~To inspect and rate all schools, programs, or classes for~~
 34 ~~children with disabilities to maintain proper standards of~~
 35 ~~personnel, equipment, and supplies.~~

36 (4) (2) With the consent of the state superintendent and the
 37 budget agency, to appoint and determine salaries for any
 38 assistants and other personnel needed to enable the director to
 39 accomplish the duties of the director's office.

40 (5) ~~To adopt, with the approval of the state board, the following:~~

41 (A) ~~Rules governing the identification and evaluation of~~
 42 ~~children with disabilities and their placement under an~~



- 1 individualized education program in a special education
 2 program.
- 3 (B) Rules protecting the rights of a child with a disability and
 4 the parents of the child with a disability in the identification,
 5 evaluation, and placement process.
- 6 (6) (3) To make recommendations to the state board concerning
 7 standards and case load ranges for related services to assist each
 8 teacher in meeting the individual needs of each child according
 9 to that child's individualized education program. The
 10 recommendations may include the following:
- 11 (A) The number of teacher aides recommended for each
 12 exceptionality included within the class size ranges.
- 13 (B) (A) The role of the teacher aide.
- 14 (C) (B) Minimum training recommendations for teacher aides
 15 and recommended procedures for the supervision of teacher
 16 aides.
- 17 (7) To cooperate with the interagency coordinating council
 18 established by IC 12-12.7-2-7 to ensure that the preschool special
 19 education programs required by IC 20-35-4-9 are consistent with
 20 the early intervention services program described in IC 12-12.7-2.
- 21 (e) The director or the state board may exercise authority over career
 22 and technical education programs for children with disabilities through
 23 a letter of agreement with the department of workforce development.
- 24 SECTION 336. IC 20-35-4-1 IS REPEALED [EFFECTIVE JULY
 25 1, 2015]. Sec. 4. (a) A school corporation acting individually or in a
 26 joint school services program with other corporations may establish
 27 and maintain instructional facilities for the instruction of children with
 28 disabilities.
- 29 (b) A school corporation may provide transfer and transportation of
 30 children with disabilities residing in the geographical limits of the
 31 corporation to facilities for the instruction of children with disabilities
 32 that are not maintained by the school corporation.
- 33 (c) A school corporation acting individually or in a joint school
 34 services program with other corporations may convert, build, or lease
 35 the necessary school buildings or use existing buildings to establish
 36 and maintain classes of one (1) or more pupils who are:
- 37 (1) residents of Indiana; and
 38 (2) children with disabilities.
- 39 (d) A school corporation may provide for instruction of any child
 40 with a disability who is not able to attend a special class or school for
 41 children with disabilities. Special personnel may be employed in
 42 connection with these classes of schools; and any expenditures for



1 these classes of schools are lawful expenditures for maintaining the
2 education of children with disabilities:

3 (e) All nurses, therapists, doctors, psychologists, and related
4 specialists employed under this chapter:

5 (1) must be registered and authorized to practice under Indiana
6 law; and

7 (2) are subject to any additional requirements of the division:

8 (f) A school corporation acting individually or in a joint school
9 services program with other corporations may purchase special
10 equipment needed in a class or school for children with disabilities; and
11 any expenditures made for this special equipment are lawful
12 expenditures for maintaining the education of children with disabilities:

13 (g) Children with disabilities shall receive credit for schoolwork
14 accomplished on the same basis as children without disabilities who do
15 similar work:

16 (h) A school corporation constructing or operating a school under
17 this chapter:

18 (1) shall pay the operating expense for each student attending;
19 and

20 (2) is entitled to receive state aid for these students under the
21 applicable laws:

22 Other school corporations sending children with disabilities as students
23 of the school shall pay tuition in accordance with IC 20-35-8-1 through
24 IC 20-35-8-2:

25 (i) If the state receives funds from the federal government to aid in
26 the operation of any school for children with disabilities, the division
27 shall distribute among these schools the grant of federal funds that are
28 appropriated. The federal funds shall be expended for the purposes for
29 which the funds are granted:

30 (j) Except as provided in section 9 of this chapter with regard to
31 preschool children with disabilities, schools or classes for children with
32 disabilities shall be operated by the school corporation establishing the
33 schools or classes under:

34 (1) Indiana laws applying to the operation of public schools; and

35 (2) the supervision of the division:

36 (k) Teachers in classes and schools for children with disabilities:

37 (1) shall be appointed in the same manner as other public school
38 teachers; and

39 (2) must possess:

40 (A) the usual qualifications required of teachers in the public
41 schools; and

42 (B) any special training that the state board requires:



1 (f) The state board shall adopt rules under IC 4-22-2 governing the
2 qualifications required of preschool teachers under contractual
3 agreements entered into under section 9 of this chapter.

4 (m) Qualifications of paraprofessional personnel to be employed
5 under this chapter are subject to a determination by the department.
6 Before any type of special class organized or to be organized under this
7 chapter is established in any school corporation or through any
8 contractual agreement, the special class must be submitted to and
9 approved by the state board.

10 (n) The state board shall adopt rules under IC 4-22-2 necessary for
11 the proper administration of this chapter.

12 SECTION 337. IC 20-35-4-1.5 IS ADDED TO THE INDIANA
13 CODE AS A NEW SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. (a) A school corporation has
15 a duty to educate a student with a disability. However, the duty
16 does not abrogate the right of a parent to act under IC 20-33-2-8.**

17 **(b) The state board shall adopt rules governing special
18 education that comply with federal law.**

19 SECTION 338. IC 20-35-4-2 IS REPEALED [EFFECTIVE JULY
20 1, 2015]. **Sec. 2:** (a) The division may, upon application by the
21 governing body of a school corporation, together with proof of need,
22 authorize the school corporation to purchase, convert, remodel, or
23 construct rooms or buildings for special schools for children with
24 disabilities in an effort to have the schools located near the homes of
25 the children with disabilities the schools will serve.

26 (b) The school corporation:

27 (1) shall pay the cost of purchase, conversion, remodeling, and
28 construction and the cost of building equipment of any such
29 school; and

30 (2) may finance such conversion, remodeling, and construction as
31 other school buildings are financed.

32 (c) The school corporation establishing any such school may send
33 all its children with disabilities to the school and shall admit, if
34 facilities permit, any other children with disabilities in Indiana who:

35 (1) are eligible under this chapter; and

36 (2) are not provided with an opportunity to attend an adequate
37 school in their own school corporation.

38 SECTION 339. IC 20-35-4-3 IS REPEALED [EFFECTIVE JULY
39 1, 2015]. **Sec. 3:** (a) The medical care of a child with a disability is the
40 responsibility of the physician chosen by the parent to attend the child.
41 However, a child with a disability is not excused from attending school
42 unless the local health officer, upon a statement of the attending



1 physician; certifies that attendance would be injurious to the child. The
 2 educational and recreational program may not alter in any way the
 3 medical care prescribed by the proper medical authority. Eligibility for
 4 all special education classes and programs must be determined by
 5 appropriate specialists:

6 (b) All nurses and special therapists in physical therapy;
 7 occupational therapy; and related medical fields must be:

8 (1) graduates of fully accredited training schools; and

9 (2) registered by their respective examining boards or by their
 10 respective professional associations:

11 (c) The medical care of needy children with disabilities is the
 12 responsibility of the state department of health and its program for
 13 children with special health care needs; to the extent provided by law:

14 (d) The personnel and facilities under the program for children with
 15 special health care needs shall be used at all times for the following:

16 (1) The determination of policies related to the medical care of
 17 children with disabilities:

18 (2) The professional supervision of all special therapists:

19 (3) Individual casework as available:

20 SECTION 340. IC 20-35-4-8 IS REPEALED [EFFECTIVE JULY
 21 1, 2015]. Sec. 8: (a) The school corporation in which a child with a
 22 disability resides is primarily responsible for providing the child with
 23 an appropriate special education program. The governing body of each
 24 school corporation shall establish and maintain the special educational
 25 facilities that are needed for:

26 (1) children with disabilities residing in the school corporation;
 27 and

28 (2) other children as authorized by this chapter:

29 However, under rules adopted by the state board, a child with a
 30 disability may be placed in a special education program that is not
 31 established or maintained by the school corporation:

32 (b) Notwithstanding subsection (a); a school corporation may
 33 establish special educational facilities for children with disabilities who
 34 are:

35 (1) at least nineteen (19) years of age; or

36 (2) less than six (6) years of age:

37 SECTION 341. IC 20-35-4-9 IS REPEALED [EFFECTIVE JULY
 38 1, 2015]. Sec. 9: (a) The budget agency and the division shall develop
 39 a funding mechanism to provide preschool special education. Each
 40 school corporation shall provide each preschool child with a disability
 41 with an appropriate special education. However, this subsection is
 42 applicable only if the general assembly appropriates state funds for



1 preschool special education:

2 (b) A school corporation may act:

3 (1) individually;

4 (2) in a joint school services program with other school
5 corporations as described in section 1 of this chapter; or

6 (3) upon approval by the division, through contractual agreements
7 entered into between a school corporation and a qualified public
8 or private agency that serves preschool children with disabilities:

9 (c) The state board shall adopt rules under IC 4-22-2 governing the
10 following:

11 (1) The extent to which a school corporation may contract with
12 another service provider as permitted under subsection (b):

13 (2) The nature of the contracts:

14 (3) The approval procedure required of the school corporation
15 under subsection (b):

16 (4) Other pertinent matters concerning these agreements:

17 SECTION 342. IC 20-35-4-10 IS REPEALED [EFFECTIVE JULY
18 1, 2015]. See: 10. (a) For purposes of this section, "comprehensive
19 plan" means a plan for educating the following:

20 (1) All children with disabilities that a school corporation is
21 required to educate under sections 8 through 9 of this chapter:

22 (2) The additional children with disabilities that the school
23 corporation elects to educate:

24 (b) For purposes of this section, "school corporation" includes the
25 following:

26 (1) The Indiana School for the Blind and Visually Impaired board:

27 (2) The Indiana School for the Deaf board:

28 (c) The state board shall adopt rules under IC 4-22-2 detailing the
29 contents of the comprehensive plan. Each school corporation shall
30 complete and submit to the state superintendent a comprehensive plan.
31 School corporations operating cooperative or joint special education
32 services may submit a single comprehensive plan. In addition, if a
33 school corporation enters into a contractual agreement as permitted
34 under section 9 of this chapter, the school corporation shall collaborate
35 with the service provider in formulating the comprehensive plan:

36 (d) Notwithstanding the age limits set out in IC 20-35-1-2, the state
37 board may:

38 (1) conduct a program for the early identification of children with
39 disabilities, between the ages of birth and less than twenty-two
40 (22) years of age not served by the public schools or through a
41 contractual agreement under section 9 of this chapter; and

42 (2) use agencies that serve children with disabilities other than the



- 1 public schools.
- 2 (e) The state board shall adopt rules under IC 4-22-2 requiring the:
- 3 (1) department of correction;
- 4 (2) state department of health;
- 5 (3) division of disability and rehabilitative services;
- 6 (4) Indiana School for the Blind and Visually Impaired board;
- 7 (5) Indiana School for the Deaf board; and
- 8 (6) division of mental health and addiction;
- 9 to submit to the state superintendent a plan for the provision of special
- 10 education for children in programs administered by each respective
- 11 agency who are entitled to a special education.
- 12 (f) The state superintendent shall furnish professional consultant
- 13 services to school corporations and the entities listed in subsection (e)
- 14 to aid them in fulfilling the requirements of this section.
- 15 SECTION 343. IC 20-35-4-11, AS ADDED BY P.L.1-2005,
- 16 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2015]: Sec. 11. (a) The governing bodies of one (1) or more
- 18 school corporations establishing and maintaining educational facilities
- 19 and services for students with disabilities, as described in this chapter,
- 20 shall, in connection with establishing and maintaining the facilities and
- 21 services, exercise similar powers and duties as are prescribed by law
- 22 for the establishment, maintenance, and management of other
- 23 recognized educational facilities and services.
- 24 (b) The governing bodies shall:
- 25 (1) include only eligible children in the program; and
- 26 (2) comply with all the requirements of:
- 27 (A) this chapter; and
- 28 (B) all rules established by the state superintendent and the
- 29 state board.
- 30 (c) A school corporation may issue diplomas or certificates of
- 31 graduation to pupils with disabilities completing special educational
- 32 programs approved by the state superintendent and the state board.
- 33 SECTION 344. IC 20-35-4-12 IS REPEALED [EFFECTIVE JULY
- 34 1, 2015]. Sec. 12: Public schools may operate special education
- 35 programs for deaf and hard of hearing children at least six (6) months
- 36 of age on an experimental basis upon the approval of the state
- 37 superintendent and the state board.
- 38 SECTION 345. IC 20-35-5-1, AS AMENDED BY P.L.38-2014,
- 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2015]: Sec. 1. The definitions in this section apply throughout
- 41 this chapter.
- 42 (1) "Agreement" means an:



- 1 (A) identical resolution adopted by the governing body of each
 2 participating school corporation or the governing board of a
 3 participating charter school; or
 4 (B) agreement approved by the governing body of each
 5 participating school corporation or the governing board of a
 6 participating charter school;
 7 providing for a special education cooperative.
 8 (2) "Assessed valuation" of a participating school corporation for
 9 a school year means the net assessed valuation of the school
 10 corporation for the immediately preceding March 1, adjusted in
 11 the same manner as any adjustment is made in determining the
 12 amount of state distribution for school support.
 13 (3) "Board of managers" means the board or commission charged
 14 with the responsibility of administering the affairs of a special
 15 education cooperative.
 16 (4) "Governing body" of a participating school corporation or
 17 charter school means the board or commission charged by law
 18 with the responsibility of administering the affairs of the school
 19 corporation or charter school. ~~In the case of a school township;~~
 20 ~~the term means the township trustee and township board.~~
 21 (5) "Participating school corporation" means a local public school
 22 corporation that:
 23 (A) is established under Indiana law; and
 24 (B) cooperates with other school corporations or charter
 25 schools in a special education cooperative.
 26 (6) "Participating charter school" means a charter school that is
 27 established under Indiana law and cooperates with other school
 28 corporations or charter schools in a special education cooperative.
 29 (7) "Percentage share" of a participating school corporation is the
 30 percent that its assessed valuation bears to the total assessed
 31 valuation of all the participating school corporations joining in an
 32 agreement.
 33 (8) "Special education cooperative" means a department, school,
 34 charter school, or school corporation established, maintained, and
 35 supervised for the education of ~~children with disabilities~~ **students**
 36 **with a disability** in accordance with this section.
 37 SECTION 346. IC 20-35-7 IS REPEALED [EFFECTIVE JULY 1,
 38 2015]. (Individualized Education Program; Case Conferences for
 39 Students With Disabilities; Transitional Services).
 40 SECTION 347. IC 20-35-9-3, AS ADDED BY P.L.1-2005,
 41 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 3. As used in this chapter, "case conference



1 committee" means the group of individuals described in IC 20-18-2-9
 2 who develop the individualized education program for each ~~child~~
 3 **student** with a disability (as defined in ~~IC 20-35-1-2~~). **IC 20-35-1-8**.

4 SECTION 348. IC 20-35-10 IS REPEALED [EFFECTIVE JULY 1,
 5 2015]. (Inclusion School Pilot Program).

6 SECTION 349. IC 20-40-1-5, AS ADDED BY P.L.2-2006,
 7 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2015]: Sec. 5. Statutes outside this article that
 9 permit or require the establishment of joint funds include the following:

10 (1) IC 20-26-10-3 (joint fund for a joint program).

11 (2) IC 20-26-10-8 (joint services, leasing, construction, and
 12 supply fund).

13 (3) IC 20-26-10-9 (joint investment fund).

14 ~~(4) IC 20-26-10-11 (joint service and supply fund to pay for a
 15 joint program):~~

16 ~~(5) IC 20-30-6-5 (joint fund to conduct educational television
 17 instruction and contract with a commercial television station for
 18 the use of the station's facilities and staff):~~

19 SECTION 350. IC 20-40-12-5, AS ADDED BY P.L.2-2006,
 20 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2015]: Sec. 5. The fund may be used to provide
 22 money for the following purposes:

23 (1) The payment of a judgment rendered against the school
 24 corporation, or rendered against an officer or employee of the
 25 school corporation for which the school corporation is liable
 26 under IC 34-13-2, IC 34-13-3, or IC 34-13-4 (or IC 34-4-16.5,
 27 IC 34-4-16.6, or IC 34-4-16.7 before their repeal).

28 (2) The payment of a claim or settlement for which the school
 29 corporation is liable under IC 34-13-2, IC 34-13-3, or IC 34-13-4
 30 (or IC 34-4-16.5, IC 34-4-16.6, or IC 34-4-16.7 before their
 31 repeal).

32 (3) The payment of a premium, management fee, claim, or
 33 settlement for which the school corporation is liable under a
 34 federal or state statute, including IC 22-3 and IC 22-4.

35 (4) The payment of a settlement or claim for which insurance
 36 coverage is permitted under ~~IC 20-26-5-4(15)~~.

37 **IC 20-26-5-4(a)(14)**.

38 SECTION 351. IC 20-40-12-8, AS ADDED BY P.L.2-2006,
 39 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2015]: Sec. 8. Subject to ~~IC 20-26-5-4(15)~~
 41 **IC 20-26-5-4(a)(14)** and this chapter and notwithstanding any other
 42 law, a self-insurance program must comply with this chapter.



1 SECTION 352. IC 20-40-13 IS REPEALED [EFFECTIVE JULY 1,
2 2015]. (Petty Cash Fund).

3 SECTION 353. IC 20-40-15-6 IS REPEALED [EFFECTIVE JULY
4 1, 2015]. Sec. 6. (a) Before February 15 of each year, each school
5 corporation shall file a report with the state superintendent's special
6 assistant for technology:

7 (b) A report filed under this section must:

8 (1) be prepared in the form prescribed by the special assistant for
9 technology; and

10 (2) include a list of expenditures made by the school corporation
11 during the preceding calendar year from the school corporation's:

12 (A) fund for purposes described in this chapter;

13 (B) capital projects fund for purposes described in
14 IC 20-40-8-13; and

15 (C) debt service fund to provide financing for any equipment
16 or facilities used to provide educational technology programs.

