

Adopted	Rejected
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COMMITTEE REPORT

YES:	7
NO:	0

MR. SPEAKER:

*Your Committee on Education, to which was referred Senate Bill 433, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 13, after "members" insert "**selected by the**
- 2 **commission**".
- 3 Page 2, line 19, after "schools," insert "**including the Indiana**
- 4 **School for the Blind and Visually Impaired and the Indiana School**
- 5 **for the Deaf**".
- 6 Page 2, line 34, delete ",".
- 7 Page 2, between lines 38 and 39, begin a new paragraph and insert:
- 8 "SECTION 1. IC 4-10-15-2, AS AMENDED BY HEA 1288-2005,
- 9 SECTION 57, IS AMENDED TO READ AS FOLLOWS
- 10 [EFFECTIVE JULY 1, 2005]: Sec. 2. The warrants may be drawn for
- 11 the necessary and current expenses of the following:
- 12 (1) All psychiatric hospitals (as defined in IC 12-7-2-184).
- 13 (2) The Indiana School for the Deaf, established by IC 20-22-2-1.
- 14 (3) The Indiana School for the Blind **and Visually Impaired**,
- 15 established by IC 20-21-2-1.

1 (4) The Indiana Veterans' Home.

2 (5) The Plainfield Juvenile Correctional Facility.

3 SECTION 2. IC 4-15-2-3.8 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3.8. "State service"
5 means public service by:

6 (1) employees and officers, including the incumbent directors, of
7 the county offices of family and children; and
8 (2) employees and officers, except members of boards and
9 commissions or individuals hired for or appointed to, after June
10 30, 1982, positions as appointing authorities, deputies, assistants
11 reporting to appointing authorities, or supervisors of major units
12 within state agencies, irrespective of the title carried by those
13 positions, of the division of disability, aging, and rehabilitative
14 services, Fort Wayne State Developmental Center, Muscatatuck
15 State Developmental Center, division of mental health and
16 addiction, Larue D. Carter Memorial Hospital, Evansville State
17 Psychiatric Treatment Center for Children, ~~Central State Hospital,~~
18 Evansville State Hospital, Logansport State Hospital, Madison
19 State Hospital, Richmond State Hospital, state department of
20 health, Indiana School for the Blind **and Visually Impaired**,
21 Indiana School for the Deaf, Indiana Veterans' Home, Indiana
22 Soldiers' and Sailors' Children's Home, Silvercrest Children's
23 Development Center, department of correction, Westville
24 Correctional Facility, Plainfield Juvenile Correctional Facility,
25 Putnamville Correctional Facility, Indianapolis Juvenile
26 Correctional Facility, Indiana State Prison, Indiana Women's
27 Prison, Pendleton Correctional Facility, Reception and Diagnostic
28 Center, Rockville Correctional Facility, Youth Rehabilitation
29 Facility, Plainfield Correctional Facility, department of fire and
30 building services, state emergency management agency
31 (excluding a county emergency management organization and any
32 other local emergency management organization created under
33 IC 10-14-3), civil rights commission, criminal justice planning
34 agency, department of workforce development, Indiana historical
35 bureau, Indiana state library, division of family and children,
36 Indiana state board of animal health, Federal Surplus Property
37 Warehouse, Indiana education employment relations board,
38 department of labor, Indiana protection and advocacy services

1 commission, commission on public records, Indiana horse racing
2 commission, and state personnel department.

3 SECTION 3. IC 5-22-4-8, AS AMENDED BY HEA 1288-2005,
4 SECTION 83, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) As used in this section,
6 "board" refers to either of the following:

7 (1) With respect to the Indiana School for the Blind **and Visually**
8 **Impaired**, the board established by IC 20-21-3-1.

9 (2) With respect to the Indiana School for the Deaf, the board
10 established by IC 20-22-3-1.

11 (b) As used in this section, "school" refers to either of the following:

12 (1) The Indiana School for the Blind **and Visually Impaired**
13 established by IC 20-21-2-1.

14 (2) The Indiana School for the Deaf established by IC 20-22-2-1.

15 (c) As used in this section, "superintendent" refers to the
16 **superintendent chief executive officer** of the school.

17 (d) Except as provided in subsection (f), the school is the purchasing
18 agency for the school.

19 (e) Except as provided in subsection (f), the superintendent is the
20 purchasing agent for the school for purchases with a value of not more
21 than twenty-five thousand dollars (\$25,000).

22 (f) ~~Not later than October 1, 1999;~~ The Indiana department of
23 administration and the board shall develop and implement a written
24 policy for purchases by the school with a value of more than
25 twenty-five thousand dollars (\$25,000).

