

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 220 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Page 2, delete lines 1 through 22, begin a new paragraph and insert:
- 3 "SECTION 1. IC 20-10.1-22.4-3.1 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2004]: **Sec. 3.1. A school corporation or other entity to**
- 6 **which the education records privacy provisions of the federal**
- 7 **Family Educational Rights and Privacy Act (20 U.S.C. 1232g) apply**
- 8 **that:**
- 9 **(1) discloses or reports on the education records of a child,**
- 10 **including personally identifiable information contained in the**
- 11 **education records, in violation of section 3 of this chapter;**
- 12 **and**
- 13 **(2) makes a good faith effort to comply with section 3 of this**
- 14 **chapter;**
- 15 **is immune from civil liability."**
- 16 Page 3, after line 28, begin a new paragraph and insert:
- 17 "SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
- 18 **SECTION, "department" refers to the department of education.**
- 19 **(b) As used in this SECTION, "P-16 plan" refers to the**
- 20 **strategic plans adopted by the Indiana education roundtable on**
- 21 **October 23, 2003, entitled "P-16 Plan for Improving Student**
- 22 **Achievement".**
- 23 **(c) The department shall administer a comprehensive study on**

- 1       **the costs of adequately funding:**  
2           (1) P.L.221-1999 in conjunction with P.L.146-1999; and  
3           (2) the P-16 plan.
- 4       **(d) In administering the study, the department shall:**  
5           (1) contract with a school finance policy firm that meets the  
6           qualifications set forth in subsection (e); and  
7           (2) notwithstanding P.L.224-2003, SECTION 9, use resources  
8           available to the education roundtable under P.L.224-2003,  
9           SECTION 9.
- 10       **(e) To be eligible to conduct the study, a school finance policy**  
11       **firm must meet the following qualifications:**  
12           (1) Be approved by the state budget committee.  
13           (2) Be nationally recognized.  
14           (3) Specialize in school funding and funding adequacy issues.  
15           (4) Employ generally accepted methodologies in reaching  
16           conclusions and recommendations.
- 17       **(f) Before December 1, 2004, the department shall report the**  
18       **results of the study, including the conclusions and**  
19       **recommendations of the school finance policy firm that conducts**  
20       **the study, to the general assembly in an electronic format under**  
21       **IC 5-14-6.**
- 22       **(g) Notwithstanding IC 20-10.2-5 and IC 20-10.2-6:**  
23           (1) a public school may not be placed in the lowest category  
24           or designation of school performance; and  
25           (2) sanctions otherwise available to be imposed against a  
26           public school that fails to make requisite improvements may  
27           not be carried out;  
28       **until the school has received for at least three (3) years adequate**  
29       **funding to carry out the school's improvement plan, as described**  
30       **in IC 20-10.2-3.**
- 31       **(h) This SECTION expires July 1, 2012.**  
32       **SECTION 6. An emergency is declared for this act."**  
33       Renumber all SECTIONS consecutively.  
      (Reference is to ESB 220 as printed February 20, 2004.)

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Representative Kersey