17 (c) Before April 1 of each year, the special assistant for technology
18 shall compile the information contained in the reports filed under this
19 section:

20 SECTION 354. IC 20-41-1-9, AS ADDED BY P.L.2-2006,
21 SECTION 164, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) The treasurer shall deposit all
23 receipts in one (1) bank account. The receipts shall be deposited
24 without unreasonable delay. The account is known as the school
25 extracurricular account. The records of each organization, class, or
26 activity shall be kept separate so that the balance in each fund may be
27 known at all times.

28 (b) The money in the school extracurricular account may be
29 invested under the conditions specified in IC 5-13-10 and IC 5-13-10.5
30 for investment of state money. However, investments under this section
31 are at the discretion of the principal. The interest earned from any
32 investment may be credited to the school extracurricular account and
33 need not be credited proportionately to each separate extracurricular
34 fund. The interest earned from the investment may be used for any of
35 the following:

36 (1) A school purpose approved by the principal.

37 (2) An extracurricular purpose approved by the principal.

38 (c) Amounts expended under this section for the purposes described
39 in this section are in addition to the appropriation under
40 ~~IC 20-26-5-4(3)~~: **IC 20-26-5-4(a)(3)**.

41 SECTION 355. IC 20-41-2-4, AS ADDED BY P.L.2-2006,
42 SECTION 164, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 4. A governing body in operating
 2 a school lunch program under ~~IC 20-26-5-4(11)~~ **IC 20-26-5-4(a)(10)**
 3 may use either of the following accounting methods:

4 (1) It may supervise and control the program through the school
 5 corporation account, establishing a school lunch fund.

6 (2) It may cause the program to be operated by the individual
 7 schools of the school corporation through the school corporation's
 8 extracurricular account or accounts in accordance with
 9 IC 20-41-1.

10 SECTION 356. IC 20-41-2-5, AS AMENDED BY P.L.286-2013,
 11 SECTION 122, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) A governing body in
 13 operating a curricular materials rental program under ~~IC 20-26-5-4(12)~~
 14 **IC 20-26-5-4(a)(11)** may use either of the following accounting
 15 methods:

16 (1) The governing body may supervise and control the program
 17 through the school corporation account, establishing a curricular
 18 materials rental fund.

19 (2) If curricular materials have not been purchased and financial
 20 commitments or guarantees for the purchases have not been made
 21 by the school corporation, the governing body may cause the
 22 program to be operated by the individual schools of the school
 23 corporation through the school corporation's extracurricular
 24 account or accounts in accordance with IC 20-41-1.

25 (b) If the governing body determines that a hardship exists due to
 26 the inability of a student's family to purchase or rent curricular
 27 materials, taking into consideration the income of the family and the
 28 demands on the family, the governing body may furnish curricular
 29 materials to the student without charge, without reference to the
 30 application of any other statute or rule except IC 20-26-1 through
 31 IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1.

32 SECTION 357. IC 20-42.5-3-1 IS REPEALED [EFFECTIVE JULY
 33 1, 2015]. ~~Sec. 1. The state board shall explore methods, including
 34 statewide purchases, to reduce the expense to school corporations for
 35 the purchase of the following:~~

36 ~~(1) Curricular materials.~~

37 ~~(2) Technology.~~

38 ~~(3) School buses and other vehicles.~~

39 ~~(4) Other areas of expenses as determined by the state board.~~

40 SECTION 358. IC 20-42.5-3-2 IS REPEALED [EFFECTIVE JULY
 41 1, 2015]. ~~Sec. 2. The state board, assisted by the educational service
 42 centers, the division of finance of the department, and the office of~~



1 management and budget, shall survey annually the school corporations
 2 to determine actions taken by the school corporations to allocate
 3 resources to student instruction and learning. The state board shall
 4 issue an annual report of actions taken to:

- 5 (1) each school corporation;
- 6 (2) the public; and
- 7 (3) the general assembly.

8 The report to the general assembly must be submitted to the executive
 9 director of the legislative services agency in an electronic format under
 10 IC 5-14-6.

11 SECTION 359. IC 20-42.5-3-3 IS REPEALED [EFFECTIVE JULY
 12 1, 2015]. Sec. 3: Not later than November 1 of each year, the state
 13 board, assisted by the office of management and budget and school
 14 corporation officials, shall submit a report to the state superintendent,
 15 the governor, and the general assembly concerning the following:

- 16 (1) Consolidated purchasing arrangements used by multiple
 17 school corporations, through educational service centers, and
 18 throughout Indiana.
- 19 (2) Shared services arrangements used by multiple school
 20 corporations, through educational service centers, and in Indiana
 21 as a whole.
- 22 (3) The efforts of school corporations to explore cooperatives,
 23 common management, or consolidations.

24 The report to the general assembly must be submitted to the executive
 25 director of the legislative services agency in an electronic format under
 26 IC 5-14-6.

27 SECTION 360. IC 20-42.5-3-6 IS REPEALED [EFFECTIVE JULY
 28 1, 2015]. Sec. 6: (a) Beginning with the 2007-2008 school year, each
 29 governing body shall establish goals for each category of expenditures
 30 set forth in section 4 of this chapter that will increase the school
 31 corporation's allocation of taxpayer resources directly to student
 32 instruction and learning, in light of the unique circumstances present
 33 in the school corporation:

34 (b) The state board shall recognize and reward the school
 35 corporations that meet the goals described in subsection (a):

36 SECTION 361. IC 20-44-3-8 IS REPEALED [EFFECTIVE JULY
 37 1, 2015]. Sec. 8: Subject to the limitations imposed by this chapter, a
 38 school corporation may use money in its fund for any lawful purpose
 39 for which money in any of its other funds may be used:

40 SECTION 362. IC 20-45-8-19, AS ADDED BY P.L.2-2006,
 41 SECTION 168, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2015]: Sec. 19. The receipts from the tax are



1 available to a qualified school corporation for any purpose or purposes
 2 for which school expenditures are authorized by law. The purpose or
 3 purposes for which the receipts from the tax are used rests within the
 4 discretion of the administrative officer or governing board of each
 5 qualified school corporation. The budgets of the qualified school
 6 corporations must reflect the anticipated receipts from the tax.
 7 Appropriations shall be made of the receipts from the tax as other
 8 appropriations are made.

9 SECTION 363. IC 20-47-2-5, AS ADDED BY P.L.2-2006,
 10 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) ~~Subject to subsection (b)~~; A
 12 school corporation may lease a school building or buildings for the use
 13 of:

- 14 (1) the school corporation; or
- 15 (2) a joint or consolidated school district of which the school
 16 corporation is a part or to which it contributes;

17 for a term not to exceed thirty (30) years.

18 (b) A school corporation may not enter into a lease under this
 19 section unless

20 ~~(1) a petition for the lease signed by at least fifty (50) patrons of~~
 21 ~~the school corporation has been filed with the governing body of~~
 22 ~~the school corporation; and~~

23 ~~(2)~~ the governing body, after investigation, determines that a need
 24 exists for the school building and that the school corporation
 25 cannot provide the necessary funds to pay the cost or its
 26 proportionate share of the cost of the school building or buildings
 27 required to meet the present needs.

28 (c) If two (2) or more school corporations propose to jointly enter
 29 into a lease under this section, joint meetings of the governing bodies
 30 of the school corporations may be held, but action taken at a joint
 31 meeting is not binding on any of those school corporations unless
 32 approved by a majority of the governing body of those school
 33 corporations. A lease executed by two (2) or more school corporations
 34 as joint lessees must:

35 (1) set out the amount of the total lease rental to be paid by each
 36 lessee, which may be as agreed upon; and

37 (2) provide that:

38 (A) there is no right of occupancy by any lessee unless the
 39 total rental is paid as stipulated in the lease; and

40 (B) all rights of joint lessees under the lease are in proportion
 41 to the amount of lease rental paid by each lessee.

42 SECTION 364. IC 20-47-3-3, AS ADDED BY P.L.2-2006,



1 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) ~~Subject to subsection (b)~~; A
 3 school corporation may lease a school building or buildings for the use
 4 of:

- 5 (1) the school corporation; or
 6 (2) a joint or consolidated school district of which the school
 7 corporation is a part or to which it contributes;

8 for a term not to exceed fifty (50) years.

9 (b) A school corporation may not enter into a lease under this
 10 section unless

11 ~~(1) a petition for the lease signed by at least fifty (50) patrons of~~
 12 ~~the school corporation has been filed with the governing body of~~
 13 ~~the school corporation; and~~

14 ~~(2) the governing body, after investigation, determines that a need~~
 15 ~~exists for the school building.~~

16 (c) If two (2) or more school corporations propose to jointly enter
 17 into a lease under this section, joint meetings of the governing bodies
 18 of the school corporations may be held, but action taken at a joint
 19 meeting is not binding on any of those school corporations unless
 20 approved by a majority of the governing body of each of those school
 21 corporations. A lease executed by two (2) or more school corporations
 22 as joint lessees must:

23 (1) set out the amount of the total lease rental to be paid by each
 24 lessee, which may be as agreed upon; and

25 (2) provide that:

26 (A) there is no right of occupancy by any lessee unless the
 27 total rental is paid as stipulated in the lease; and

28 (B) all rights of joint lessees under the lease are in proportion
 29 to the amount of lease rental paid by each lessee.

30 SECTION 365. IC 20-48-4-9, AS ADDED BY P.L.2-2006,
 31 SECTION 171, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2015]: Sec. 9. In carrying out sections 6 through
 33 8 of this chapter, the township trustee may join with the ~~school~~
 34 ~~township or~~ district in the alteration, construction, or addition,
 35 contracting together and joining in the employment of an engineer or
 36 architect.

37 SECTION 366. IC 20-49-2-11, AS ADDED BY P.L.2-2006,
 38 SECTION 172, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) The state board may make
 40 a disaster loan to a school corporation that has suffered loss by fire,
 41 flood, windstorm, or other disaster that makes all or part of the school
 42 building or buildings unfit for school purposes. ~~as described in~~



1 ~~IC 20-26-7-29 through IC 20-26-7-34.~~

2 (b) A loan made under this section may not exceed three million
3 dollars (\$3,000,000). The school corporation shall repay the loan
4 within twenty (20) years at an annual interest rate of one percent (1%)
5 of the unpaid balance.

6 (c) The amounts repaid by school corporations under subsection (b)
7 shall be deposited in a fund to be known as the school disaster loan
8 fund. The money remaining in the school disaster loan fund at the end
9 of a state fiscal year does not revert to the state general fund. The state
10 board may use the money in the school disaster loan fund only to make
11 disaster loans to school corporations under this section.

12 (d) Sections 13, 14, and 15 of this chapter do not apply to loans
13 made under this section.

14 SECTION 367. IC 20-49-2-13, AS ADDED BY P.L.2-2006,
15 SECTION 172, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) The state board shall
17 compute and assign to the applicant school corporation a school
18 building index that is the ratio of the school building need, in terms of
19 money, to the school corporation's tax ability, in terms of money.

20 (b) For purposes of this section, the school building need, in terms
21 of money, of a school corporation is the amount determined under
22 STEP FOUR of the following formula:

23 STEP ONE: Add the ADA of students in grades 1 through 12 of
24 the school corporation during the current school year in which
25 application for an advancement is made and twice the ADA
26 increase of the school corporation for the preceding three (3)
27 years. However, the state board may make adjustments to reflect
28 the effect of changes of boundary lines, loss of transfer students,
29 or loss of resident students to private, parochial, or cooperative
30 program schools within the three (3) year period.

31 STEP TWO: Divide the STEP ONE amount by twenty-five (25)
32 to determine the number of classrooms needed to house the
33 estimated enrollment increase.

34 STEP THREE: Subtract from the STEP TWO amount the number
35 of classrooms that:

36 (A) are owned, under a lease-rental arrangement, or under
37 construction in the school corporation; and

38 (B) were constructed for and normally used for classroom
39 purposes at the time of making application for an
40 advancement.

41 However, there shall not be subtracted classrooms in a building
42 or buildings found to be inadequate for the proper education of



1 students under standards and procedures prescribed by the state
 2 board or that have been condemned ~~under IC 20-26-7-29 through~~
 3 ~~IC 20-26-7-34~~ and that are to be replaced by funds applied for.

4 STEP FOUR: Multiply the STEP THREE amount by twenty
 5 thousand dollars (\$20,000).

6 (c) For purposes of this section, the school corporation's tax ability,
 7 in terms of money, is the amount determined under STEP TWO of the
 8 following formula:

9 STEP ONE: Determine six and one-half percent (6 1/2%) of the
 10 adjusted value of taxable property in a school corporation as
 11 determined under IC 36-1-15-4 for state and county taxes
 12 immediately preceding the date of application.

13 STEP TWO: Subtract from the STEP ONE amount the sum of the
 14 following:

15 (A) The principal amount of any outstanding general
 16 obligation bonds of the school corporation.

17 (B) The principal amount of outstanding obligations of any
 18 corporation or holding company that has entered into a
 19 lease-rental agreement with the applicant school corporation.

20 (C) The principal amount of outstanding civil township, town,
 21 or city school building bonds.

22 If the school corporation's tax ability is less than one hundred dollars
 23 (\$100), the school corporation's tax ability is considered for purposes
 24 of this section as being one hundred dollars (\$100).

25 SECTION 368. IC 20-49-3-8, AS AMENDED BY P.L.40-2014,
 26 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 8. The fund may be used to make advances:

28 (1) to school corporations, including ~~school townships and~~ school
 29 corporation career and technical education schools described in
 30 IC 20-37-1-1, under IC 20-49-4 and IC 20-49-5; and

31 (2) under IC 20-49-6.

32 Unless the context clearly requires otherwise, a reference to a school
 33 corporation in this chapter includes a school corporation career and
 34 technical education school described in IC 20-37-1-1. However, an
 35 advance to a school corporation career and technical education school
 36 described in IC 20-37-1-1 is not considered an advance to a school
 37 corporation for purposes of determining if the school corporation career
 38 and technical education school described in IC 20-37-1-1 qualifies for
 39 an advance.

40 SECTION 369. IC 20-49-4-0.3 IS REPEALED [EFFECTIVE JULY
 41 1, 2015]. ~~Sec. 0-3. All agreements that are:~~

42 ~~(1) executed by or on behalf of school corporations or school~~



1 townships before February 28, 1992; and
 2 (2) for advances from the Indiana common school fund under
 3 IC 21-1-5 (before its repeal, now codified in this chapter);
 4 are validated and legalized.

5 SECTION 370. IC 20-49-4-0.4 IS REPEALED [EFFECTIVE JULY
 6 1, 2015]. Sec. 0.4. All agreements that are:

7 (1) executed by or on behalf of school corporations or school
 8 townships before March 10, 1996; and
 9 (2) for advances from the common school fund under IC 21-1-5
 10 (before its repeal, now codified in this chapter);
 11 are validated and legalized.

12 SECTION 371. IC 20-49-4-1, AS AMENDED BY P.L.40-2014,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 1. This chapter applies to school corporations
 15 organized and formed through reorganization under IC 20-23-4,
 16 IC 20-23-6, or IC 20-23-7 school townships under IC 20-23-3, and
 17 school corporation career and technical education schools described in
 18 IC 20-37-1-1. Unless the context clearly requires otherwise, a reference
 19 to a school corporation in this chapter includes a school corporation
 20 career and technical education school described in IC 20-37-1-1.

21 SECTION 372. IC 20-51-1-4.3, AS ADDED BY P.L.205-2013,
 22 SECTION 310, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2015]: Sec. 4.3. "Eligible choice scholarship
 24 student" refers to an individual who:

- 25 (1) has legal settlement in Indiana;
 26 (2) is at least five (5) years of age and less than twenty-two (22)
 27 years of age on the date in the school year specified in
 28 IC 20-33-2-7; and
 29 (3) meets at least one (1) of the following conditions:

30 (A) The individual is:

- 31 (i) a **child student** with a disability who requires special
 32 education and for whom an individualized education
 33 program has been developed under IC 20-35 or a service
 34 plan developed under 511 IAC 7-34; and
 35 (ii) a member of a household with an annual income of not
 36 more than two hundred percent (200%) of the amount
 37 required for the individual to qualify for the federal free or
 38 reduced price lunch program.

39 (B) The individual is:

- 40 (i) an individual who, because of the school corporation's
 41 residency requirement, would be required to attend a
 42 specific public school within a school corporation that has



1 been placed in the lowest category or designation of school
2 improvement under IC 20-31-8-4 (has been assigned an "F"
3 grade); and

4 (ii) except as provided in IC 20-51-4-2.5, is a member of a
5 household with an annual income of not more than one
6 hundred fifty percent (150%) of the amount required for the
7 individual to qualify for the federal free or reduced price
8 lunch program.

9 An individual to whom this clause applies is not required to
10 attend the public school before becoming eligible for a choice
11 scholarship, and may not be required to return to the public
12 school if the public school is placed in a higher category or
13 designation under IC 20-31-8-4.

14 (C) Except as provided in IC 20-51-4-2.5, the individual is a
15 member of a household with an annual income of not more
16 than one hundred fifty percent (150%) of the amount required
17 for the individual to qualify for the federal free or reduced
18 price lunch program and the individual was enrolled in
19 kindergarten through grade 12, in a public school, including a
20 charter school, in Indiana for at least two (2) semesters
21 immediately preceding the first semester for which the
22 individual receives a choice scholarship under IC 20-51-4.

23 (D) The individual or a sibling of the individual who, except
24 as provided in IC 20-51-4-2.5, is a member of a household
25 with an annual income of not more than one hundred fifty
26 percent (150%) of the amount required for the individual to
27 qualify for the federal free or reduced price lunch program and
28 satisfies either of the following:

29 (i) The individual or a sibling of the individual received
30 before July 1, 2013, a scholarship from a scholarship
31 granting organization under IC 20-51-3 or a choice
32 scholarship under IC 20-51-4 in a preceding school year,
33 including a school year that does not immediately precede
34 a school year in which the individual receives a scholarship
35 from a scholarship granting organization under IC 20-51-3
36 or a choice scholarship under IC 20-51-4.