26 SECTION 4. IC 10-13-3-38.5, AS AMENDED BY HEA
27 1288-2005, SECTION 119, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2005]: Sec. 38.5. (a) Under federal P.L.92-544
29 (86 Stat. 1115), the department may use an individual's fingerprints
30 submitted by the individual for the following purposes:

31 (1) Determining the individual's suitability for employment with
32 the state, or as an employee of a contractor of the state, in a
33 position:

34 (A) that has a job description that includes contact with, care
35 of, or supervision over a person less than eighteen (18) years
36 of age;

37 (B) that has a job description that includes contact with, care
38 of, or supervision over an endangered adult (as defined in

- 1 IC 12-10-3-2), except the individual is not required to meet the
 2 standard for harmed or threatened with harm set forth in
 3 IC 12-10-3-2(a)(3);
 4 (C) at a state institution managed by the office of the secretary
 5 of family and social services or state department of health;
 6 (D) at the Indiana School for the Deaf established by
 7 IC 20-22-2-1;
 8 (E) at the Indiana School for the Blind **and Visually Impaired**
 9 established by IC 20-21-2-1;
 10 (F) at a juvenile detention facility;
 11 (G) with the gaming commission under IC 4-33-3-16;
 12 (H) with the department of financial institutions under
 13 IC 28-11-2-3; or
 14 (I) that has a job description that includes access to or
 15 supervision over state financial or personnel data, including
 16 state warrants, banking codes, or payroll information
 17 pertaining to state employees.
- 18 (2) Identification in a request related to an application for a
 19 teacher's license submitted to the professional standards board
 20 established by IC 20-28-2-1.
- 21 An applicant shall submit the fingerprints in an appropriate format or
 22 on forms provided for the employment or license application. The
 23 department shall charge each applicant the fee established under section
 24 28 of this chapter and by federal authorities to defray the costs
 25 associated with a search for and classification of the applicant's
 26 fingerprints. The department may forward fingerprints submitted by an
 27 applicant to the Federal Bureau of Investigation or any other agency for
 28 processing. The state personnel department or the agency to which the
 29 applicant is applying for employment or a license may receive the
 30 results of all fingerprint investigations.
- 31 (b) An applicant who is an employee of the state may not be charged
 32 under subsection (a).
- 33 (c) Subsection (a)(1) does not apply to an employee of a contractor
 34 of the state if the contract involves the construction or repair of a capital
 35 project or other public works project of the state.
- 36 SECTION 5. IC 12-12-9-2 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The office of the
 38 secretary shall, on the first business day of each month, send a copy of

1 a report filed under section 1 of this chapter to the following persons:

2 (1) For persons less than seventeen (17) years of age, to the
3 following:

4 (A) The Indiana School for the Blind **and Visually Impaired**.

5 (B) The division of disability, aging, and rehabilitative
6 services.

7 (C) The division of special education of the department of
8 education.

9 (2) For persons at least seventeen (17) years of age, to the
10 following:

11 (A) The division of disability, aging, and rehabilitative
12 services.

13 (B) On request, organizations serving the blind **or visually**
14 **impaired** and the state department of health.

15 SECTION 6. IC 12-12-9-4 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) On receiving a
17 report under this chapter, the division of disability, aging, and
18 rehabilitative services shall provide information to the visually impaired
19 individual designated in the report concerning available state and local
20 services.

21 (b) For a visually impaired individual less than seventeen (17) years
22 of age, the Indiana School for the Blind **and Visually Impaired**:

23 (1) has the primary duty of initially contacting the visually
24 impaired individual or the individual's family; and

25 (2) shall notify the division of disability, aging, and rehabilitative
26 services and the department of education of the school's findings.

27 SECTION 7. IC 12-12-9-5 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. This chapter does
29 not prohibit a physician or an optometrist from making a referral to a
30 local school corporation, an agency, the Indiana School for the Blind
31 **and Visually Impaired**, or an agency or organization working with the
32 blind or visually impaired.

33 SECTION 8. IC 20-1-6-2.1 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2.1. (a) There is
35 created under the Indiana state board of education a division of special
36 education, which shall exercise all the power and duties set out in this
37 chapter. The governor shall appoint, upon the recommendation of the
38 state superintendent of public instruction, a director of special education

1 who serves at the pleasure of the governor. The amount of
2 compensation of the director shall be fixed by the budget agency with
3 the approval of the governor. The duties of the director are as follows:

4 (1) To have general supervision of all programs, classes, and
5 schools, including those conducted by the public schools, the
6 Indiana School for the Blind **and Visually Impaired**, the Indiana
7 School for the Deaf, the department of correction, the state
8 department of health, the division of disability, aging, and
9 rehabilitative services, and the division of mental health and
10 addiction, for children with disabilities and to coordinate the work
11 of these schools. In addition, relative to programs for preschool
12 children with disabilities as required under section 14.1 of this
13 chapter, the director has general supervision over programs,
14 classes, and schools, including those conducted by the schools or
15 other state or local service providers as contracted for under
16 section 14.1 of this chapter. However, general supervision does
17 not include the determination of admission standards for the state
18 departments, boards, or agencies authorized to provide programs
19 or classes under this chapter.

20 (2) To adopt, with the approval of the Indiana state board of
21 education, rules governing the curriculum and instruction,
22 including licensing of personnel in the field of education, as
23 provided by law.

24 (3) To inspect and rate all schools, programs, or classes for
25 children with disabilities to maintain proper standards of
26 personnel, equipment, and supplies.

27 (4) With the consent of the state superintendent of public
28 instruction and the budget agency, to appoint and fix salaries for
29 any assistants and other personnel needed to enable the director to
30 accomplish the duties of the director's office.

31 (5) To adopt, with the approval of the Indiana state board of
32 education, the following:

33 (A) Rules governing the identification and evaluation of
34 children with disabilities and their placement under an
35 individualized education program in a special education
36 program.

37 (B) Rules protecting the rights of a child with a disability and
38 the parents of the child with a disability in the identification,

- 1 evaluation, and placement process.
- 2 (6) To make recommendations to the Indiana state board of
3 education concerning standards and case load ranges for related
4 services to assist each teacher in meeting the individual needs of
5 each child according to that child's individualized education
6 program. The recommendations may include the following:
- 7 (A) The number of teacher aides recommended for each
8 exceptionality included within the class size ranges.
- 9 (B) The role of the teacher aide.
- 10 (C) Minimum training recommendations for teacher aides and
11 recommended procedures for the supervision of teacher aides.
- 12 (7) To cooperate with the interagency coordinating council
13 established under IC 12-17-15 to ensure that the preschool special
14 education programs required under section 14.1 of this chapter are
15 consistent with the early intervention services program described
16 in IC 12-17-15.
- 17 (b) The director or the Indiana state board of education may exercise
18 authority over vocational programs for children with disabilities
19 through a letter of agreement with the department of workforce
20 development.
- 21 SECTION 9. IC 20-1-6-15.1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 15.1. (a) For the
23 purposes of this section, "comprehensive plan" means a plan for
24 educating all children with disabilities that a school corporation is
25 required to educate under sections 14 through 14.1 of this chapter, and
26 those additional children with disabilities that it elects to educate.
- 27 (b) For purposes of this section, "school corporation" includes the
28 following:
- 29 (1) The Indiana School for the Blind **and Visually Impaired**
30 board.
- 31 (2) The Indiana School for the Deaf board.
- 32 (c) The Indiana state board of education shall adopt rules under
33 IC 4-22-2 detailing the contents of the comprehensive plan. Each
34 school corporation shall complete and submit to the state superintendent
35 of public instruction a comprehensive plan. School corporations
36 operating cooperative or joint special education services may submit a
37 single comprehensive plan. In addition, if a school corporation enters
38 into a contractual agreement as permitted under section 14.1 of this

1 chapter, the school corporation shall collaborate with the service
2 provider in formulating the comprehensive plan.

3 (d) Notwithstanding the age limits set out in section 1 of this
4 chapter, the Indiana state board of education may conduct a program for
5 the early identification of children with disabilities, between the ages
6 of birth and twenty-one (21), not served by the public schools or
7 through a contractual agreement under section 14.1 of this chapter, and
8 may utilize agencies that serve children with disabilities other than the
9 public schools.

10 (e) The Indiana state board of education shall adopt rules under
11 IC 4-22-2 requiring the department of correction, the state department
12 of health, the division of disability, aging, and rehabilitative services,
13 the Indiana School for the Blind **and Visually Impaired** board, the
14 Indiana School for the Deaf board, and the division of mental health
15 and addiction to submit to the superintendent of public instruction a
16 plan for the provision of special education for children in programs
17 administered by each respective agency who are entitled to a special
18 education.

19 (f) The superintendent of public instruction shall furnish professional
20 consultant services to the school corporations, the department of
21 correction, the state department of health, the division of disability,
22 aging, and rehabilitative services, the Indiana School for the Blind **and**
23 **Visually Impaired** board, the Indiana School for the Deaf board, and
24 the division of mental health and addiction to aid them in fulfilling the
25 requirements of this section.

26 SECTION 10. IC 20-1-6-16 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. (a) The
28 superintendent shall appoint a state advisory council on the education
29 of children with disabilities whose duties shall consist of providing
30 policy guidance concerning special education and related services for
31 children with disabilities. The superintendent shall appoint at least
32 seventeen (17) members who shall serve for a period of four (4) years.
33 Vacancies shall be filled in like manner for the unexpired balance of the
34 term.