37 (ii) The individual or a sibling of the individual receives for
38 the first time after June 30, 2013, a scholarship of at least
39 five hundred dollars (\$500) from a scholarship granting
40 organization under IC 20-51-3 or a choice scholarship under
41 IC 20-51-4 in a preceding school year, including a school
42 year that does not immediately precede a school year in



1 which the individual receives a scholarship from a
 2 scholarship granting organization under IC 20-51-3 or a
 3 choice scholarship under IC 20-51-4.

4 SECTION 373. IC 21-43-4-6, AS AMENDED BY P.L.125-2013,
 5 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 6. Before February 1 each year, ~~each~~ a school
 7 corporation ~~shall~~ **may** provide ~~each~~ a student in grades 8, 9, 10, and 11
 8 with information concerning postsecondary enrollment opportunities,
 9 **if:**

- 10 **(1) the information is requested by the student; or**
 11 **(2) the school corporation believes that providing the**
 12 **information would practically benefit the student.**

13 SECTION 374. IC 21-43-4-16 IS REPEALED [EFFECTIVE JULY
 14 1, 2015]. Sec. 16. At the end of each school year, each school
 15 corporation shall submit to the department of education the following:

- 16 (1) A list of the students in the school corporation who are
 17 enrolled in postsecondary enrollment opportunities.
 18 (2) A list of the courses successfully completed by each student
 19 who is enrolled in postsecondary enrollment opportunities.

20 SECTION 375. IC 21-43-4-17 IS REPEALED [EFFECTIVE JULY
 21 1, 2015]. Sec. 17. (a) A school corporation shall make and maintain, for
 22 each student enrolled in a postsecondary enrollment opportunity,
 23 records of the following:

- 24 (1) The courses and credit hours in which the student enrolls.
 25 (2) The courses that the student successfully completes and fails
 26 to complete.
 27 (3) The secondary credit granted to the student.
 28 (4) Other information requested by the department of education.

29 (b) The department of education is entitled to have access to the
 30 records made and maintained under subsection (a).

31 SECTION 376. IC 22-3-2-5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Every employer
 33 who is bound by the compensation provisions of IC 22-3-2 through
 34 IC 22-3-6, except the state, counties, townships, cities, towns, school
 35 cities, school towns, ~~school townships~~, other municipal corporations,
 36 state institutions, state boards, state commissions, banks, trust
 37 companies, and building and loan associations, shall insure the
 38 payment of compensation to the employer's employees and their
 39 dependents in the manner provided in IC 22-3-3, or procure from the
 40 worker's compensation board a certificate authorizing the employer to
 41 carry such risk without insurance. While such insurance or such
 42 certificate remains in force, the employer or those conducting the



1 employer's business and the employer's worker's compensation
 2 insurance carrier shall be liable to any employee and the employee's
 3 dependents for personal injury or death by accident arising out of and
 4 in the course of employment only to the extent and in the manner
 5 specified in IC 22-3-2 through IC 22-3-6.

6 (b) The state may not purchase worker's compensation insurance.
 7 The state may establish a program of self-insurance to cover its liability
 8 under this article. The state may administer its program of
 9 self-insurance or may contract with any private agency, business firm,
 10 limited liability company, or corporation to administer any part of the
 11 program. The state department of insurance may, in the manner
 12 prescribed by IC 4-22-2, adopt the rules necessary to implement the
 13 state's program of self-insurance.

14 SECTION 377. IC 22-3-7-34, AS AMENDED BY P.L.1-2006,
 15 SECTION 343, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2015]: Sec. 34. (a) As used in this section,
 17 "person" does not include:

18 (1) an owner who contracts for performance of work on the
 19 owner's owner occupied residential property; or

20 (2) a nonprofit corporation that is recognized as tax exempt under
 21 Section 501(c)(3) of the Internal Revenue Code (as defined in
 22 IC 6-3-1-11(a)) to the extent the corporation enters into an
 23 independent contractor agreement with a person for the
 24 performance of youth coaching services on a part-time basis.

25 (b) Every employer bound by the compensation provisions of this
 26 chapter, except the state, counties, townships, cities, towns, school
 27 cities, school towns, ~~school townships~~, other municipal corporations,
 28 state institutions, state boards, and state commissions, shall insure the
 29 payment of compensation to the employer's employees and their
 30 dependents in the manner provided in this chapter, or procure from the
 31 worker's compensation board a certificate authorizing the employer to
 32 carry such risk without insurance. While that insurance or certificate
 33 remains in force, the employer, or those conducting the employer's
 34 business, and the employer's occupational disease insurance carrier
 35 shall be liable to any employee and the employee's dependents for
 36 disablement or death from occupational disease arising out of and in
 37 the course of employment only to the extent and in the manner
 38 specified in this chapter.

39 (c) Every employer who, by election, is bound by the compensation
 40 provisions of this chapter, except those exempted from the provisions
 41 by subsection (b), shall:

42 (1) insure and keep insured the employer's liability under this



1 chapter in some corporation, association, or organization
 2 authorized to transact the business of worker's compensation
 3 insurance in this state; or

4 (2) furnish to the worker's compensation board satisfactory proof
 5 of the employer's financial ability to pay the compensation in the
 6 amount and manner and when due as provided for in this chapter.

7 In the latter case the board may require the deposit of an acceptable
 8 security, indemnity, or bond to secure the payment of compensation
 9 liabilities as they are incurred.

10 (d) Every employer required to carry insurance under this section
 11 shall file with the worker's compensation board in the form prescribed
 12 by it, within ten (10) days after the termination of the employer's
 13 insurance by expiration or cancellation, evidence of the employer's
 14 compliance with subsection (c) and other provisions relating to the
 15 insurance under this chapter. The venue of all criminal actions under
 16 this section lies in the county in which the employee was last exposed
 17 to the occupational disease causing disablement. The prosecuting
 18 attorney of the county shall prosecute all violations upon written
 19 request of the board. The violations shall be prosecuted in the name of
 20 the state.

21 (e) Whenever an employer has complied with subsection (c) relating
 22 to self-insurance, the worker's compensation board shall issue to the
 23 employer a certificate which shall remain in force for a period fixed by
 24 the board, but the board may, upon at least thirty (30) days notice, and
 25 a hearing to the employer, revoke the certificate, upon presentation of
 26 satisfactory evidence for the revocation. After the revocation, the board
 27 may grant a new certificate to the employer upon the employer's
 28 petition, and satisfactory proof of the employer's financial ability.

29 (f)(1) Subject to the approval of the worker's compensation board,
 30 any employer may enter into or continue any agreement with the
 31 employer's employees to provide a system of compensation, benefit, or
 32 insurance in lieu of the compensation and insurance provided by this
 33 chapter. A substitute system may not be approved unless it confers
 34 benefits upon employees and their dependents at least equivalent to the
 35 benefits provided by this chapter. It may not be approved if it requires
 36 contributions from the employees unless it confers benefits in addition
 37 to those provided under this chapter, which are at least commensurate
 38 with such contributions.

39 (f)(2) The substitute system may be terminated by the worker's
 40 compensation board on reasonable notice and hearing to the interested
 41 parties, if it appears that the same is not fairly administered or if its
 42 operation shall disclose latent defects threatening its solvency, or if for



1 any substantial reason it fails to accomplish the purpose of this chapter.
 2 On termination, the board shall determine the proper distribution of all
 3 remaining assets, if any, subject to the right of any party in interest to
 4 take an appeal to the court of appeals.

5 (g)(1) No insurer shall enter into or issue any policy of insurance
 6 under this chapter until its policy form has been submitted to and
 7 approved by the worker's compensation board. The board shall not
 8 approve the policy form of any insurance company until the company
 9 shall file with it the certificate of the insurance commissioner showing
 10 that the company is authorized to transact the business of worker's
 11 compensation insurance in Indiana. The filing of a policy form by any
 12 insurance company or reciprocal insurance association with the board
 13 for approval constitutes on the part of the company or association a
 14 conclusive and unqualified acceptance of each of the compensation
 15 provisions of this chapter, and an agreement by it to be bound by the
 16 compensation provisions of this chapter.

17 (g)(2) All policies of insurance companies and of reciprocal
 18 insurance associations, insuring the payment of compensation under
 19 this chapter, shall be conclusively presumed to cover all the employees
 20 and the entire compensation liability of the insured under this chapter
 21 in all cases in which the last day of the exposure rendering the
 22 employer liable is within the effective period of such policy.

23 (g)(3) Any provision in any such policy attempting to limit or
 24 modify the liability of the company or association insuring the same
 25 shall be wholly void.

26 (g)(4) Every policy of any company or association shall be deemed
 27 to include the following provisions:

28 "(A) The insurer assumes in full all the obligations to pay
 29 physician's fees, nurse's charges, hospital supplies, burial
 30 expenses, compensation or death benefits imposed upon or
 31 accepted by the insured under this chapter.

32 (B) This policy is subject to the provisions of this chapter relative
 33 to the liability of the insured to pay physician's fees, nurse's
 34 charges, hospital services, hospital supplies, burial expenses,
 35 compensation or death benefits to and for such employees, the
 36 acceptance of such liability by the insured, the adjustment, trial
 37 and adjudication of claims for such physician's fees, nurse's
 38 charges, hospital services, hospital supplies, burial expenses,
 39 compensation, or death benefits.

40 (C) Between this insurer and the employee, notice to or
 41 knowledge of the occurrence of the disablement on the part of the
 42 insured (the employer) shall be notice or knowledge thereof, on



1 the part of the insurer. The jurisdiction of the insured (the
2 employer) for the purpose of this chapter is the jurisdiction of this
3 insurer, and this insurer shall in all things be bound by and shall
4 be subject to the awards, judgments and decrees rendered against
5 the insured (the employer) under this chapter.

6 (D) This insurer will promptly pay to the person entitled to the
7 same all benefits conferred by this chapter, including all
8 physician's fees, nurse's charges, hospital services, hospital
9 supplies, burial expenses, and all installments of compensation or
10 death benefits that may be awarded or agreed upon under this
11 chapter. The obligation of this insurer shall not be affected by any
12 default of the insured (the employer) after disablement or by any
13 default in giving of any notice required by this policy, or
14 otherwise. This policy is a direct promise by this insurer to the
15 person entitled to physician's fees, nurse's charges, fees for
16 hospital services, charges for hospital services, charges for
17 hospital supplies, charges for burial, compensation, or death
18 benefits, and shall be enforceable in the name of the person.

19 (E) Any termination of this policy by cancellation shall not be
20 effective as to employees of the insured covered hereby unless at
21 least thirty (30) days prior to the taking effect of such
22 cancellation, a written notice giving the date upon which such
23 termination is to become effective has been received by the
24 worker's compensation board of Indiana at its office in
25 Indianapolis, Indiana.

26 (F) This policy shall automatically expire one (1) year from the
27 effective date of the policy, unless the policy covers a period of
28 three (3) years, in which event, it shall automatically expire three
29 (3) years from the effective date of the policy. The termination
30 either of a one (1) year or a three (3) year policy, is effective as to
31 the employees of the insured covered by the policy."

32 (g)(5) All claims for compensation, nurse's charges, hospital
33 services, hospital supplies, physician's fees, or burial expenses may be
34 made directly against either the employer or the insurer or both, and the
35 award of the worker's compensation board may be made against either
36 the employer or the insurer or both.

37 (g)(6) If any insurer shall fail to pay any final award or judgment
38 (except during the pendency of an appeal) rendered against it, or its
39 insured, or, if it shall fail to comply with this chapter, the worker's
40 compensation board shall revoke the approval of its policy forms, and
41 shall not accept any further proofs of insurance from it until it shall
42 have paid the award or judgment or complied with this chapter, and



1 shall have resubmitted its policy form and received the approval of the
2 policy by the worker's compensation board.

3 (h) No policy of insurance covering the liability of an employer for
4 worker's compensation shall be construed to cover the liability of the
5 employer under this chapter for any occupational disease unless the
6 liability is expressly accepted by the insurance carrier issuing the
7 policy and is endorsed in that policy. The insurance or security in force
8 to cover compensation liability under this chapter shall be separate
9 from the insurance or security under IC 22-3-2 through IC 22-3-6. Any
10 insurance contract covering liability under either part of this article
11 need not cover any liability under the other.

12 (i) For the purpose of complying with subsection (c), groups of
13 employers are authorized to form mutual insurance associations or
14 reciprocal or interinsurance exchanges subject to any reasonable
15 conditions and restrictions fixed by the department of insurance. This
16 subsection does not apply to mutual insurance associations and
17 reciprocal or interinsurance exchanges formed and operating on or
18 before January 1, 1991, which shall continue to operate subject to the
19 provisions of this chapter and to such reasonable conditions and
20 restrictions as may be fixed by the worker's compensation board.

21 (j) Membership in a mutual insurance association or a reciprocal or
22 interinsurance exchange so proved, together with evidence of the
23 payment of premiums due, is evidence of compliance with subsection
24 (c).

25 (k) Any person bound under the compensation provisions of this
26 chapter, contracting for the performance of any work exceeding one
27 thousand dollars (\$1,000) in value, in which the hazard of an
28 occupational disease exists, by a contractor subject to the compensation
29 provisions of this chapter without exacting from the contractor a
30 certificate from the worker's compensation board showing that the
31 contractor has complied with subsections (b), (c), and (d), shall be
32 liable to the same extent as the contractor for compensation, physician's
33 fees, hospital fees, nurse's charges, and burial expenses on account of
34 the injury or death of any employee of such contractor, due to
35 occupational disease arising out of and in the course of the
36 performance of the work covered by such contract.

37 (l) Any contractor who sublets any contract for the performance of
38 any work to a subcontractor subject to the compensation provisions of
39 this chapter, without obtaining a certificate from the worker's
40 compensation board showing that the subcontractor has complied with
41 subsections (b), (c), and (d), is liable to the same extent as the
42 subcontractor for the payment of compensation, physician's fees,



1 hospital fees, nurse's charges, and burial expense on account of the
 2 injury or death of any employee of the subcontractor due to
 3 occupational disease arising out of and in the course of the
 4 performance of the work covered by the subcontract.

5 (m) A person paying compensation, physician's fees, hospital fees,
 6 nurse's charges, or burial expenses, under subsection (k) or (l), may
 7 recover the amount paid or to be paid from any person who would
 8 otherwise have been liable for the payment thereof and may, in
 9 addition, recover the litigation expenses and attorney's fees incurred in
 10 the action before the worker's compensation board as well as the
 11 litigation expenses and attorney's fees incurred in an action to collect
 12 the compensation, medical expenses, and burial expenses.

13 (n) Every claim filed with the worker's compensation board under
 14 this section shall be instituted against all parties liable for payment.
 15 The worker's compensation board, in an award under subsection (k),
 16 shall fix the order in which such parties shall be exhausted, beginning
 17 with the immediate employer and, in an award under subsection (l),
 18 shall determine whether the subcontractor has the financial ability to
 19 pay the compensation and medical expenses when due and, if not, shall
 20 order the contractor to pay the compensation and medical expenses.

21 SECTION 378. IC 21-12-10-3, AS AMENDED BY P.L.281-2013,
 22 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 3. An individual is eligible for a Mitch Daniels
 24 early graduation scholarship if the individual:

- 25 (1) is a resident of Indiana, as defined by the commission;
- 26 (2) attended a publicly supported school on a full-time
 27 equivalency basis (~~as defined in IC 20-43-1-14~~) for at least the
 28 last two (2) semesters before the individual graduated from high
 29 school;
- 30 (3) had legal settlement (as defined in IC 20-18-2-11) in Indiana
 31 for at least the last two (2) semesters before the individual
 32 graduated from high school;
- 33 (4) met at least the minimum requirements set by the Indiana state
 34 board of education for granting a high school diploma by the end
 35 of grade 11 (including any summer school courses completed
 36 before July 1 of a year) and was awarded after December 31,
 37 2010, a high school diploma by the publicly supported school that
 38 the individual last attended for course credits earned before the
 39 end of grade 11;
- 40 (5) was not enrolled in a publicly supported school for any part of
 41 grade 12;
- 42 (6) applies to the commission for a Mitch Daniels early



1 graduation scholarship in the manner specified by the
2 commission; and

3 (7) within five (5) months after graduating from high school:

4 (A) becomes a student in good standing at an approved
5 postsecondary educational institution whose students are
6 eligible to receive, before September 1, 2014, a higher
7 education award (IC 21-12-3-11) or a freedom of choice grant
8 (IC 21-12-4-4), or, after August 31, 2014, a higher education
9 award or freedom of choice grant published under
10 IC 21-12-1.7-3; and

11 (B) is engaged in a program that will lead to an approved
12 postsecondary degree or credential.

13 SECTION 379. IC 21-18.5-4-8.5, AS ADDED BY P.L.268-2013,
14 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 8.5. (a) This section does not apply to a student
16 who:

17 (1) receives a graduation waiver under IC 20-32-4-4; and

18 (2) receives a general diploma by satisfying the conditions set
19 forth in IC 20-32-4-4, including, with respect to IC 20-32-4-4(6),
20 the condition set forth in IC 20-32-4-4(6)(B);

21 if the student has an individualized education program. ~~under~~
22 ~~IC 20-35-7.~~

23 (b) Except as provided in subsection (a), this section applies to a
24 student who receives a graduation waiver under IC 20-32-4-4 after
25 June 30, 2014.

26 (c) Notwithstanding any other law, and except as provided in
27 subsection (e), a student who:

28 (1) receives a graduation waiver under IC 20-32-4-4; and

29 (2) receives a general diploma by satisfying the conditions set
30 forth in IC 20-32-4-4, including, with respect to IC 20-32-4-4(6),
31 the condition set forth in IC 20-32-4-4(6)(B);

32 is disqualified from receiving state scholarships, grants, or assistance
33 administered by the commission unless the student passes a college and
34 career readiness exam described in IC 20-32-9-3.

35 (d) The college and career readiness exam taken by a student under
36 subsection (c) shall be administered by the secondary school that
37 granted the student the graduation waiver. The cost of the exam shall
38 be paid by the department.