35 (b) The members must be citizens of Indiana who are representative
36 of the state's population and selected on the basis of their involvement
37 in or concern with the education of children with disabilities. A
38 majority of the members must be individuals with disabilities or the

- 1 parents of children with disabilities. Members must include the
 2 following:
- 3 (1) Parents of children with disabilities.
 - 4 (2) Individuals with disabilities.
 - 5 (3) Teachers.
 - 6 (4) Representatives of higher education institutions that prepare
 7 special education and related services personnel.
 - 8 (5) State and local education officials.
 - 9 (6) Administrators of programs for children with disabilities.
 - 10 (7) Representatives of state agencies involved in the financing or
 11 delivery of related services to children with disabilities, including
 12 the following:
 - 13 (A) The commissioner of the state department of health or the
 14 commissioner's designee.
 - 15 (B) The director of the division of disability, aging, and
 16 rehabilitative services or the director's designee.
 - 17 (C) The director of the division of mental health and addiction
 18 or the director's designee.
 - 19 (D) The director of the division of family and children or the
 20 director's designee.
 - 21 (8) Representatives of nonpublic schools and freeway schools.
 - 22 (9) One (1) or more representatives of vocational, community, or
 23 business organizations concerned with the provision of
 24 transitional services to children with disabilities.
 - 25 (10) Representatives of the department of correction.
 - 26 (11) A representative of each of the following:
 - 27 (A) The Indiana School for the Blind **and Visually Impaired**
 28 board.
 - 29 (B) The Indiana School for the Deaf board.
 - 30 (c) The responsibilities of the state advisory council are as follows:
 - 31 (1) To advise the superintendent and the board regarding all rules
 32 pertaining to children with disabilities.
 - 33 (2) To recommend approval or rejection of completed
 34 comprehensive plans submitted by school corporations acting
 35 individually or on a joint school services program basis with other
 36 corporations.
 - 37 (3) To advise the department of unmet needs within the state in
 38 the education of children with disabilities.

- 1 (4) To provide public comment on rules proposed by the board
- 2 regarding the education of children with disabilities.
- 3 (5) To advise the department in developing evaluations and
- 4 reporting data to the United States Secretary of Education under
- 5 20 U.S.C. 1418.
- 6 (6) To advise the department in developing corrective action plans
- 7 to address findings identified in federal monitoring reports under
- 8 20 U.S.C. 1400 et seq.
- 9 (7) To advise the department in developing and implementing
- 10 policies related to the coordination of services for children with
- 11 disabilities.

12 (d) The council shall organize with a chairperson selected by the
 13 superintendent and meet as often as necessary to conduct the council's
 14 business at the call of the chairperson upon ten (10) days written notice
 15 but not less than four (4) times a year. Members of the council shall be
 16 entitled to reasonable amounts for expenses necessarily incurred in the
 17 performance of their duties.

18 (e) The superintendent shall designate the director to act as
 19 executive secretary of the council and shall furnish all professional and
 20 clerical assistance necessary for the performance of its powers and
 21 duties.

22 (f) The affirmative votes of a majority of the members appointed to
 23 the council are required for the council to take action.

24 SECTION 11. IC 20-1-6-18.2 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18.2. (a) The Indiana
 26 state board of education shall adopt rules under IC 4-22-2 which
 27 establish limitations on the amount of transportation which may be
 28 provided in the student's individualized education program. Unless
 29 otherwise specially shown to be essential by the child's individualized
 30 education program, in case of residency in a public or private facility,
 31 these rules shall limit the transportation required by the student's
 32 individualized education program to ~~his~~ **the student's** first entrance and
 33 final departure each school year plus round trip transportation each
 34 school holiday period and two (2) additional round trips each school
 35 year.

36 (b) Whenever a student is a transfer student receiving special
 37 education in a public school, the state or school corporation responsible
 38 for the payment of transfer tuition under IC 20-8.1-6.1-1 shall bear the

1 cost of transportation required by the student's individualized education
 2 program. However, if a transfer student was counted as an eligible
 3 student for purposes of a distribution in a calendar year under
 4 IC 21-3-3.1, the transportation costs that the transferee school may
 5 charge for a school year ending in the calendar year shall be reduced by
 6 the sum of the following:

7 (1) The quotient of the amount of money that the transferee school
 8 is eligible to receive under IC 21-3-3.1-2.1 for the calendar year
 9 in which the school year ends divided by the number of eligible
 10 students for the transferee school for the calendar year (as
 11 determined under IC 21-3-3.1-2.1).

12 (2) The amount of money that the transferee school is eligible to
 13 receive under IC 21-3-3.1-4 for the calendar year in which the
 14 school year ends for the transportation of the transfer student
 15 during the school year.

16 (c) Whenever a student receives a special education:

17 (1) in a facility operated by:

18 (A) the state department of health;

19 (B) the division of disability, aging, and rehabilitative services;

20 or

21 (C) the division of mental health and addiction;

22 (2) at the Indiana School for the Blind **and Visually Impaired**; or

23 (3) at the Indiana School for the Deaf;

24 the school corporation in which the student has legal settlement shall
 25 bear the cost of transportation required by the student's individualized
 26 education program. However, if the student's legal settlement cannot be
 27 ascertained, the Indiana state board of education shall bear the cost of
 28 transportation required by the student's individualized education
 29 program.

30 (d) Whenever a student is placed in a private facility under section
 31 19 of this chapter in order to receive a special education because the
 32 student's school corporation cannot provide an appropriate special
 33 education program, the school corporation in which the student has
 34 legal settlement shall bear the cost of transportation required by the
 35 student's individualized education program. However, if the student's
 36 legal settlement cannot be ascertained, the Indiana state board of
 37 education shall bear the cost of transportation required by the student's
 38 individualized education program.

1 SECTION 12. IC 20-8.1-4-22 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. The employment
 3 of children in the Indiana School for the Deaf and the Indiana School
 4 for the Blind **and Visually Impaired** is subject to the general
 5 restrictions imposed on child labor under this chapter.

6 SECTION 13. IC 20-9.1-4-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The state school
 8 bus committee is hereby created. The committee shall be composed of
 9 the following voting members:

10 (1) The state superintendent of public instruction, or the
 11 superintendent's authorized representative, who shall serve as
 12 chairman of the committee.

13 (2) The commissioner of the bureau of motor vehicles, or the
 14 commissioner's authorized representative.

15 (3) The administrator of the motor carrier services division of the
 16 department of state revenue.

17 (4) The director of the governor's council on impaired and
 18 dangerous driving.

19 (5) A school bus driver, appointed by the state superintendent of
 20 public instruction upon the recommendation of the Indiana State
 21 Association of School Bus Drivers, Inc.

22 (6) A superintendent of a school corporation, appointed by the
 23 state superintendent of public instruction upon the
 24 recommendation of the Indiana Association of Public School
 25 Superintendents.

26 (7) A member of the governing body of a school corporation,
 27 appointed by the state superintendent of public instruction upon
 28 the recommendation of the Indiana School Boards Association.

29 (8) A representative of the Indiana School for the Blind **and**
 30 **Visually Impaired** or the Indiana School for the Deaf, appointed
 31 by the state superintendent of public instruction.

32 (9) A member of the School Transportation Association of
 33 Indiana, appointed by the state superintendent of public
 34 instruction upon the recommendation of the School Transportation
 35 Association of Indiana.

36 (b) The state superintendent of public instruction shall designate a
 37 secretary from the department of education who shall keep the official
 38 record of the meetings and of official transactions of the committee.

1 SECTION 14. IC 20-10.1-25.3-2.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2.5. As used in this
3 chapter, "school corporation" includes, except as otherwise provided in
4 this chapter, the Indiana School for the Deaf established by IC 20-16
5 and the Indiana School for the Blind **and Visually Impaired**
6 established by IC 20-15.

7 SECTION 15. IC 20-10.1-25.3-11 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) The department
9 shall list all school corporations in Indiana according to assessed
10 valuation for property tax purposes per student in ADM, beginning with
11 the school corporation having the lowest assessed valuation for
12 property tax purposes per student in ADM. For purposes of the list
13 made under this section, the Indiana School for the Deaf and the
14 Indiana School for the Blind **and Visually Impaired** shall be
15 considered to have the lowest assessed valuation for property tax
16 purposes per student in ADM during the six (6) year period beginning
17 on July 1, 2001.

18 (b) The department must prepare a revised list under subsection (a)
19 before a new series of grants may begin.

20 (c) The department shall determine those school corporations to be
21 placed in a group to receive a grant in a fiscal year under this chapter
22 as follows:

23 (1) Beginning with the school corporation that is first on the list
24 developed under subsection (a), the department shall continue
25 sequentially through the list and place school corporations that
26 qualify for a grant under section 6 of this chapter in a group until
27 the cumulative total ADM of all school corporations in the group
28 depletes the money that is available for grants in the fiscal year.

29 (2) Each fiscal year the department shall develop a new group by
30 continuing sequentially through the list beginning with the first
31 qualifying school corporation on the list that was not placed in a
32 group in the prior fiscal year.

33 (3) If the final group developed from the list contains substantially
34 fewer students in ADM than available money, the department
35 shall:

36 (A) prepare a revised list of school corporations under
37 subsection (a); and

38 (B) place in the group qualifying school corporations from the

1 top of the revised list.

2 (4) The department shall label the groups with sequential numbers
3 beginning with "group one".

4 SECTION 16. IC 20-10.1-25.3-14 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. (a) This section
6 applies in a year when a school corporation receives a grant under this
7 chapter. The school corporation's capital projects fund budget must
8 include an expenditure for technology that is not less than the school
9 corporation's average annual expenditure for technology from the
10 capital projects fund in the six (6) budget years preceding the year of
11 the grant. If the Indiana School for the Deaf or the Indiana School for
12 the Blind **and Visually Impaired** receives a grant under this chapter,
13 the school's expenditures for technology in the year of the grant must
14 exceed the school's average annual expenditure for technology in the
15 six (6) budget years preceding the year of the grant.

16 (b) For each year that a school corporation fails to observe
17 subsection (a), the school corporation forfeits a grant under this chapter.
18 The forfeit of the grant shall occur in the first grant year after the school
19 corporation fails to observe subsection (a).