39 (e) A student described in subsection (c) is not disqualified from
40 receiving state scholarships, grants, or assistance administered by the
41 commission for credit bearing degree seeking courses, as mutually
42 defined by the commission and the postsecondary educational



1 institution offering the course.

2 SECTION 380. IC 22-4.1-14-5 IS REPEALED [EFFECTIVE JULY
3 1, 2015]. Sec. 5. Notwithstanding any other law and after an institution
4 is required to enter into a workforce partnership plan under this
5 chapter, an institution's workforce partnership plan must be approved
6 by the Indiana commission for career and technical education of the
7 department for the institution to:

- 8 (1) be eligible to receive federal and state funds for the
9 institution's career and technical education program at the
10 secondary level and postsecondary level;
11 (2) receive career and technical education program approval by:
12 (A) the Indiana state board of education for secondary level
13 programs; and
14 (B) the commission for higher education for postsecondary
15 level programs;
16 for any career and technical education programs requiring
17 approval; and
18 (3) be eligible to complete the program review process by the
19 commission for higher education for postsecondary level career
20 and technical education programs.

21 SECTION 381. IC 22-4.1-20-5, AS ADDED BY P.L.7-2011,
22 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2015]: Sec. 5. An eligible provider shall provide a ~~child~~
24 **student** with a disability (as defined in ~~IC 20-35-1-2~~): **IC 20-35-1-8**:

- 25 (1) who is at least eighteen (18) years of age; and
26 (2) whom the eligible provider elects to educate;
27 with an appropriate special educational program.

28 SECTION 382. IC 23-13-5-8, AS AMENDED BY P.L.2-2007,
29 SECTION 316, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Should for any cause any
31 action of the board of directors or trustees of a corporation be invalid
32 or ineffective in whole or in part as and for a cancellation or retirement
33 of capital stock as provided in this chapter, then the entire act of
34 cancellation or retirement as to all other stock shall be held null and
35 void. If at any time after the transfer of any stock to the corporation or
36 to the trustees or directors it becomes no longer possible for the
37 corporation to operate the postsecondary educational institution as a
38 postsecondary educational institution, and the fact is found to exist by
39 the board of trustees or directors, the property and assets of the
40 corporation vest in and belong absolutely to the local public school
41 corporation within whose territorial limits the postsecondary
42 educational institution is situated unless the local public school



1 corporation elects to refuse to accept the property and assets in writing
 2 served upon the board of trustees or an officer thereof within one
 3 hundred twenty (120) days. If the local public school corporation elects
 4 to refuse to accept the property and assets, then the property and assets
 5 of the corporation vest in and belong absolutely to the county within
 6 whose territorial limits the postsecondary educational institution is
 7 situated unless the county, acting by its legislative body, elects to
 8 refuse to accept the property and assets in writing served upon the
 9 board of trustees or an officer within one hundred twenty (120) days.
 10 If the county refuses to accept the property and assets, the property and
 11 assets vest in and belong absolutely to the state general fund. ~~If the~~
 12 ~~postsecondary educational institution is situated in a school township;~~
 13 ~~the election shall be made by the township executive with the approval~~
 14 ~~of the township legislative body.~~ If situated in a school city or town
 15 corporation, the election shall be made by the school board of the
 16 municipality.

17 (b) The local school corporation receiving the property or assets is
 18 responsible for the payment of the lawful debts and liabilities of the
 19 corporation. For the purpose of raising funds to pay the debts and
 20 liabilities, the township executive, with the concurrence and sanction
 21 of the township legislative body, or the city or town school board, as
 22 the case may be, is authorized and empowered to issue and sell bonds
 23 of the ~~school township~~, school city or school town. The debt created by
 24 the bonds, together with all other indebtedness of the school
 25 corporation, may not exceed two percent (2%) of the adjusted value of
 26 the taxable property within the school corporation as determined under
 27 IC 36-1-15. If the building or property of the corporation vested in the
 28 school corporation is suitable for instructing students of the township
 29 in the arts of agriculture, domestic science, or physical or practical
 30 mental culture, and in which to hold school or civic entertainments or
 31 be used for township, town, or city purposes, then the township
 32 executive, with the concurrence and sanction of the township, city, or
 33 town legislative body, as the case may be, is authorized and empowered
 34 to issue and sell bonds of the civil township, city, or town, as the case
 35 may be, and apply the proceeds to the payment of the debts and
 36 liabilities of the corporation. The proceeds of the bonds, together with
 37 all other indebtedness of the civil township, city, or town, may not
 38 exceed two percent (2%) of the adjusted value of the taxable property
 39 within the civil township, city, or town, as determined under
 40 IC 36-1-15. If the county receives the property, it is authorized to issue
 41 its general obligation bonds to pay the debts and liabilities as general
 42 obligation bonds of counties are issued under the general law. Unless



1 the ~~school and civil townships township~~ and school and civil cities and
 2 towns can liquidate the debts and liabilities without violating Article
 3 13, Section 1 of the Constitution of the State of Indiana and IC 36-1-15,
 4 they shall elect to refuse to accept the property. Unless the county can
 5 liquidate the debts and liabilities without violating the constitutional
 6 provision, it shall elect to refuse the property. If a civil township, city,
 7 or town uses its funds or the proceeds of the sale of its bonds to
 8 liquidate the debts and liabilities, it shall have an interest in the
 9 property in the proportion the funds expended by it bear to the funds
 10 expended by the ~~school township~~, school city, or school town.

11 (c) Any bonds issued under this chapter shall be payable in not more
 12 than twenty (20) years after the date of their issuance. The municipal
 13 corporation issuing the bonds shall annually levy a tax on all of the
 14 taxable property within the municipal corporation in an amount
 15 sufficient to pay the interest on and the principal of such bonds as they
 16 mature. The bonds may mature and be payable either semiannually or
 17 annually. Notice of sale of the bonds shall be published once each week
 18 for two (2) weeks in a newspaper published in the municipal
 19 corporation issuing the bonds, or in a newspaper published in the
 20 county seat of the county in which the municipal corporation is located.
 21 Additional notices may be published.

22 (d) If the corporation ceases to exist or winds up its affairs without
 23 its board of trustees or directors finding that it is no longer possible for
 24 the corporation to operate the university, college, or institution of
 25 learning as a postsecondary educational institution, this shall have the
 26 same effect as such a finding.

27 SECTION 383. IC 31-9-2-113.5, AS AMENDED BY P.L.146-2006,
 28 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 113.5. "School", for purposes of section 31 of this
 30 chapter and IC 31-39-2-13.8, means a:

31 (1) public school (including a charter school as defined in
 32 IC 20-24-1-4); or

33 (2) nonpublic school (as defined in IC 20-18-2-12).

34 ~~that must comply with the education records privacy provisions of the~~
 35 ~~federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g)~~
 36 ~~to be eligible to receive designated federal education funding.~~

37 SECTION 384. IC 31-37-4-3, AS AMENDED BY P.L.168-2014,
 38 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 3. (a) This section applies if a child is arrested or
 40 taken into custody for allegedly committing an act that would be any of
 41 the following crimes if committed by an adult:

42 (1) Murder (IC 35-42-1-1).



- 1 (2) Attempted murder (IC 35-41-5-1).
- 2 (3) Voluntary manslaughter (IC 35-42-1-3).
- 3 (4) Involuntary manslaughter (IC 35-42-1-4).
- 4 (5) Reckless homicide (IC 35-42-1-5).
- 5 (6) Aggravated battery (IC 35-42-2-1.5).
- 6 (7) Battery (IC 35-42-2-1).
- 7 (8) Kidnapping (IC 35-42-3-2).
- 8 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.
- 9 (10) Sexual misconduct with a minor (IC 35-42-4-9).
- 10 (11) Incest (IC 35-46-1-3).
- 11 (12) Robbery as a Level 2 felony or a Level 3 felony
- 12 (IC 35-42-5-1).
- 13 (13) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony,
- 14 or Level 4 felony (IC 35-43-2-1).
- 15 (14) Assisting a criminal as a Level 5 felony (IC 35-44.1-2-5).
- 16 (15) Escape (IC 35-44.1-3-4) as a Level 4 felony or Level 5
- 17 felony.
- 18 (16) Trafficking with an inmate as a Level 5 felony
- 19 (IC 35-44.1-3-5).
- 20 (17) Causing death when operating a vehicle (IC 9-30-5-5).
- 21 (18) Criminal confinement (IC 35-42-3-3) as a Level 2 or Level
- 22 3 felony.
- 23 (19) Arson (IC 35-43-1-1) as a Level 2 felony, Level 3 felony, or
- 24 Level 4 felony.
- 25 (20) Possession, use, or manufacture of a weapon of mass
- 26 destruction (IC 35-47-12-1).
- 27 (21) Terroristic mischief (IC 35-47-12-3) as a Level 2 or Level 3
- 28 felony.
- 29 (22) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
- 30 (23) A violation of IC 35-47.5 (controlled explosives) as a Level
- 31 2 felony, Level 3 felony, or Level 4 felony.
- 32 (24) A controlled substances offense under IC 35-48.
- 33 (25) A criminal gang offense under IC 35-45-9.
- 34 **(26) An alcohol related offense (IC 7.1-5; IC 9-30-5;**
- 35 **IC 9-30-10-4, IC 9-30-15, or IC 35-46-9-6).**
- 36 (b) If a child is taken into custody under this chapter for a crime or
- 37 act listed in subsection (a) or a situation to which IC 12-26-4-1 applies,
- 38 the law enforcement agency that employs the law enforcement officer
- 39 who takes the child into custody shall notify the chief administrative
- 40 officer of the primary or secondary school, including a public or
- 41 nonpublic school, in which the child is enrolled or, if the child is
- 42 enrolled in a public school, the superintendent of the school district in



- 1 which the child is enrolled:
- 2 (1) that the child was taken into custody; and
- 3 (2) of the reason why the child was taken into custody.
- 4 (c) The notification under subsection (b) must occur within
- 5 forty-eight (48) hours after the child is taken into custody.
- 6 (d) A law enforcement agency may not disclose information that is
- 7 confidential under state or federal law to a school or school district
- 8 under this section.
- 9 (e) A law enforcement agency shall include in its training for law
- 10 enforcement officers training concerning the notification requirements
- 11 under subsection (b).
- 12 SECTION 385. IC 35-42-4-7, AS AMENDED BY
- 13 P.L.226-2014(ts), SECTION 5, IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) As used in this
- 15 section, "adoptive parent" has the meaning set forth in IC 31-9-2-6.
- 16 (b) As used in this section, "adoptive grandparent" means the parent
- 17 of an adoptive parent.
- 18 (c) As used in this section, "charter school" has the meaning set
- 19 forth in IC 20-18-2-2.5.
- 20 (d) As used in this section, "child care worker" means a person who:
- 21 (1) provides care, supervision, or instruction to a child within the
- 22 scope of the person's employment in a shelter care facility;
- 23 (2) is employed by a:
- 24 (A) school corporation;
- 25 (B) charter school;
- 26 (C) nonpublic school; or
- 27 (D) special education cooperative;
- 28 attended by a child who is the victim of a crime under this
- 29 chapter; or
- 30 (3) is:
- 31 (A) affiliated with a:
- 32 (i) school corporation;
- 33 (ii) charter school;
- 34 (iii) nonpublic school; or
- 35 (iv) special education cooperative;
- 36 attended by a child who is the victim of a crime under this
- 37 chapter, regardless of how or whether the person is
- 38 compensated;
- 39 (B) in a position of trust in relation to a child who attends the
- 40 school; or cooperative;
- 41 (C) engaged in the provision of care or supervision to a child
- 42 who attends the school; or cooperative; and



- 1 (D) at least four (4) years older than the child who is the
 2 victim of a crime under this chapter.
 3 The term does not include a student who attends the school. or
 4 cooperative.
- 5 (e) As used in this section, "custodian" means any person who
 6 resides with a child and is responsible for the child's welfare.
- 7 (f) As used in this section, "mental health professional" means:
 8 (1) a mental health counselor licensed under IC 25-23.6-8.5;
 9 (2) a psychologist; or
 10 (3) a psychiatrist.
- 11 (g) As used in this section, "military recruiter" means a member of:
 12 ~~the armed forces of the United States (as defined in IC 20-33-10-2) or~~
 13 ~~the Indiana National Guard~~
 14 **(1) the United States Air Force;**
 15 **(2) the United States Army;**
 16 **(3) the United States Coast Guard;**
 17 **(4) the United States Marine Corps;**
 18 **(5) the United States Navy;**
 19 **(6) any reserve components of the military forces listed in**
 20 **subdivisions (1) through (5); or**
 21 **(7) the Indiana National Guard;**
 22 whose primary job function, classification, or specialty is recruiting
 23 individuals to enlist with ~~the armed forces of the United States or the~~
 24 ~~Indiana National Guard.~~ **an entity listed in subdivisions (1) through**
 25 **(7).**
- 26 (h) As used in this section, "nonpublic school" has the meaning set
 27 forth in IC 20-18-2-12.
- 28 (i) For purposes of this section, a person has a "professional
 29 relationship" with a child if:
 30 (1) the person:
 31 (A) has a license issued by the state or a political subdivision
 32 on the basis of the person's training and experience that
 33 authorizes the person to carry out a particular occupation; or
 34 (B) is employed in a position in which counseling, supervising,
 35 instructing, or recruiting children forms a significant part of
 36 the employment; and
 37 (2) the person has a relationship with a child that is based on the
 38 person's employment or licensed status as described in
 39 subdivision (1).
 40 The term includes a relationship between a child and a mental health
 41 professional or military recruiter. The term does not include a coworker
 42 relationship between a child and a person described in subdivision



- 1 (1)(B).
 2 (j) As used in this section, "school corporation" has the meaning set
 3 forth in IC 20-18-2-16.
 4 (k) As used in this section, "special education cooperative" has the
 5 meaning set forth in IC 20-35-5-1.
 6 (l) As used in this section, "stepparent" means an individual who is
 7 married to a child's custodial or noncustodial parent and is not the
 8 child's adoptive parent.
 9 (m) If a person who:
 10 (1) is at least eighteen (18) years of age; and
 11 (2) is the:
 12 (A) guardian, adoptive parent, adoptive grandparent,
 13 custodian, or stepparent of; or
 14 (B) child care worker for;
 15 a child at least sixteen (16) years of age but less than eighteen
 16 (18) years of age;
 17 engages with the child in sexual intercourse, other sexual conduct (as
 18 defined in IC 35-31.5-2-221.5), or any fondling or touching with the
 19 intent to arouse or satisfy the sexual desires of either the child or the
 20 adult, the person commits child seduction.
 21 (n) A person who:
 22 (1) has or had a professional relationship with a child at least
 23 sixteen (16) years of age but less than eighteen (18) years of age
 24 whom the person knows to be at least sixteen (16) years of age but
 25 less than eighteen (18) years of age;
 26 (2) may exert undue influence on the child because of the person's
 27 current or previous professional relationship with the child; and
 28 (3) uses or exerts the person's professional relationship to engage
 29 in sexual intercourse, other sexual conduct (as defined in
 30 IC 35-31.5-2-221.5), or any fondling or touching with the child
 31 with the intent to arouse or satisfy the sexual desires of the child
 32 or the person;
 33 commits child seduction.
 34 (o) A law enforcement officer who:
 35 (1) is at least five (5) years older than a child who is:
 36 (A) at least sixteen (16) years of age; and
 37 (B) less than eighteen (18) years of age;
 38 (2) has contact with the child while acting within the scope of the
 39 law enforcement officer's official duties with respect to the child;
 40 and
 41 (3) uses or exerts the law enforcement officer's professional
 42 relationship with the child to engage with the child in:



- 1 (A) sexual intercourse;
 2 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
 3 or
 4 (C) any fondling or touching with the child with the intent to
 5 arouse or satisfy the sexual desires of the child or the law
 6 enforcement officer;
 7 commits child seduction.
- 8 (p) In determining whether a person used or exerted the person's
 9 professional relationship with the child to engage in sexual intercourse,
 10 other sexual conduct (as defined in IC 35-31.5-2-221.5), or any
 11 fondling or touching with the intent to arouse or satisfy the sexual
 12 desires of the child or the person under this section, the trier of fact
 13 may consider one (1) or more of the following:
 14 (1) The age difference between the person and the child.
 15 (2) Whether the person was in a position of trust with respect to
 16 the child.
 17 (3) Whether the person's conduct with the child violated any
 18 ethical obligations of the person's profession or occupation.
 19 (4) The authority that the person had over the child.
 20 (5) Whether the person exploited any particular vulnerability of
 21 the child.
 22 (6) Any other evidence relevant to the person's ability to exert
 23 undue influence over the child.
- 24 (q) Child seduction under this section is:
 25 (1) a Level 6 felony if the person or law enforcement officer
 26 engaged in any fondling or touching with the intent to arouse or
 27 satisfy the sexual desires of:
 28 (A) the child; or
 29 (B) the person or law enforcement officer; and
 30 (2) a Level 5 felony if the person or law enforcement officer
 31 engaged in sexual intercourse or other sexual conduct (as defined
 32 in IC 35-31.5-2-221.5) with the child.
- 33 SECTION 386. IC 36-1-2-17 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. "School
 35 corporation" means a local public school corporation established under
 36 state law. The term includes a school city, school town, ~~school~~
 37 ~~township~~, metropolitan school district, consolidated school corporation,
 38 county school corporation, township school corporation, community
 39 school corporation, or united school corporation.
- 40 SECTION 387. IC 36-1-2-22 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22. "Township" refers
 42 to a civil township, unless the reference is to a congressional township.