20 SECTION 17. IC 20-10.1-25.3-16 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. A school
22 corporation that receives a grant under this chapter must deposit the
23 grant in the school technology fund established under IC 21-2-18. If the
24 Indiana School for the Deaf or the Indiana School for the Blind **and**
25 **Visually Impaired** receives a grant under this chapter, the school must
26 deposit the grant in an account or fund that the school uses exclusively
27 for the funding of technology.

28 SECTION 18. IC 20-15-1-4.5 IS ADDED TO THE INDIANA
29 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. "Executive" refers to the**
31 **chief executive officer of the school appointed under IC 20-15-2-4.**

32 SECTION 19. IC 20-15-1-5 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. "School" refers to
34 the Indiana School for the Blind **and Visually Impaired** established by
35 IC 20-15-2-1.

36 SECTION 20. IC 20-15-2-1 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The Indiana School
38 for the Blind **and Visually Impaired** is established as a state

1 educational resource center that includes the following:

- 2 (1) A residential and day school.
 3 (2) Outreach services.
 4 (3) Consultative services to local educational agencies to assist
 5 them in meeting the needs of locally enrolled students with visual
 6 disabilities.

7 SECTION 21. IC 20-15-2-4 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board shall
 9 appoint the ~~superintendent~~, **chief executive officer**, subject to the
 10 approval of the governor. The ~~superintendent~~ **executive** serves at the
 11 pleasure of the board and may be removed for cause.

12 (b) The ~~superintendent~~ **executive** appointee must have the following
 13 qualifications:

- 14 (1) Be an educator with knowledge, skill, and ability in the
 15 appointee's profession.
 16 (2) Have a minimum of five (5) years of experience in instruction
 17 of students with visual **impairment** disabilities.
 18 (3) Have a master's degree or a higher degree.
 19 (4) Meet the qualifications for an Indiana teacher's certificate in
 20 the area of visual **impairment** disabilities.
 21 ~~(5) Have a superintendent's license or obtain a superintendent's~~
 22 ~~license within two (2) years of appointment by the board.~~
 23 **(5) Have at least five (5) years experience supervising other**
 24 **people.**

25 SECTION 22. IC 20-15-2-5 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The
 27 ~~superintendent~~, **executive**, subject to the approval of the board and
 28 IC 20-15-4, has complete responsibility for management of the school.

29 (b) The ~~superintendent~~ **executive** has responsibility for the
 30 following:

- 31 (1) Direction of the education, care, safety, and well-being of all
 32 students in attendance.
 33 (2) Evaluation and improvement of the school staff, educational
 34 programs, and support services.
 35 (3) Implementation and administration of the policies, mission,
 36 and goals of the school as established by the board.
 37 (4) Serving as the purchasing agent for the school as provided in
 38 IC 5-22-4-8.

- 1 (5) Implementation of budgetary matters as recommended by the
- 2 board and the department of education under IC 20-15-3-10(7).
- 3 (6) Management of the school's outreach program with local
- 4 public schools.
- 5 (7) Advocating on behalf of the school under guidelines
- 6 established by the board.
- 7 (8) Executing contracts on behalf of the school.

8 (c) The ~~superintendent~~ **executive** is the appointing authority for all
 9 employees necessary to properly conduct and operate the school.

10 SECTION 23. IC 20-15-2-6 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. Subject to:

- 12 (1) the determination by case conference committees based on
- 13 individualized education programs as defined under IC 20-1-6-1;
- 14 and
- 15 (2) the school's admissions criteria adopted by the board under
- 16 IC 20-15-3-10(4);

17 the ~~superintendent~~ **executive** shall receive as students in the school
 18 Indiana residents who are visually disabled school age individuals.

19 SECTION 24. IC 20-15-2-7 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) A placement
 21 review committee for the school is established. The committee consists
 22 of one (1) representative of each of the following:

- 23 (1) The board.
- 24 (2) The office of the secretary of family and social services.
- 25 (3) The superintendent of public instruction.

26 (b) The placement review committee shall meet upon petition of an
 27 interested party to review the following:

- 28 (1) Applications to the school denied through the process
- 29 described in section 6 of this chapter.
- 30 (2) All instances of dismissal from the school for reasons other
- 31 than graduation, voluntary transition to another educational
- 32 facility, or voluntary departure from the school.

33 (c) The ~~superintendent~~ **executive** shall serve as an adviser to the
 34 placement review committee. The ~~superintendent~~ **executive** shall
 35 provide the placement review committee with information and
 36 justification for all application denials and dismissals under review.

37 (d) The placement review committee may recommend that
 38 application denials or dismissals be reconsidered.

1 SECTION 25. IC 20-15-2-13 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. The ~~superintendent~~
 3 **executive** may, subject to the approval of the governor and the policies
 4 of the board, receive, for the use of the school, gifts, legacies, devises,
 5 and conveyances of real or personal property that are made, given, or
 6 granted to or for the school.

7 SECTION 26. IC 20-15-3-1 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The Indiana School
 9 for the Blind **and Visually Impaired** board is established.