1 or school township:

2 SECTION 388. IC 36-1-7-4 IS REPEALED [EFFECTIVE JULY 1,
3 2015]. Sec. 4: (a) If an agreement under section 3 of this chapter:

4 (1) involves as parties:

5 (A) only Indiana political subdivisions; or

6 (B) an Indiana political subdivision and:

7 (i) a public instrumentality; or

8 (ii) a public corporate body;

9 created by state law;

10 (2) is approved by the fiscal body of each party that is an Indiana
11 political subdivision either before or after the agreement is
12 entered into by the executive of the party; and

13 (3) delegates to the treasurer or disbursing officer of one (1) of the
14 parties that is an Indiana political subdivision the duty to receive;
15 disburse; and account for all monies of the joint undertaking;

16 then the approval of the attorney general is not required:

17 (b) If subsection (a) does not apply, an agreement under section 3
18 of this chapter must be submitted to the attorney general for the
19 attorney general's approval. The attorney general shall approve the
20 agreement unless the attorney general finds that it does not comply
21 with the statutes; in which case the attorney general shall detail in
22 writing for the parties the specific respects in which the agreement does
23 not comply. If the attorney general fails to disapprove the agreement
24 within sixty (60) days after it is submitted to the attorney general; it is
25 considered approved:

26 SECTION 389. IC 36-1-8-5, AS AMENDED BY P.L.1-2007,
27 SECTION 238, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to all
29 funds raised by a general or special tax levy on all the taxable property
30 of a political subdivision.

31 (b) Whenever the purposes of a tax levy have been fulfilled and an
32 unused and unencumbered balance remains in the fund, the fiscal body
33 of the political subdivision shall order the balance of that fund to be
34 transferred as follows, unless a statute provides that it be transferred
35 otherwise:

36 (1) Funds of a county, to the general fund or rainy day fund of the
37 county, as provided in section 5.1 of this chapter.

38 (2) Funds of a municipality, to the general fund or rainy day fund
39 of the municipality, as provided in section 5.1 of this chapter.

40 (3) Funds of a township for redemption of township assistance
41 obligations, to the township assistance fund of the township or
42 rainy day fund of the township, as provided in section 5.1 of this



1 chapter.

2 (4) Funds of any other political subdivision, to the general fund or

3 rainy day fund of the political subdivision, as provided in section

4 5.1 of this chapter. However, if the political subdivision is

5 dissolved or does not have a general fund or rainy day fund, then

6 to the general fund of each of the units located in the political

7 subdivision in the same proportion that the assessed valuation of

8 the unit bears to the total assessed valuation of the political

9 subdivision.

10 (c) Whenever an unused and unencumbered balance remains in the

11 civil township fund of a township and a current tax levy for the fund is

12 not needed, the township fiscal body may order any part of the balance

13 of that fund transferred to the debt service fund of the school

14 corporation located in or partly in the township. However, if more than

15 one (1) school corporation is located in or partly in the township, then

16 any sum transferred shall be transferred to the debt service fund of each

17 of those school corporations in the same proportion that the part of the

18 assessed valuation of the school corporation in the township bears to

19 the total assessed valuation of the township.

20 (d) If there is:

21 (1) an unexpended balance in the debt service fund of any school

22 township; and

23 (2) no outstanding bonded or other indebtedness of the school

24 township to the payment of which the unexpended balance or any

25 part of the unexpended balance can be legally applied;

26 the township trustee of the township, with the approval of the township

27 board, may transfer the unexpended balance in the debt service fund to

28 the school general fund of the school township.

29 (e) (d) Whenever any township has collected any fund for the

30 special or specific purpose of erecting or constructing a school building

31 and the township trustee of the township decides to abandon the

32 proposed work of erecting or constructing the school building, the

33 township trustee of the township shall transfer the fund collected for

34 the special or specific purpose to the township fund of the township,

35 upon the order of the township board to make the transfer. It is lawful

36 thereafter to use the funds for any purpose for which the township

37 funds of the township may be used.

38 (f) (e) Transfers to a political subdivision's rainy day fund may be

39 made at any time during the political subdivision's fiscal year.

40 SECTION 390. IC 36-1-8-17.5, AS AMENDED BY P.L.183-2014,

41 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

42 JULY 1, 2015]: Sec. 17.5. **This section does not apply to a school**



1 **corporation.** A political subdivision must report, in the manner
 2 specified by the department of local government finance, information
 3 and data on its retiree benefits and expenditures by March 1 of each
 4 year.

5 SECTION 391. IC 36-1-10-5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. Notwithstanding
 7 sections 6, 12, 16, and 17 of this chapter, the following procedure shall
 8 be followed whenever a lease does not contain an option to purchase:

9 (1) The term of the lease may not be longer than ten (10) years;
 10 however, a lease may be for a longer term if the lease is approved
 11 by the department of local government finance **or a school**
 12 **corporation is entering into the lease.**

13 (2) The lease must provide that the lease is subject to annual
 14 appropriation by the appropriate fiscal body.

15 (3) The leasing agent must have a copy of the lease filed and kept
 16 in a place available for public inspection.

17 A leasing agent may lease part of a structure.

18 SECTION 392. IC 36-1-10-7 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. **(a) Except as**
 20 **provided in subsection (b),** a leasing agent may not lease a structure,
 21 transportation project, or system unless:

22 (1) the leasing agent receives a petition signed by fifty (50) or
 23 more taxpayers of the political subdivision or agency; and

24 (2) the fiscal body of the political subdivision determines, after
 25 investigation, that the structure, transportation project, or system
 26 is needed.

27 **(b) This subsection applies only to a school corporation. A**
 28 **leasing agent may not lease a structure, transportation project, or**
 29 **system unless the governing body of the school corporation**
 30 **determines, after investigation, that the structure, transportation**
 31 **project, or system is needed.**

32 SECTION 393. IC 36-1-11-4, AS AMENDED BY P.L.257-2013,
 33 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 4. (a) A disposing agent who wants to sell or
 35 transfer real property must comply with this section, except as
 36 permitted by section 4.1, 4.2, 5, 5.5, 5.7, 5.9, 8, 14, 15, or 18 of this
 37 chapter.

38 (b) The disposing agent shall first have the property appraised by
 39 two (2) appraisers. The appraisers must be:

40 (1) professionally engaged in making appraisals;

41 (2) licensed under IC 25-34.1; or

42 (3) employees of the political subdivision familiar with the value



1 of the property.

2 (c) After the property is appraised, the disposing agent shall publish

3 a notice in accordance with IC 5-3-1 setting forth the terms and

4 conditions of the sale and, when subsection (e) is employed, may

5 engage an auctioneer licensed under IC 25-6.1 to advertise the sale and

6 to conduct a public auction. The advertising conducted by the

7 auctioneer is in addition to any other notice required by law and shall

8 include a detailed description of the property to be sold stating the key

9 numbers, if any, of the tracts within that property. If the disposing agent

10 determines that the best sale of the property can be made by letting the

11 bidders determine certain conditions of the sale (such as required

12 zoning or soil or drainage conditions) as a prerequisite to purchasing

13 the property, the disposing agent may permit the bidders to specify

14 those conditions. The notice must state the following:

15 (1) Bids will be received beginning on a specific date.

16 (2) The sale will continue from day to day for a period determined

17 by the disposing agent of not more than sixty (60) days.

18 (3) The property may not be sold to a person who is ineligible

19 under section 16 of this chapter.

20 (4) A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must

21 identify each:

22 (A) beneficiary of the trust; and

23 (B) settlor empowered to revoke or modify the trust.

24 (d) A bid must be open to public inspection. A bidder may raise the

25 bidder's bid, and subject to subsection (e), that raise takes effect after

26 the board has given written notice of that raise to the other bidders.

27 (e) The disposing agent may also engage an auctioneer licensed

28 under IC 25-6.1 to conduct a sale by public auction. The auction may

29 be conducted either at the time for beginning the sale in accordance

30 with the public notice or after the beginning of the sale. The disposing

31 agent shall give each bidder who has submitted a bid written notice of

32 the time and place of the auction.

33 (f) The disposing agent may, before expiration of the time set out in

34 the notice, sell the property to the highest and best bidder. The highest

35 and best bidder must have complied with any requirement under

36 subsection (c)(4). However, the disposing agent may sell the property

37 for less than ninety percent (90%) of the average of the two (2)

38 appraisals of the tracts only after an additional notice stating the

39 amount of the bid to be accepted is published in accordance with

40 IC 5-3-1. The disposing agent may reject all bids. If the disposing agent

41 rejects all bids, the disposing agent must make a written determination

42 to reject all bids explaining why all bids were rejected.



1 (g) If the disposing agent determines that, in the exercise of good
 2 business judgment, the disposing agent should hire a broker or
 3 auctioneer to sell the property, the disposing agent may do so and pay
 4 the broker or auctioneer a reasonable compensation out of the gross
 5 proceeds of the sale. A disposing agent may hire a broker to sell real
 6 property directly rather than using the bid process under subsections (c)
 7 through (f) if:

8 **(1) in the case of a political subdivision other than a school**
 9 **corporation:**

10 (1) (A) the disposing agent publishes a notice of the
 11 determination to hire the broker in accordance with IC 5-3-1;
 12 and

13 (2) (B) the property has been up for bid for at least sixty (60)
 14 days before the broker is hired, and either no bids were
 15 received or the disposing agent has rejected all bids that were
 16 received; or

17 **(2) in the case of a school corporation, the disposing agent**
 18 **publishes a notice of the determination to hire the broker in**
 19 **accordance with IC 5-3-1.**

20 The disposing agent may hire one (1) of the appraisers as the broker or
 21 auctioneer.

22 (h) The following apply if a broker is hired under subsection (g):

23 (1) The property may not be sold to a person who is ineligible
 24 under section 16 of this chapter.

25 (2) If the property is sold to a trust (as defined in IC 30-4-1-1(a)),
 26 the following information must be placed in the public record
 27 relating to the sale:

28 (A) Each beneficiary of the trust.

29 (B) Each settlor empowered to revoke or modify the trust.

30 SECTION 394. IC 36-1-12.5-10 IS REPEALED [EFFECTIVE
 31 JULY 1, 2015]. Sec. 10: The governing body shall:

32 (1) provide to the lieutenant governor not more than sixty (60)
 33 days after the date of execution of the guaranteed savings
 34 contract:

35 (A) a copy of the executed guaranteed savings contract;

36 (B) the:

37 (i) energy or water consumption costs;

38 (ii) wastewater usage costs; and

39 (iii) billable revenues, if any;

40 before the date of execution of the guaranteed savings
 41 contract; and

42 (C) the documentation using industry engineering standards



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- for:
- (i) stipulated savings; and
- (ii) related capital expenditures; and
- (2) annually report to the lieutenant governor, in accordance with procedures established by the lieutenant governor; the savings resulting in the previous year from the guaranteed savings contract or utility efficiency program:

SECTION 395. IC 36-1-12.7-5 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 5: The board shall keep a record of the following in the public works contract file:

- (1) The contacts the board makes with persons that provide energy efficient technology to implement this chapter.
- (2) An analysis of the feasibility of using energy efficient technology in the public works project.

SECTION 396. IC 36-1.5-4-5, AS AMENDED BY P.L.202-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Except as provided in subsection (b), a reorganization approved under this chapter takes effect when all of the following have occurred:

- (1) The later of:
 - (A) the date that a copy of a joint certification from the county election board in each county in which reorganizing political subdivisions are located that indicates that:
 - (i) the reorganization has been approved by the voters of each reorganizing political subdivision; or
 - (ii) in the case of a reorganization described in section 1(a)(7) or 1(a)(9) of this chapter, the reorganization has been approved as set forth in section 32(b) or 32(c) of this chapter;
 - is recorded as required by section 31 of this chapter; or
 - (B) the date specified in the finally adopted plan of reorganization.
- (2) The appointed or elected officers of the reorganized political subdivision are elected (as prescribed by section 36 of this chapter) or appointed and qualified, if:
 - (A) the reorganized political subdivision is a new political subdivision and reorganizing political subdivisions are not being consolidated into one (1) of the reorganizing political subdivisions;
 - (B) the reorganized political subdivision will have different boundaries than any of the reorganizing political subdivisions;
 - (C) the reorganized political subdivision will have different



- 1 appointment or election districts than any of the reorganizing
 2 political subdivisions; or
 3 (D) the finally adopted plan of reorganization requires new
 4 appointed or elected officers before the reorganization
 5 becomes effective.
- 6 (b) A reorganization approved under this chapter may not take effect
 7 during the year preceding a year in which a federal decennial census is
 8 conducted. A consolidation that would otherwise take effect during the
 9 year preceding a year in which a federal decennial census is conducted
 10 takes effect January 1 of the year in which a federal decennial census
 11 is conducted.
- 12 ~~(c) Notwithstanding subsection (b) as that subsection existed on~~
 13 ~~December 31, 2009; a reorganization that took effect January 2, 2010;~~
 14 ~~because of the application of subsection (b); as that subsection existed~~
 15 ~~on December 31, 2009; is instead considered to take effect January 1,~~
 16 ~~2010; without the adoption of an amended reorganization plan.~~
- 17 SECTION 397. IC 36-1.5-4-18, AS AMENDED BY P.L.202-2013,
 18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 18. (a) A reorganization committee (before
 20 January 1, 2014) or the legislative bodies of the reorganizing political
 21 subdivisions (after December 31, 2013) shall prepare a comprehensive
 22 plan of reorganization for the reorganizing political subdivisions. The
 23 plan of reorganization governs the actions, duties, and powers of the
 24 reorganized political subdivision that are not specified by law.
- 25 (b) The plan of reorganization must include at least the following:
 26 (1) The name and a description of the reorganized political
 27 subdivision that will succeed the reorganizing political
 28 subdivisions.
 29 (2) A description of the boundaries of the reorganized political
 30 subdivision.
 31 (3) Subject to section 40 of this chapter, a description of the
 32 taxing areas in which taxes to retire obligations of the
 33 reorganizing political subdivisions will be imposed.
 34 (4) A description of the membership of the legislative body, fiscal
 35 body, and executive of the reorganized political subdivision, a
 36 description of the election districts or appointment districts from
 37 which officers will be elected or appointed, and the manner in
 38 which the membership of each elected or appointed office will be
 39 elected or appointed.
 40 (5) A description of the services to be offered by the reorganized
 41 political subdivision and the service areas in which the services
 42 will be offered.



- 1 (6) The disposition of the personnel, the agreements, the assets,
2 and, subject to section 40 of this chapter, the liabilities of the
3 reorganizing political subdivisions, including the terms and
4 conditions upon which the transfer of property and personnel will
5 be achieved.
- 6 (7) Any other matter that the:
- 7 (A) reorganization committee (before January 1, 2014)
8 determines or the legislative bodies of the reorganizing
9 political subdivisions (after December 31, 2013) determine to
10 be necessary or appropriate; or
- 11 (B) legislative bodies of the reorganizing political subdivisions
12 require the reorganization committee (before January 1, 2014);
13 to include in the plan of reorganization.
- 14 (8) This subdivision applies only to a reorganization described in
15 section 1(a)(7) of this chapter that is voted on by voters after
16 December 31, 2013, regardless of when the plan of reorganization
17 is adopted. The reorganization committee (before January 1,
18 2014) or the legislative bodies of the reorganizing political
19 subdivisions (after December 31, 2013) shall include in the
20 reorganization plan an approval threshold, specified as a
21 percentage, that applies for purposes of section 32(b) of this
22 chapter. The approval threshold must be the same for each
23 municipality that is a party to the proposed reorganization and to
24 each township that is a party to the proposed reorganization. The
25 approval threshold must be greater than fifty percent (50%), but
26 not more than fifty-five percent (55%).
- 27 (9) This subdivision applies only to a reorganization described in
28 section 1(a)(7) of this chapter that is voted on by voters after
29 December 31, 2013, regardless of when the plan of reorganization
30 is adopted. The reorganization committee (before January 1,
31 2014) or the legislative bodies of the reorganizing political
32 subdivisions (after December 31, 2013) shall determine and
33 include in the reorganization plan the percentage of voters in both
34 the municipality and the township voting on the public question
35 regarding the proposed reorganization who must vote in favor of
36 the proposed reorganization for the public question to be
37 approved. This percentage is referred to in this chapter as the
38 "municipality-township vote approval percentage". The
39 municipality-township vote approval percentage must be greater
40 than fifty percent (50%).
- 41 (10) In the case of a reorganization described in section 1(a)(9) of
42 this chapter, the reorganization committee (before January 1,



1 2014) or the legislative bodies of the reorganizing political
 2 subdivisions (after December 31, 2013) shall include in the
 3 reorganization plan an approval threshold, specified as a
 4 percentage, that applies for purposes of section 32(c) of this
 5 chapter. The approval threshold must be the same for each
 6 municipality that is a party to the proposed reorganization and to
 7 the county that is a party to the proposed reorganization. The
 8 approval threshold must be greater than fifty percent (50%), but
 9 not more than fifty-five percent (55%).

10 (11) In the case of a reorganization described in section 1(a)(9) of
 11 this chapter, the reorganization committee (before January 1,
 12 2014) or the legislative bodies of the reorganizing political
 13 subdivisions (after December 31, 2013) shall determine and
 14 include in the reorganization plan the percentage of voters voting
 15 on the public question regarding the proposed reorganization who
 16 must vote, on a countywide basis, in favor of the proposed
 17 reorganization for the public question to be approved. This
 18 percentage is referred to in this chapter as the "countywide vote
 19 approval percentage". The countywide vote approval percentage
 20 must be greater than fifty percent (50%).

21 (12) The fiscal impact analysis required by subsection (d).

22 (c) In the case of a plan of reorganization submitted to a political
 23 subdivision by a reorganization committee after June 30, 2010, and
 24 before January 1, 2014, or prepared by the legislative bodies of the
 25 reorganizing political subdivisions after December 31, 2013, the
 26 political subdivision shall post a copy of the plan of reorganization on
 27 an Internet web site maintained or authorized by the political
 28 subdivision not more than thirty (30) days after receiving the plan of
 29 reorganization from the reorganization committee (before January 1,
 30 2014) or (after December 31, 2013) not more than thirty (30) days after
 31 the plan of reorganization is prepared by the legislative bodies of the
 32 reorganizing political subdivisions. If the plan of reorganization is
 33 amended, the political subdivision shall post the amended plan on the
 34 Internet web site maintained or authorized by the political subdivision
 35 within seven (7) days after the amended plan is adopted.
 36 **Notwithstanding this section, a school corporation is not required**
 37 **to post the plan of reorganization or any amended plan of**
 38 **reorganization on an Internet web site.**

39 (d) The legislative bodies of the reorganizing political subdivisions
 40 preparing a reorganization plan after December 31, 2013, must include
 41 in the plan of reorganization a fiscal impact analysis of the proposed
 42 reorganization. The fiscal impact analysis must include at least the



- 1 following:
- 2 (1) The estimated effect of the proposed reorganization on
- 3 taxpayers in each of the political subdivisions to which the
- 4 proposed reorganization applies, including the expected tax rates,
- 5 tax levies, expenditure levels, service levels, and annual debt
- 6 service payments in those political subdivisions.
- 7 (2) A description of the planned services to be provided in the
- 8 reorganized political subdivision and the method or methods of
- 9 financing the planned services. The fiscal impact analysis must:
- 10 (A) present itemized estimated costs for each department or
- 11 agency of the reorganized political subdivision; and
- 12 (B) explain how specific and detailed expenses will be funded
- 13 from taxes, fees, grants, and other funding.
- 14 (3) A description of the capital improvements to be provided in
- 15 the reorganized political subdivision and the method or methods
- 16 of financing those capital improvements.
- 17 (4) Any estimated effects on political subdivisions in the county
- 18 that are not participating in the reorganization and on taxpayers
- 19 located in those political subdivisions.
- 20 (e) The legislative bodies of the reorganizing political subdivisions
- 21 preparing a plan of reorganization after December 31, 2013, must
- 22 submit the fiscal impact analysis described in subsection (d) to the
- 23 department of local government finance at least ~~six (6)~~ **three (3)**
- 24 months before the election in which the public question will be on the
- 25 ballot. A legislative body of a reorganizing political subdivision may
- 26 not adopt a plan of reorganization unless the legislative bodies of the
- 27 reorganizing political subdivisions have submitted the fiscal impact
- 28 analysis to the department of local government finance as required by
- 29 this subsection. The department of local government finance must do
- 30 the following within a reasonable time, but not later than thirty (30)
- 31 days before the date of the election in which the public question will be
- 32 on the ballot:
- 33 (1) Review the fiscal impact analysis.
- 34 (2) Make any comments concerning the fiscal impact analysis that
- 35 the department considers appropriate.
- 36 (3) Provide the department's comments under subdivision (2) to
- 37 the legislative body of the reorganizing political subdivisions.
- 38 (4) Post the department's comments under subdivision (2) on the
- 39 department's Internet web site.
- 40 The department of local government finance shall certify to the
- 41 legislative bodies of the reorganizing political subdivisions the total
- 42 amount of expense incurred by the department in carrying out the



1 department's review and preparing the department's comments. Upon
 2 receipt of the department's certification of the expenses, the
 3 reorganizing political subdivisions shall immediately pay to the
 4 treasurer of state the amount charged. The share of the cost to be paid
 5 by each reorganizing political subdivision shall be determined by the
 6 legislative bodies of the reorganizing political subdivisions. Money
 7 paid by a reorganizing political subdivision under this subsection shall
 8 be deposited in the state general fund.

9 SECTION 398. IC 36-2-2-24 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. (a) The executive
 11 shall establish and maintain a county courthouse, county jail, and
 12 public offices for the county clerk, the county auditor, the county
 13 recorder, the county treasurer, the county sheriff, **and** the county
 14 surveyor. ~~and the county superintendent of schools.~~

15 (b) Offices for the surveyor ~~and superintendent of schools~~ must be
 16 in the courthouse or at the county seat.

17 (c) Offices for the sheriff may be located:

18 (1) in the courthouse;

19 (2) inside the corporate limits of the county seat; or

20 (3) outside the corporate limits of the county seat but within the
 21 limits of the county.

22 SECTION 399. IC 36-2-16-4, AS AMENDED BY P.L.174-2006,
 23 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 4. Each of the following county officers is entitled
 25 to appoint one (1) first or chief deputy, and also may appoint the
 26 number of other full-time or part-time deputies and employees
 27 authorized by the county fiscal body:

28 (1) The county auditor.

29 (2) The county treasurer.

30 (3) The county recorder.

31 ~~(4) The county superintendent of schools.~~

32 ~~(5)~~ (4) The county sheriff.

33 SECTION 400. IC 36-2-17-2 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The county
 35 auditor, county treasurer, county surveyor, **and** county sheriff ~~and~~
 36 ~~county superintendent of schools~~ shall keep in their offices all records
 37 that they are required to make and shall deliver them to their
 38 successors.

39 (b) The clerk of the circuit court, county auditor, and county
 40 recorder shall use permanent jet-black, nonfading ink when preparing
 41 official records in longhand. A person who violates this subsection
 42 commits a Class C infraction.



1 SECTION 401. IC 36-7-4-208, AS AMENDED BY P.L.126-2011,
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 208. (a) ADVISORY. The county plan
 4 commission consists of nine (9) members, as follows:

5 (1) One (1) member appointed by the county executive from its
 6 membership.

7 (2) One (1) member appointed by the county fiscal body from its
 8 membership.

9 (3) The county surveyor or the county surveyor's designee.

10 (4) The county agricultural extension educator. However, if the
 11 county does not have a county agricultural extension educator, the
 12 county extension board shall select a resident of the county who
 13 is a property owner with agricultural interest to serve on the
 14 commission under this subdivision for a period not to exceed one
 15 (1) year.

16 (5) Five (5) members appointed in accordance with one (1) of the
 17 following:

18 (A) Four (4) citizen members, of whom no more than two (2)
 19 may be of the same political party. Each of the four (4)
 20 members must be:

21 (i) a resident of an unincorporated area of the county; or

22 (ii) a resident of the county who is also an owner of real
 23 property located in whole or in part in an unincorporated
 24 area of the county;

25 appointed by the county executive. However, at least two (2)
 26 of the citizen members must be residents of the unincorporated
 27 area of the county. Also one (1) township trustee, who must be
 28 a resident of an unincorporated area of the county appointed
 29 by the county executive upon the recommendation of the
 30 township trustees whose townships are within the jurisdiction
 31 of the county plan commission.

32 (B) Five (5) citizen members, of whom not more than three (3)
 33 may be of the same political party. Each of the five (5)
 34 members must be:

35 (i) a resident of an unincorporated area of the county; or

36 (ii) a resident of the county who is also an owner of real
 37 property located in whole or in part in an unincorporated
 38 area of the county;

39 appointed by the county executive. However at least three (3)
 40 members must be residents of the unincorporated area of the
 41 county.

42 If a county executive changes the plan commission from having



1 members described in clause (B) to having members described in
 2 clause (A), the county executive shall appoint a township trustee
 3 to replace the first citizen member whose term expires and who
 4 belongs to the same political party as the township trustee. Each
 5 member appointed to the commission is entitled to receive
 6 compensation for mileage at the same rate and the same
 7 compensation for services as a member of a county executive, a
 8 member of a county fiscal body, a county surveyor, or an
 9 appointee of a county surveyor receives for serving on the
 10 commission, as set forth in section 222.5 of this chapter.

11 (b) ADVISORY. The metropolitan plan commission consists of nine
 12 (9) members, as follows:

13 (1) One (1) member appointed by the county legislative body
 14 from its membership.

15 (2) One (1) member appointed by the second class city legislative
 16 body from its membership.

17 (3) Three (3) citizen members who:

18 (A) reside in an unincorporated area of the county; or

19 (B) reside in the county and also own real property located in
 20 whole or in part in an unincorporated area of the county;

21 of whom no more than two (2) may be of the same political party,
 22 appointed by the county legislative body. One (1) of these
 23 members must be actively engaged in farming.

24 (4) Four (4) citizen members, of whom no more than two (2) may
 25 be of the same political party, appointed by the second class city
 26 executive. One (1) of these members must be from the
 27 metropolitan school authority or community school corporation
 28 and a resident of that school district, and the other three (3)
 29 members must be residents of the second class city.

30 (c) AREA. When there are six (6) county representatives, they are
 31 as follows:

32 (1) One (1) member appointed by the county executive from its
 33 membership.

34 (2) One (1) member appointed by the county fiscal body from its
 35 membership.

36 (3) ~~The county superintendent of schools, or if that office does not~~
 37 ~~exist,~~ A representative appointed by the school corporation
 38 superintendents within the jurisdiction of the area plan
 39 commission.

40 (4) One (1) of the following appointed by the county executive:

41 (A) The county agricultural extension educator.

42 (B) The county surveyor or the county surveyor's designee.



- 1 (5) One (1) citizen member who is:
- 2 (A) a resident of the unincorporated area of the county; or
- 3 (B) a resident of the county who is also an owner of real
- 4 property located in whole or in part in the unincorporated area
- 5 of the county;
- 6 appointed by the county executive.
- 7 (6) One (1) citizen member who is:
- 8 (A) a resident of the unincorporated area of the county; or
- 9 (B) a resident of the county who is also an owner of real
- 10 property located in whole or in part in the unincorporated area
- 11 of the county;
- 12 appointed by the county fiscal body.
- 13 (d) AREA. When there are five (5) county representatives, they are
- 14 the representatives listed or appointed under subsection (c)(3), (c)(4),
- 15 (c)(5), and (c)(6) and:
- 16 (1) the county surveyor or the county surveyor's designee if the
- 17 county executive appoints the county agricultural extension
- 18 educator under subsection (c)(4); or
- 19 (2) the county agricultural extension educator if the county
- 20 executive appoints the county surveyor under subsection (c)(4).
- 21 SECTION 402. IC 36-9-13-2, AS AMENDED BY P.L.77-2014,
- 22 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2015]: Sec. 2. For purposes of this chapter, the following are
- 24 considered the governing bodies of their respective eligible entities:
- 25 (1) Board of commissioners, for a county not subject to
- 26 IC 36-2-2.5, IC 36-2-3.5, or IC 36-3-1.
- 27 (2) County council, for a county subject to IC 36-2-2.5 or
- 28 IC 36-2-3.5.
- 29 (3) City-county council, for a consolidated city or county having
- 30 a consolidated city.
- 31 (4) Common council, for a city other than a consolidated city.
- 32 (5) Town council, for a town.
- 33 (6) Trustee and township board, for a civil or ~~school~~ township.
- 34 (7) Board of school trustees, board of school commissioners, or
- 35 school board, for a school corporation.
- 36 (8) Board of trustees, for a health and hospital corporation.
- 37 SECTION 403. IC 36-10-12-4 IS REPEALED [EFFECTIVE JULY
- 38 1, 2015]. Sec. 4. As used in this chapter, "township" means a school
- 39 township that is located in a county containing a consolidated city.
- 40 SECTION 404. IC 36-10-12-5 IS REPEALED [EFFECTIVE JULY
- 41 1, 2015]. Sec. 5. As used in this chapter, "township board" means the
- 42 township board of a township.



1 SECTION 405. IC 36-10-12-6 IS REPEALED [EFFECTIVE JULY
2 1, 2015]. Sec. 6: As used in this chapter, "township trustee" means the
3 duly elected trustee of the civil township in which a school township
4 is located.

5 SECTION 406. IC 36-10-12-7 IS REPEALED [EFFECTIVE JULY
6 1, 2015]. Sec. 7: (a) ~~With the consent of the township board; the~~
7 ~~township trustee may provide financial assistance to a children's~~
8 ~~museum. The assistance shall be:~~

9 (1) ~~paid from the funds of the school township;~~

10 (2) ~~budgeted and appropriated as provided by law; and~~

11 (3) ~~in an amount each year not to exceed the product of~~
12 ~~twenty-five cents (\$0.25) multiplied by the ADA (as defined in~~
13 ~~IC 20-18-2-1.5(a)) of children enrolled in grades 1 through 8 in~~
14 ~~the public schools of the township as reported in the last~~
15 ~~preceding annual report to the state superintendent of public~~
16 ~~instruction.~~

17 (b) ~~The assistance under subsection (a) is payable annually. The~~
18 ~~trustee and the township board may continue the assistance annually if~~
19 ~~the board of trustees or other governing body of the children's museum~~
20 ~~has accepted by resolution the provisions of this chapter and has filed~~
21 ~~a certified copy of the resolution with the township trustee of the~~
22 ~~township before the date of the first payment.~~

23 SECTION 407. IC 36-10-12-9, AS ADDED BY P.L.1-2005,
24 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2015]: Sec. 9. (a) A children's museum is not entitled to
26 receive financial assistance under ~~sections 7 and section 8~~ of this
27 chapter until the ~~board of trustees or other~~ governing body of the
28 museum agrees with the ~~township trustee or~~ board of school trustees,
29 by proper resolution, to do the following:

30 (1) ~~To allow the county superintendent of schools of the county~~
31 ~~to attend all meetings of the board of trustees or other governing~~
32 ~~body of the children's museum so that the superintendent is~~
33 ~~advised as to the work done and proposed to be done by the~~
34 ~~children's museum.~~

35 (2) (1) To allow the township trustees of a township or board of
36 school trustees of a town furnishing financial assistance to the
37 children's museum to nominate individuals eligible for
38 membership on the board of trustees or other governing body of
39 the museum. The children's museum must elect one (1) member
40 from the list or lists of individuals nominated as a member of the
41 board of trustees or other governing body of the children's
42 museum. The member elected under this subdivision represents



- 1 all townships and towns.
- 2 ~~(3)~~ (2) To grant free admission to the children's museum and
- 3 galleries to all students and teachers of a township or town that
- 4 furnishes financial assistance to the children's museum.
- 5 ~~(4)~~ (3) To allow the use, at reasonable times and in reasonable
- 6 ways, of the plant, equipment, and facilities of the children's
- 7 museum to educate the students of the township or town.
- 8 ~~(5)~~ (4) To allow the use of the services of the personnel of the
- 9 children's museum, at reasonable times and in reasonable ways,
- 10 under the direction of the children's museum, if the services are
- 11 consistent with the regular established duties of the personnel.
- 12 ~~(6)~~ (5) To allow the loan of suitable and available objects and
- 13 items from the children's museum's collection to a school of the
- 14 township or town to aid and supplement the curriculum of the
- 15 school.

16 (b) A copy of the resolution must be filed in the office of the

17 township trustee or with the secretary of the board of school trustees

18 before the children's museum receives financial assistance under this

19 chapter.

20 SECTION 408. IC 36-10-12-10, AS ADDED BY P.L.1-2005,

21 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

22 JULY 1, 2015]: Sec. 10. After a children's museum qualifies to receive

23 financial assistance from a township or town under this chapter, the

24 board of trustees or the governing body of the children's museum is not

25 required to adopt new resolutions each year. Each original resolution

26 continues and remains in full force and effect until the original

27 resolution is revoked or rescinded by another resolution that is certified

28 and filed under this chapter.

29 SECTION 409. IC 36-12-2-17, AS ADDED BY P.L.1-2005,

30 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

31 JULY 1, 2015]: Sec. 17. The four (4) additional members of a county

32 contractual library board required by IC 36-12-6-2 shall be appointed

33 as follows:

- 34 (1) Two (2) members appointed by the executive of the county in
- 35 which the county contractual library district is located.
- 36 (2) Two (2) members appointed by the county superintendent of
- 37 schools; or if there is no county superintendent of schools, by the
- 38 county auditor of the county in which the library district is
- 39 located.

40 SECTION 410. IC 36-12-7-7, AS ADDED BY P.L.1-2005,

41 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

42 JULY 1, 2015]: Sec. 7. (a) The library board of a library established as



1 an 1899 township library consists of the school township trustee in the
 2 township where the library is located and two (2) residents of the
 3 township who are appointed by the board of commissioners of the
 4 county where the library is located. Appointments are for a term of four
 5 (4) years. Members of the library board serve without compensation.

6 (b) The library board:

7 (1) shall control the purchase of books and the management of the
 8 library;

9 (2) shall possess and retain custody of any books remaining in the
 10 old township library in the township where the library is located;

11 (3) may receive donations, bequests, and legacies on behalf of the
 12 library; and

13 (4) may receive copies of all documents of the state available for
 14 distribution from the director of the state library.

15 (c) The 1899 township library is the property of the ~~school~~
 16 township. The ~~school~~ township trustee is responsible for the safe
 17 preservation of the township library.

18 (d) Two (2) or more adjacent townships may unite to maintain a
 19 township library. The library is controlled by either:

20 (1) a combined library board, which consists of each of the
 21 uniting township boards appointed under subsection (a); or

22 (2) the one (1) township library board appointed under subsection
 23 (a) of the uniting townships that receives funding for the
 24 operation of the uniting township library.

25 (e) The legislative body of any township that contains a library
 26 established as an 1899 township library may levy a tax annually of not
 27 more than three and thirty-three hundredths cents (\$.0333) on each
 28 one hundred dollars (\$100) of taxable property assessed for taxation in
 29 the township. If the legislative body does not levy the tax, a petition
 30 signed by at least the number of registered voters required under
 31 IC 3-8-6-3 to place a candidate on the ballot may be filed with the
 32 circuit court clerk, who:

33 (1) shall determine if an adequate number of voters have signed
 34 the petition; and

35 (2) if an adequate number of voters have signed the petition, shall
 36 certify the public question to the county election board under
 37 IC 3-10-9-3. The county election board shall then cause to be
 38 printed on the ballot for the township the following question in
 39 the form prescribed by IC 3-10-9-4: "Shall a township library tax
 40 be levied?".

41 If a majority of the votes cast on the question in subdivision (2) are in
 42 the affirmative, the township trustee shall annually levy a tax of not less



1 than one and sixty-seven hundredths cents (\$0.0167) and not more than
 2 three and thirty-three hundredths cents (\$0.0333) on each one hundred
 3 dollars (\$100) of taxable property in the township for the establishment
 4 and support of a township library. The township tax shall be levied,
 5 assessed, collected, and paid according to the procedure outlined in
 6 IC 6-1.1.

7 (f) The tax levy under subsection (e) shall be discontinued when the
 8 question of discontinuing the levy has been submitted to a vote
 9 according to the procedure provided in subsection (e) and the majority
 10 of the votes cast on the question is in the negative.

11 (g) If a public library that is open for the use of all the residents of
 12 the township is located in the township, the proceeds of the tax
 13 collected under subsection (e) shall be paid to that public library.