10 SECTION 27. IC 20-15-3-10 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) The board shall
 12 do the following:

- 13 (1) Establish policies and accountability measures for the school.
- 14 (2) Implement this article.
- 15 (3) Perform the duties required by IC 5-22-4-8.
- 16 (4) Adopt rules under IC 4-22-2 to establish criteria for the
 17 admission of children with visual disabilities, including children
 18 with multiple disabilities, at the school.
- 19 (5) Hire the ~~superintendent~~, **executive**, who serves at the pleasure
 20 of the board.
- 21 (6) Determine the salary and benefits of the ~~superintendent~~.
 22 **executive.**
- 23 (7) Adopt rules under IC 4-22-2 required by this article.

24 (b) The board shall submit the school's biennial budget to the
 25 department of education, which shall review the proposed budget. As
 26 part of its review, the department may request and shall receive from
 27 the board, in a form as may reasonably be required by the department,
 28 all information used by the board to develop the proposed budget. If,
 29 upon review, the department determines that any part of the budget
 30 request is not supported by the information provided, the department
 31 shall meet with the board at the earliest date possible in order to
 32 reconcile the budget request. The department shall submit the
 33 reconciled budget to the budget agency and the budget committee.

34 SECTION 28. IC 20-15-4-2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. ~~(a) This section~~
 36 ~~applies after March 31, 2000.~~

37 ~~(b)~~ The ~~superintendent~~ **executive** shall hire directly for those
 38 positions as approved by the state personnel department and the board

1 any candidate the ~~superintendent~~ **executive** considers qualified to fill
 2 a position at the school. The state personnel department, in
 3 collaboration with the board, shall annually develop a list of job
 4 classifications for positions at the school for which the ~~superintendent~~
 5 **executive** may fill a vacancy by hiring a candidate for the position
 6 based on a search for qualified candidates outside the state personnel
 7 hiring list.

8 SECTION 29. IC 20-16-1-4.5 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. "Executive" refers to the**
 11 **chief executive officer of the school appointed under IC 20-16-2-4.**

12 SECTION 30. IC 20-16-2-4 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board shall
 14 appoint the ~~superintendent~~ **chief executive officer** subject to the
 15 approval of the governor. The ~~superintendent~~ **executive** serves at the
 16 pleasure of the board and may be removed for cause.

17 (b) The ~~superintendent~~ **executive** appointee must have the following
 18 qualifications:

19 (1) Be an educator with knowledge, skill, and ability in the
 20 appointee's profession.

21 (2) Have a minimum of five (5) years of experience in instruction
 22 of students with hearing **impairment** disabilities.

23 (3) Have a master's degree or a higher degree.

24 (4) Meet the qualifications for an Indiana teacher's certificate in
 25 the area of hearing **impairment** disabilities.

26 ~~(5) Have a superintendent's license or obtain a superintendent's~~
 27 ~~license within two (2) years of appointment by the board.~~

28 **(5) Have at least five (5) years experience supervising other**
 29 **people.**

30 SECTION 31. IC 20-16-2-5 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The
 32 ~~superintendent~~, **executive**, subject to the approval of the board and
 33 IC 20-16-4, has complete responsibility for management of the school.

34 (b) The ~~superintendent~~ **executive** has responsibility for the
 35 following:

36 (1) Direction of the education, care, safety, and well-being of all
 37 students in attendance.

38 (2) Evaluation and improvement of the school staff, educational

- 1 programs, and support services.
- 2 (3) Implementation and administration of the policies, mission,
3 and goals of the school as established by the board.
- 4 (4) Serving as the purchasing agent for the school as provided in
5 IC 5-22-4-8.
- 6 (5) Implementation of budgetary matters as recommended by the
7 board and the department of education under IC 20-16-3-10(7).
- 8 (6) Management of the school's outreach program with local
9 public schools.
- 10 (7) Advocating on behalf of the school under guidelines
11 established by the board.
- 12 (8) Executing contracts on behalf of the school.

13 (c) The ~~superintendent~~ **executive** is the appointing authority for all
14 employees necessary to properly conduct and operate the school.

15 SECTION 32. IC 20-16-2-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. Subject to:

- 17 (1) the determination by case conference committee based on
18 individualized education programs, as defined under IC 20-1-6-1;
19 and
20 (2) the school's admission criteria adopted by the board under
21 IC 20-16-3-10(4);

22 the ~~superintendent~~ **executive** shall receive as students in the school
23 Indiana residents who are hearing disabled school age individuals.