14 (h) In a township outside a city that contains a library:

15 (1) established by private donations of the value of at least ten
 16 thousand dollars (\$10,000), including the real estate and buildings
 17 used for the library; and

18 (2) used for the benefit of all the inhabitants of the township;

19 the township trustee of the township shall annually levy and collect not
 20 more than two cents (\$0.02) on each one hundred dollars (\$100) upon
 21 the taxable property within the limits of the township. The money shall
 22 be paid to the trustees of the library, to be applied by the trustees for
 23 the purchase of books and the payment of the maintenance costs for the
 24 library. When it becomes necessary to purchase additional ground for
 25 the extension or protection of library buildings already established by
 26 private donation, the trustee, with the consent of the county legislative
 27 body, may annually levy and collect not more than one and sixty-seven
 28 hundredths cents (\$0.0167) on each one hundred dollars (\$100) of
 29 taxable property of the township for not more than three (3) years
 30 successively, to be expended by the trustees for the purchase of
 31 property and the construction and enlargement of library buildings.

32 (i) The 1899 township library is free to all the residents of the
 33 township.

34 SECTION 411. [EFFECTIVE JULY 1, 2015] **(a) The legislative**
 35 **services agency shall prepare legislation for introduction in the**
 36 **2016 regular session of the general assembly to organize and**
 37 **correct statutes affected by this act.**

38 **(b) This SECTION expires December 31, 2015.**

39 SECTION 412. [EFFECTIVE JULY 1, 2015] **(a) As used in this**
 40 **SECTION, "committee" refers to the education study committee**
 41 **established by IC 2-5-1.3-4.**

42 **(b) The general assembly urges the legislative council to assign**



- 1 to the committee the task of studying the following:
- 2 (1) Whether definitions used to reference all school entities
- 3 throughout IC 20 should be revised or redefined.
- 4 (2) Whether changes are necessary relating to public meeting
- 5 requirements contained in IC 20 in order to comply with
- 6 public meeting requirements in IC 5-14-1.5 or to the unique
- 7 functions necessary for the effective operation of a school
- 8 corporation.
- 9 (3) The feasibility of establishing:
- 10 (A) a definition of "bullying" that would be uniformly
- 11 applied in a consistent manner by schools for reporting
- 12 requirements; and
- 13 (B) methods to streamline school discipline reporting
- 14 requirements for schools.
- 15 (c) The committee shall issue to the legislative council a final
- 16 report containing the committee's findings and recommendations,
- 17 including any recommended legislation concerning the topic, in an
- 18 electronic format under IC 5-14-6 not later than November 1, 2015.
- 19 (d) This SECTION expires January 1, 2016.
- 20 SECTION 413. 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. 500, 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 22, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 28. IC 5-14-3-2, AS AMENDED BY P.L.248-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The definitions set forth in this section apply throughout this chapter.

(b) "Computer processing time" means the amount of time a computer takes to process a command or script to extract or copy electronically stored data that is the subject of a public records request.

~~(b)~~ **(c)** "Copy" includes transcribing by handwriting, photocopying, xerography, duplicating machine, duplicating electronically stored data onto a disk, tape, drum, or any other medium of electronic data storage, and reproducing by any other means.

~~(c)~~ **(d)** "Criminal intelligence information" means data that has been evaluated to determine that the data is relevant to:

- (1) the identification of; and
- (2) the criminal activity engaged in by;

an individual who or organization that is reasonably suspected of involvement in criminal activity.

~~(d)~~ **(e)** "Direct cost" means one hundred five percent (105%) of the sum of the cost of:

- (1) the initial development of a program, if any;
- (2) the labor required to retrieve electronically stored data; and
- (3) any medium used for electronic output;

for providing a duplicate of electronically stored data onto a disk, tape, drum, or other medium of electronic data retrieval under section 8(g) of this chapter, or for reprogramming a computer system under section 6(c) of this chapter.

~~(e)~~ **(f)** "Electronic map" means copyrighted data provided by a public agency from an electronic geographic information system.

~~(f)~~ **(g)** "Enhanced access" means the inspection of a public record by a person other than a governmental entity and that:

- (1) is by means of an electronic device other than an electronic device provided by a public agency in the office of the public



agency; or

(2) requires the compilation or creation of a list or report that does not result in the permanent electronic storage of the information.

~~(g)~~ **(h)** "Facsimile machine" means a machine that electronically transmits exact images through connection with a telephone network.

~~(h)~~ **(i)** "Inspect" includes the right to do the following:

(1) Manually transcribe and make notes, abstracts, or memoranda.

(2) In the case of tape recordings or other aural public records, to listen and manually transcribe or duplicate, or make notes, abstracts, or other memoranda from them.

(3) In the case of public records available:

(A) by enhanced access under section 3.5 of this chapter; or

(B) to a governmental entity under section 3(c)(2) of this chapter;

to examine and copy the public records by use of an electronic device.

(4) In the case of electronically stored data, to manually transcribe and make notes, abstracts, or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

~~(i)~~ **(j)** "Investigatory record" means information compiled in the course of the investigation of a crime.

~~(j)~~ **(k)** "Offender" means a person confined in a penal institution as the result of the conviction for a crime.

~~(k)~~ **(l)** "Patient" has the meaning set out in IC 16-18-2-272(d).

~~(l)~~ **(m)** "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

~~(m)~~ **(n)** "Provider" has the meaning set out in IC 16-18-2-295(b) and includes employees of the state department of health or local boards of health who create patient records at the request of another provider or who are social workers and create records concerning the family background of children who may need assistance.

~~(n)~~ **(o)** "Public agency", except as provided in section 2.1 of this chapter, means the following:

(1) Any board, commission, department, division, bureau, committee, agency, office, instrumentality, or authority, by whatever name designated, exercising any part of the executive, administrative, judicial, or legislative power of the state.

(2) Any:

(A) county, township, school corporation, city, or town, or any board, commission, department, division, bureau, committee,



office, instrumentality, or authority of any county, township, school corporation, city, or town;

(B) political subdivision (as defined by IC 36-1-2-13); or

(C) other entity, or any office thereof, by whatever name designated, exercising in a limited geographical area the executive, administrative, judicial, or legislative power of the state or a delegated local governmental power.

(3) Any entity or office that is subject to:

(A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or

(B) an audit by the state board of accounts that is required by statute, rule, or regulation.

(4) Any building corporation of a political subdivision that issues bonds for the purpose of constructing public facilities.

(5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.

(6) Any law enforcement agency, which means an agency or a department of any level of government that engages in the investigation, apprehension, arrest, or prosecution of alleged criminal offenders, such as the state police department, the police or sheriff's department of a political subdivision, prosecuting attorneys, members of the excise police division of the alcohol and tobacco commission, conservation officers of the department of natural resources, gaming agents of the Indiana gaming commission, gaming control officers of the Indiana gaming commission, and the security division of the state lottery commission.

(7) Any license branch staffed by employees of the bureau of motor vehicles commission under IC 9-16.

(8) The state lottery commission established by IC 4-30-3-1, including any department, division, or office of the commission.

(9) The Indiana gaming commission established under IC 4-33, including any department, division, or office of the commission.

(10) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(p) "Public record" means any writing, paper, report, study, map, photograph, book, card, tape recording, or other material that is created, received, retained, maintained, or filed by or with a public agency and which is generated on paper, paper substitutes,



photographic media, chemically based media, magnetic or machine readable media, electronically stored data, or any other material, regardless of form or characteristics.

~~(p)~~ (q) "Standard-sized documents" includes all documents that can be mechanically reproduced (without mechanical reduction) on paper sized eight and one-half (8 1/2) inches by eleven (11) inches or eight and one-half (8 1/2) inches by fourteen (14) inches.

~~(q)~~ (r) "Trade secret" has the meaning set forth in IC 24-2-3-2.

~~(r)~~ (s) "Work product of an attorney" means information compiled by an attorney in reasonable anticipation of litigation. The term includes the attorney's:

- (1) notes and statements taken during interviews of prospective witnesses; and
- (2) legal research or records, correspondence, reports, or memoranda to the extent that each contains the attorney's opinions, theories, or conclusions.

This definition does not restrict the application of any exception under section 4 of this chapter.

SECTION 29. IC 5-14-3-3, AS AMENDED BY P.L.134-2012, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Any person may inspect and copy the public records of any public agency during the regular business hours of the agency, except as provided in section 4 of this chapter. A request for inspection or copying must:

- (1) identify with reasonable particularity the record being requested; and
- (2) be, at the discretion of the agency, in writing on or in a form provided by the agency.

No request may be denied because the person making the request refuses to state the purpose of the request, unless such condition is required by other applicable statute.

(b) A public agency may not deny or interfere with the exercise of the right stated in subsection (a). Within a reasonable time after the request is received by the agency, the public agency shall either:

- (1) provide the requested copies to the person making the request; or
- (2) allow the person to make copies:
 - (A) on the agency's equipment; or
 - (B) on the person's own equipment.

(c) Notwithstanding subsections (a) and (b), a public agency may or may not do the following:

- (1) In accordance with a contract described in section 3.5 of this



chapter, permit a person to inspect and copy through the use of enhanced access public records containing information owned by or entrusted to the public agency.

(2) Permit a governmental entity to use an electronic device to inspect and copy public records containing information owned by or entrusted to the public agency.

(d) Except as provided in subsection (e), a public agency that maintains or contracts for the maintenance of public records in an electronic data storage system shall make reasonable efforts to provide to a person making a request a copy of all disclosable data contained in the records on paper, disk, tape, drum, or any other method of electronic retrieval if the medium requested is compatible with the agency's data storage system. This subsection does not apply to an electronic map.

(e) A state agency may adopt a rule under IC 4-22-2, and a political subdivision may enact an ordinance, prescribing the conditions under which a person who receives information on disk or tape under subsection (d) may or may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Use of information received under subsection (d) in connection with the preparation or publication of news, for nonprofit activities, or for academic research is not prohibited. A person who uses information in a manner contrary to a rule or ordinance adopted under this subsection may be prohibited by the state agency or political subdivision from obtaining a copy or any further data under subsection (d).

(f) Notwithstanding the other provisions of this section, a public agency is not required to create or provide copies of lists of names and addresses (including electronic mail account addresses) unless the public agency is required to publish such lists and disseminate them to the public under a statute. However, if a public agency has created a list of names and addresses (excluding electronic mail account addresses) it must permit a person to inspect and make memoranda abstracts from the list unless access to the list is prohibited by law. The lists of names and addresses (including electronic mail account addresses) described in subdivisions (1) through (3) may not be disclosed by public agencies to any individual or entity for political purposes and may not be used by any individual or entity for political purposes. In addition, the lists of names and addresses (including electronic mail account addresses) described in subdivisions (1)



through (3) may not be disclosed by public agencies to commercial entities for commercial purposes and may not be used by commercial entities for commercial purposes. The prohibition in this subsection against the disclosure of lists for political or commercial purposes applies to the following lists of names and addresses (including electronic mail account addresses):

- (1) A list of employees of a public agency.
- (2) A list of persons attending conferences or meetings at a state educational institution or of persons involved in programs or activities conducted or supervised by the state educational institution.
- (3) A list of students who are enrolled in a public school corporation if the governing body of the public school corporation adopts a policy:
 - (A) with respect to disclosure related to a commercial purpose, prohibiting the disclosure of the list to commercial entities for commercial purposes;
 - (B) with respect to disclosure related to a commercial purpose, specifying the classes or categories of commercial entities to which the list may not be disclosed or by which the list may not be used for commercial purposes; or
 - (C) with respect to disclosure related to a political purpose, prohibiting the disclosure of the list to individuals and entities for political purposes.

A policy adopted under subdivision (3)(A) or (3)(B) must be uniform and may not discriminate among similarly situated commercial entities. For purposes of this subsection, "political purposes" means influencing the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question or attempting to solicit a contribution to influence the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question.

(g) A public agency may not enter into or renew a contract or an obligation:

- (1) for the storage or copying of public records; or
- (2) that requires the public to obtain a license or pay copyright royalties for obtaining the right to inspect and copy the records unless otherwise provided by applicable statute;

if the contract, obligation, license, or copyright unreasonably impairs the right of the public to inspect and copy the agency's public records.

(h) If this section conflicts with IC 3-7, the provisions of IC 3-7 apply.



(i) This subsection applies to a public record that is in an electronic format. This subsection does not apply to a public record recorded in the office of the county recorder. The public agency shall provide an electronic copy or a paper copy, at the option of the person making the request for a public record. This subsection does not require a public agency to change the format of a public record.

SECTION 30. IC 5-14-3-8, AS AMENDED BY P.L.16-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter **for the following:**

- (1) **For a person to inspect a public record. ~~or~~**
- (2) **For a person to search for a public record.**
- (3) **For the public agency to search for a public record, if the search does not exceed two (2) hours.**
- ~~(4)~~ (4) **For the public agency to search for, examine or review a record to determine whether the record may be disclosed.**
- (5) **For the public agency to transmit an electronic copy of a public record by electronic mail. However, a public agency may charge a fee for a public record transmitted by electronic mail if the fee for the public record is authorized under:**
 - (A) **subsection (f) or (j); or**
 - (B) **section 6(c) of this chapter.**

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

(d) This subsection applies to a public agency that is not a state agency. The fiscal body (as defined in IC 36-1-2-6) of the public agency, or the governing body, if there is no fiscal body, shall establish a fee schedule for the certification or copying of documents. The fee for certification of documents may not exceed five dollars (\$5) per document. The fee for copying documents may not exceed the greater of:

- (1) ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or



(2) the actual cost to the agency of copying the document.

As used in this subsection, "actual cost" means the cost of paper and the per-page cost for use of copying or facsimile equipment and does not include labor costs or overhead costs. A fee established under this subsection must be uniform throughout the public agency and uniform to all purchasers.

(e) If:

(1) a person is entitled to a copy of a public record under this chapter; and

(2) the public agency which is in possession of the record has reasonable access to a machine capable of reproducing the public record;

the public agency must provide at least one (1) copy of the public record to the person. However, if a public agency does not have reasonable access to a machine capable of reproducing the record or if the person cannot reproduce the record by use of enhanced access under section 3.5 of this chapter, the person is only entitled to inspect and manually transcribe the record. A public agency may require that the payment for **search and** copying costs be made in advance.

(f) Notwithstanding subsection ~~(b)~~; **(b)(1), (b)(2), (b)(3)**, (c), (d), (g), (h), or (i), a public agency shall collect any certification, copying, facsimile machine transmission, or search fee that is specified by statute or is ordered by a court. **Notwithstanding subsection (b)(4), a public agency shall collect any certification or search fee that is specified by statute or is ordered by a court.**

(g) Except as provided by subsection (h), for providing a duplicate of a computer tape, computer disc, microfilm, or similar or analogous record system containing information owned by the public agency or entrusted to it, a public agency may charge a fee, uniform to all purchasers, that does not exceed the sum of the following:

(1) The agency's direct cost of supplying the information in that form.

(2) The standard cost for selling the same information to the public in the form of a publication if the agency has published the information and made the publication available for sale.

(3) In the case of the legislative services agency, a reasonable percentage of the agency's direct cost of maintaining the system in which the information is stored. However, the amount charged by the legislative services agency under this subdivision may not exceed the sum of the amounts it may charge under subdivisions (1) and (2).

(h) This subsection applies to the fee charged by a public agency for



providing enhanced access to a public record. A public agency may charge any reasonable fee agreed on in the contract under section 3.5 of this chapter for providing enhanced access to public records.

(i) This subsection applies to the fee charged by a public agency for permitting a governmental entity to inspect public records by means of an electronic device. A public agency may charge any reasonable fee for the inspection of public records under this subsection, or the public agency may waive any fee for the inspection.

(j) Except as provided in subsection (k), a public agency may charge a fee, uniform to all purchasers, for providing an electronic map that is based upon a reasonable percentage of the agency's direct cost of maintaining, upgrading, and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the purchaser. If the public agency is within a political subdivision having a fiscal body, the fee is subject to the approval of the fiscal body of the political subdivision.

(k) The fee charged by a public agency under subsection (j) to cover costs for maintaining, upgrading, and enhancing an electronic map may be waived by the public agency if the electronic map for which the fee is charged will be used for a noncommercial purpose, including the following:

- (1) Public agency program support.
- (2) Nonprofit activities.
- (3) Journalism.
- (4) Academic research.

(l) This subsection applies to a public agency that charges a fee for the public agency to search for a public record. A public agency may not charge a fee for the first two (2) hours required to search for a public record. A public agency may charge a search fee for any time that exceeds two (2) hours. If the public agency charges a search fee, the agency shall charge an hourly fee that does not exceed the lesser of:

- (1) the hourly rate of the person making the search; or**
- (2) twenty dollars (\$20) per hour.**

A public agency charging an hourly fee under this subsection for searching for a public record may charge only for time that the person making the search actually spends in searching for the record. A public agency may not charge for computer processing time and may not establish a minimum fee for searching for a public record. A public agency must make a good faith effort to complete a search for a public record within a reasonable time in order to minimize the amount of a search fee. The fee shall be



prorated to reflect any search time of less than two (2) hours. If a fee is charged by a public agency under subsection (g), (h), (i), or (j) for a public record, the public agency may not charge a fee for searching for the record under this subsection. A search fee collected by a department, an agency, or an office of a county, city, town, or township shall be deposited in the general fund of the county, city, town, or township."

Delete pages 23 through 24.

Page 25, delete lines 1 through 23.

Page 26, delete lines 17 through 42, begin a new paragraph and insert:

"SECTION 34. IC 5-15-5.1-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21. Not later than July 1, 2015, the commission shall establish uniform retention requirements for school corporations for electronic mail messages.**"

Delete page 27.

Page 29, line 6, delete "A political subdivision may dispose of".

Page 29, line 6, delete "original" and insert "Original".

Page 29, line 6, reset in roman "may be".

Page 29, line 7, reset in roman "disposed of only with the approval of the commission".

Page 29, line 8, reset in roman "commission.".

Page 29, line 8, delete "political subdivision.".

Page 29, line 9, reset in roman "commission".

Page 29, line 9, delete "political".

Page 29, line 10, delete "subdivision".

Page 29, delete lines 13 through 42.

Delete page 30.

Page 31, delete lines 1 through 4.

Page 32, delete lines 41 through 42.

Page 33, delete lines 1 through 13.

Page 37, delete lines 37 through 42.

Page 38, delete lines 1 through 23.

Page 39, delete lines 15 through 21.

Page 40, delete lines 37 through 42.

Delete pages 41 through 44.

Page 45, delete lines 1 through 28.

Page 52, line 25, reset in roman "IC 20-28-6-3".

Page 52, line 25, after "through" insert "**and**".

Page 53, delete lines 15 through 42.



Page 54, delete lines 1 through 3.

Delete page 56.

Page 57, delete lines 1 through 6.

Page 59, delete lines 13 through 42.

Page 60, delete lines 1 through 23.

Page 61, between lines 11 and 12, begin a new line block indented and insert:

"(6) One (1) member who is a representative of accredited nonpublic schools who is selected by the Indiana Non-Public Education Association.

(7) One (1) member who is a representative of charter schools selected by an organization representing charter schools.

(8) One (1) member who is a teacher selected by the state superintendent."

Page 61, line 17, delete "three (3)" and insert "**five (5)**".

Page 62, line 34, after "collection." insert "**In addition, the committee shall review and make recommendations to the state board under subsection (d) regarding methods to streamline school safety and discipline reporting requirements as well as establishing a streamlined method to uniformly and consistently report instances of bullying throughout Indiana.**".

Page 64, line 31, reset in roman "Not earlier than March 15 or later than".

Page 64, line 32, reset in roman "March 31 of each year,".

Page 64, line 32, delete "The" and insert "the".

Page 64, line 33, reset in roman "shall".

Page 64, line 33, delete "may".

Page 64, line 42, after "corporation" strike "may" and insert "**shall**".

Page 65, line 1, strike "the" and insert "**a prominent page of a**".

Page 65, delete lines 6 through 42, begin a new paragraph and insert:

"SECTION 78. IC 20-20-8-8, AS AMENDED BY P.L.246-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. 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. The information must be provided disaggregated by percentage of students by race, grade, gender, socioeconomic status, and eligibility for special education.**



(3) Attendance rate. **The information must be provided disaggregated by percentage of students by race, grade, gender, socioeconomic status, and eligibility for special education.**

(4) The following test scores, including the number and percentage of students meeting academic standards:

(A) ISTEP program test scores, **including end of course 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.

The information must be provided disaggregated by percentage of students by race, grade, gender, socioeconomic status, and eligibility for special education.

(5) School's performance category or designation of school improvement assigned under IC 20-31-8.

~~(5)~~ (6) Average class size.

~~(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, **including the number of special education proceedings in which a school has been found to have committed a due process violation.**

(D) High ability.

(E) Remediation.

(F) Limited English language proficiency.

(G) 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) test scores for all students taking the test;

(ii) 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.
- (11) The percentage of graduates considered college and career ready in a manner prescribed by the state board.**
- ~~(10)~~ **(12)** The percentage of graduates who pursue higher education.
- ~~(11)~~ **(13)** 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)~~ **(14)** Financial information and various school cost factors, including the following:
 - (A) Expenditures per pupil.
 - (B) Average teacher salary.
 - (C) Remediation funding.
 - (D) Building utilization information, including the following:**
 - (i) The number of students that can be served by each building owned by the school corporation.**
 - (ii) The number of students being served in each building owned by the school corporation.**
 - (iii) The utilization percentage of each building owned by each school corporation, calculated by dividing the number under item (ii) by the number under item (i).**
 - (E) The annual cost of utilities for each building the school corporation owns divided by the square feet of the building.**
- ~~(13)~~ Technology accessibility and use of technology in instruction.
- ~~(14)~~ **(15)** Interdistrict and intradistrict student mobility rates, if that information is available.
- ~~(15)~~ 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) The percentage of grade 3 students reading at grade 3 level.
The information must be provided disaggregated by percentage of students by race, grade, gender, socioeconomic status, and eligibility for special education.

(17) 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 and the percentage of students expelled who are eligible for free or reduced price lunch.**

(18) 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) 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) The number of students who have dropped out of school, including the reasons for dropping out, **including the percentage of students who dropped out of school by race or who are eligible for free or reduced price lunch.**

(21) **The number of out-of-school suspensions assigned, including the percentage of students suspended by race and the percentage of students expelled who are eligible for free or reduced price lunch.**

(22) **The number of in-school suspensions assigned, including the percentage of students who received in-school suspensions by race and the percentage of students who received in-school suspensions who are eligible for free or reduced price lunch.**

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

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

~~(23)~~ (24) The number of students who have not advanced to grade 10 due to a lack of completed credits.

~~(24)~~ (25) The number of students suspended for any reason.

(25) (26) The number of students receiving an international baccalaureate diploma.

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

Delete page 66.

Page 67, delete lines 1 through 9.

Page 68, delete lines 15 through 26, begin a new paragraph and insert:

"SECTION 85. IC 20-21-1-3, AS ADDED BY P.L.1-2005,

SB 500—LS 6972/DI 116



SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. "Case conference" refers to the ~~activities of~~ **actions taken by** a case conference committee ~~as described in IC 20-35-7-2:~~ **composed of public agency personnel, parents, the student, if appropriate, and others at the discretion of the public agency or the parent to do any of the following:**

- (1) **Determine a student's eligibility for special education and related services.**
- (2) **Develop, review, or revise a student's individualized education program.**
- (3) **Determine an appropriate educational placement for the student.**

SECTION 86. IC 20-22-1-3, AS ADDED BY P.L.1-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. "Case conference" refers to the ~~activities of~~ **actions taken by** a case conference committee ~~(as defined in IC 20-35-7-2):~~ **composed of public agency personnel, parents, the student, if appropriate, and others at the discretion of the public agency or the parent to do any of the following:**

- (1) **Determine a student's eligibility for special education and related services.**
- (2) **Develop, review, or revise a student's individualized education program.**
- (3) **Determine an appropriate educational placement for the student."**

Page 101, delete lines 34 through 42.

Delete page 102.

Page 103, delete lines 1 through 3.

Page 107, delete lines 39 through 42.

Page 108, delete lines 1 through 5.

Page 111, line 11, delete "official" and insert "**final**".

Page 120, delete lines 16 through 30.

Page 124, line 42, after "unoccupied." insert "**Each governing body shall also report to the department the building utilization information required to be reported under IC 20-20-8-8(14)(D).**".

Page 125, line 31, reset in roman "one dollar (\$1)".

Page 125, line 31, delete "market rates".

Page 125, line 34, reset in roman "one dollar (\$1)".

Page 125, line 34, delete "market value.".

Page 142, delete lines 20 through 42.

Delete page 143.

Page 144, delete lines 1 through 26.



- Delete pages 150 through 151.
 Page 152, delete lines 1 through 13.
 Page 163, delete line 42.
 Page 164, delete lines 1 through 16.
 Page 165, delete lines 12 through 24.
 Page 173, delete lines 24 through 42.
 Delete pages 174 through 175.
 Page 176, delete lines 1 through 33.
 Page 177, line 24, reset in roman "carefully worded by the state superintendent,".
 Page 177, line 24, delete "prescribed by the".
 Page 177, line 25, delete "governing body".
 Page 177, delete lines 29 through 42.
 Page 178, delete lines 1 through 11.
 Page 183, delete lines 24 through 37.
 Page 184, reset in roman lines 14 through 16.
 Page 184, line 17, reset in roman "(2)".
 Page 184, line 17, delete "(1)".
 Page 184, line 19, reset in roman "(3)".
 Page 184, line 19, delete "(2)".
 Page 184, line 24, reset in roman "(4)".
 Page 184, line 24, delete "(3)".
 Page 184, delete lines 32 through 42.
 Page 185, delete lines 1 through 2.
 Page 186, delete lines 38 through 42.
 Page 187, delete lines 1 through 8.
 Page 187, delete lines 24 through 42, begin a new paragraph and insert:
 "SECTION 284. IC 20-28-9-22, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22. **(a)** A teacher may be suspended without pay only under the following procedure **set forth in this section:**
 (1) The teacher must be notified in writing not more than forty (40) days and not less than thirty (30) days before the date of the consideration of the date, time, and place for the consideration by the school corporation of the suspension of the teacher without pay.
 (2) The teacher shall be furnished, not later than five (5) days after a written request, a written statement of the reasons for the consideration.
 (3) The teacher may file a written request for a hearing not later than fifteen (15) days after receipt of the notice of this



consideration:

(4) If a request for a hearing is filed, the teacher must be given a hearing before the governing body on a day not earlier than five (5) days after filing the request:

(5) The teacher must be given at least five (5) days notice of the date, time, and place of the hearing:

(6) At the hearing, the teacher is entitled:

(A) to a full statement of the reasons for the proposed suspension without pay; and

(B) to be heard and to present the testimony of witnesses and other evidence bearing on the reasons for the proposed suspension without pay:

(7) A teacher may not be suspended without pay until:

(A) the date is set for consideration of the suspension without pay;

(B) after a hearing is held, if a hearing is requested by the teacher; and

(C) except on the suspension of a superintendent's contract, the superintendent has given recommendations on the suspension not later than five (5) days after the school corporation makes the request for recommendations:

(8) After complying with this section, the governing body of the school corporation may suspend a teacher without pay for a reasonable time by a majority vote evidenced by a signed statement in the minutes of the board:

The vote to suspend a teacher without pay described in subdivision (8) must be taken by the governing body on the date and at the time and place specified in subdivision (1):

(1) The principal shall notify the teacher of the principal's preliminary decision. The notification must be:

(A) in writing; and

(B) delivered in person or mailed by registered or certified mail to the teacher at the teacher's last known address.

(2) The notice in subdivision (1) must include a written statement, subject to IC 5-14-3-4, giving the reasons for the preliminary decision.

(b) The notice required under subsection (a) must inform the teacher that, not later than five (5) days after the teacher's receipt of the notice, the teacher may request a private conference with the superintendent. The superintendent must set the requested meeting not later than ten (10) days after the request.

(c) At the conference between the superintendent and the



teacher, the teacher may be accompanied by a representative.

(d) This subsection does not apply to the suspension of a superintendent. After the conference between the superintendent and the teacher, the superintendent shall make a written recommendation to the governing body of the school corporation regarding the teacher's suspension without pay.

(e) If the teacher does not request a conference under subsection (b), the principal's preliminary decision is considered final.

(f) If, not later than five (5) days after the initial private conference with the superintendent, the teacher files a request with the governing body for an additional private conference, the teacher is entitled to an additional private conference with the governing body before the governing body makes a final decision. The final decision must be in writing and must be made not more than thirty (30) days after the governing body receives the teacher's request for the additional private conference. At the private conference, the governing body shall do the following:

(1) Allow the teacher to present evidence to refute the reason or reasons for suspension without pay and supporting evidence provided by the school corporation. Any evidence presented at the private conference must have been exchanged by the parties at least seven (7) days before the private conference.

(2) Consider whether a preponderance of the evidence supports the teacher's suspension without pay.

(g) At the first public meeting following a private conference with:

(1) the governing body under subsection (f); or

(2) the superintendent under subsection (b), if no conference with the governing body is requested;

the governing body may suspend a teacher without pay for a reasonable time by a majority vote evidenced by a signed statement in the minutes of the board. The decision of the governing body is final.

(h) The time periods set out in this section shall be extended for a reasonable period:

(1) when a teacher or school official is ill or absent from the school corporation; or

(2) for other reasonable cause."

Delete page 188.

Page 189, delete lines 1 through 9.

Page 192, delete lines 25 through 42.



Page 193, delete lines 1 through 40.

Page 194, delete lines 38 through 42.

Delete pages 195 through 196.

Page 198, delete lines 29 through 41.

Page 200, delete lines 17 through 42.

Page 201, delete lines 1 through 11.

Page 201, delete lines 33 through 42.

Page 202, delete lines 1 through 41.

Page 203, delete lines 19 through 33.

Page 207, delete lines 10 through 42, begin a new paragraph and insert:

"SECTION 327. IC 20-31-5-3, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) **This section does not apply to a school that is designated with a grade of "A" through "C" under IC 20-31-8-3 in the year immediately preceding the year in which the school's initial plan is implemented.**

(b) The committee must submit a school's initial plan to the superintendent by March 1 of the school year before the year of implementation. The superintendent:

- (1) shall review the plan to ensure that the plan aligns with the school corporation's objectives, goals, and expectations;
- (2) may make written recommendations of modifications to the plan to ensure alignment; and
- (3) shall return the plan and any recommendations to the committee by April 1 of the school year before the year of implementation.

~~(b)~~ (c) A committee may modify the plan to comply with recommendations made by the superintendent under subsection ~~(a)~~:
(b).

~~(c)~~ (d) A committee shall submit:

- (1) the plan; and
- (2) the written recommendations of the superintendent;

to the governing body by May 1 of the school year before the year of implementation.

~~(d)~~ (e) An initial plan must be established by June 1 of the school year before the year of implementation by approval of the governing body. The governing body shall approve a plan for each school in the school corporation. When a plan is presented to the governing body, the governing body must either accept or reject the plan and may not revise the plan. A plan is established when written evidence of approval is attached to the plan.



SECTION 328. IC 20-31-5-7, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. The department shall ~~act as a clearinghouse for plans and shall~~ make effective plans available to school corporations as models to use in developing and carrying out plans."

Page 208, delete lines 1 through 37.

Page 209, line 27, delete ".".

Page 209, line 27, delete "except:" and insert "except **athletics**."

Page 212, line 28, after "on" delete ":" and insert "**August 1 of the school year**".

Page 212, strike lines 29 through 31.

Page 220, delete lines 28 through 42.

Delete pages 221 through 223.

Page 224, delete lines 1 through 3.

Page 224, delete lines 15 through 42.

Delete page 225.

Page 226, delete lines 1 through 36.

Page 234, delete lines 8 through 42.

Delete page 235.

Page 236, delete lines 1 through 26.

Page 237, delete line 42.

Page 238, delete lines 1 through 3.

Page 238, delete lines 18 through 25.

Page 242, line 12, after "disability." insert "**However, the duty does not abrogate the right of a parent to act under IC 20-33-2-8.**".

Page 247, delete lines 2 through 32.

Page 248, delete lines 4 through 5.

Page 250, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 420. IC 20-42.5-3-1 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 1: The state board shall explore methods, including statewide purchases, to reduce the expense to school corporations for the purchase of the following:~~

~~(1) Curricular materials;~~

~~(2) Technology;~~

~~(3) School buses and other vehicles;~~

~~(4) Other areas of expenses as determined by the state board.~~

SECTION 421. IC 20-42.5-3-2 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 2: The state board, assisted by the educational service centers, the division of finance of the department, and the office of management and budget, shall survey annually the school corporations to determine actions taken by the school corporations to allocate~~



resources to student instruction and learning. The state board shall issue an annual report of actions taken to:

- (1) each school corporation;
- (2) the public; and
- (3) the general assembly.

The report to the general assembly must be submitted to the executive director of the legislative services agency in an electronic format under IC 5-14-6.

SECTION 422. IC 20-42.5-3-3 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 3: Not later than November 1 of each year, the state board, assisted by the office of management and budget and school corporation officials, shall submit a report to the state superintendent, the governor, and the general assembly concerning the following:

- (1) Consolidated purchasing arrangements used by multiple school corporations, through educational service centers, and throughout Indiana.
- (2) Shared services arrangements used by multiple school corporations, through educational service centers, and in Indiana as a whole.
- (3) The efforts of school corporations to explore cooperatives, common management, or consolidations.

The report to the general assembly must be submitted to the executive director of the legislative services agency in an electronic format under IC 5-14-6.

SECTION 423. IC 20-42.5-3-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) Beginning with the 2007-2008 school year, each governing body shall establish goals for each category of expenditures set forth in section 4 of this chapter that will increase the school corporation's allocation of taxpayer resources directly to student instruction and learning, in light of the unique circumstances present in the school corporation.

(b) The state board shall recognize and reward the school corporations that meet the goals described in subsection (a):".

Delete pages 251 through 252.

Page 253, delete lines 1 through 26.

Page 253, delete line 42.

Delete pages 254 through 256.

Page 257, delete lines 1 through 40.

Page 263, line 42, delete "and" and insert "or".

Page 272, delete lines 18 through 42.

Page 273, delete lines 1 through 24.

Page 275, delete lines 24 through 42.



Page 276, delete lines 1 through 19.

Page 278, delete lines 5 through 42.

Delete pages 279 through 280.

Page 281, delete lines 1 through 41.

Page 285, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 472. IC 36-1-7-4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 4. (a) If an agreement under section 3 of this chapter:

(1) involves as parties:

(A) only Indiana political subdivisions; or

(B) an Indiana political subdivision and:

(i) a public instrumentality; or

(ii) a public corporate body;

created by state law;

(2) is approved by the fiscal body of each party that is an Indiana political subdivision either before or after the agreement is entered into by the executive of the party; and

(3) delegates to the treasurer or disbursing officer of one (1) of the parties that is an Indiana political subdivision the duty to receive; disburse; and account for all monies of the joint undertaking;

then the approval of the attorney general is not required:

(b) If subsection (a) does not apply, an agreement under section 3 of this chapter must be submitted to the attorney general for the attorney general's approval. The attorney general shall approve the agreement unless the attorney general finds that it does not comply with the statutes, in which case the attorney general shall detail in writing for the parties the specific respects in which the agreement does not comply. If the attorney general fails to disapprove the agreement within sixty (60) days after it is submitted to the attorney general, it is considered approved."

Page 286, delete lines 1 through 16.

Page 290, delete lines 21 through 42.

Delete page 291.

Page 292, delete lines 1 through 27.

Page 305, line 41, delete "studying:" and insert "**studying the following:**".

Page 306, between lines 6 and 7, begin a new line block indented and insert:

"(3) The feasibility of establishing:

(A) a definition of "bullying" that would be uniformly applied in a consistent manner by schools for reporting requirements; and



(B) methods to streamline school discipline reporting requirements for schools."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 500 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 4.