24 SECTION 33. IC 20-16-2-7 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) A placement
26 review committee for the school is established. The committee consists
27 of one (1) representative of each of the following:

- 28 (1) The board.
29 (2) The office of the secretary of family and social services.
30 (3) The superintendent of public instruction.
- 31 (b) The placement review committee shall meet upon petition of an
32 interested party to review the following:
- 33 (1) Applications to the school denied through the process
34 described in section 6 of this chapter.
35 (2) All instances of dismissal from the school for reasons other
36 than graduation, voluntary transition to another educational
37 facility, or voluntary departure from the school.
- 38 (c) The ~~superintendent~~ **executive** shall serve as an adviser to the

1 placement review committee. The ~~superintendent~~ **executive** shall
 2 provide the placement review committee with information and
 3 justification for all application denials and dismissals under review.

4 (d) The placement review committee may recommend that
 5 application denials or dismissals be reconsidered.

6 SECTION 34. IC 20-16-2-13 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. The ~~superintendent~~
 8 **executive** may, subject to the approval of the governor and the policies
 9 of the board, receive, for the use of the school, gifts, legacies, devises,
 10 and conveyances of real and personal property that are made, given, or
 11 granted to or for the school.

12 SECTION 35. IC 20-16-3-10 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) The board shall
 14 do the following:

15 (1) Establish policies and accountability measures for the school.

16 (2) Implement this article.

17 (3) Perform the duties required by IC 5-22-4-8.

18 (4) Adopt rules under IC 4-22-2 to establish criteria for the
 19 admission of children with hearing disabilities, including children
 20 with multiple disabilities, at the school.

21 (5) Hire the ~~superintendent~~, **executive**, who serves at the pleasure
 22 of the board.

23 (6) Determine the salary and benefits of the ~~superintendent~~.
 24 **executive.**

25 (7) Adopt rules under IC 4-22-2 required by this article.

26 (b) The board shall submit the school's biennial budget to the
 27 department of education, which shall review the proposed budget. As
 28 part of its review, the department may request and shall receive from
 29 the board, in a form as may reasonably be required by the department,
 30 all information used by the board to develop the proposed budget. If,
 31 upon review, the department determines that any part of the budget
 32 request is not supported by the information provided, the department
 33 shall meet with the board at the earliest date possible in order to
 34 reconcile the budget request. The department shall submit the
 35 reconciled budget to the budget agency and the budget committee.

36 SECTION 36. IC 20-16-4-2 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (~~a~~) ~~This section~~
 38 ~~applies after March 31, 2000.~~

1 (b) The ~~superintendent~~ **executive** shall hire directly for those
 2 positions as approved by the state personnel department and the board
 3 any candidate the ~~superintendent~~ **executive** considers qualified to fill
 4 a position at the school. The state personnel department, in
 5 collaboration with the board, shall annually develop a list of job
 6 classifications for positions at the school for which the ~~superintendent~~
 7 **executive** may fill a vacancy by hiring a candidate for the position
 8 based on a search for qualified candidates outside the state personnel
 9 hiring list.

10 SECTION 37. IC 20-20-13-3, AS ADDED BY HEA 1288-2005,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2005]: Sec. 3. As used in sections 13 through 24 of this
 13 chapter, "school corporation" includes, except as otherwise provided in
 14 this chapter, **the Indiana School for the Blind and Visually Impaired**
 15 **established by IC 20-21-2-1 and** the Indiana School for the Deaf
 16 established by IC 20-22-2-1. ~~and the Indiana School for the Blind~~
 17 ~~established by IC 20-21-2-1.~~

18 SECTION 38. IC 20-20-13-19, AS ADDED BY HEA 1288-2005,
 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2005]: Sec. 19. (a) The department shall list all school
 21 corporations in Indiana according to assessed valuation for property tax
 22 purposes per student in ADM, beginning with the school corporation
 23 having the lowest assessed valuation for property tax purposes per
 24 student in ADM. For purposes of the list made under this section, **the**
 25 **Indiana School for the Blind and Visually Impaired established by**
 26 **IC 20-21-2-1 and** the Indiana School for the Deaf established by
 27 IC 20-22-2-1 ~~and the Indiana School for the Blind established by~~
 28 ~~IC 20-21-2-1~~ shall be considered to have the lowest assessed valuation
 29 for property tax purposes per student in ADM during the six (6) year
 30 period beginning July 1, 2001.

31 (b) The department must prepare a revised list under subsection (a)
 32 before a new series of grants may begin.

33 (c) The department shall determine those school corporations to be
 34 placed in a group to receive a grant in a fiscal year under sections 13
 35 through 24 of this chapter as follows:

36 (1) Beginning with the school corporation that is first on the list
 37 developed under subsection (a), the department shall continue
 38 sequentially through the list and place school corporations that

1 qualify for a grant under section 15 of this chapter in a group until
 2 the cumulative total ADM of all school corporations in the group
 3 depletes the money that is available for grants in the fiscal year.

4 (2) Each fiscal year the department shall develop a new group by
 5 continuing sequentially through the list beginning with the first
 6 qualifying school corporation on the list that was not placed in a
 7 group in the prior fiscal year.

8 (3) If the final group developed from the list contains substantially
 9 fewer students in ADM than available money, the department
 10 shall:

11 (A) prepare a revised list of school corporations under
 12 subsection (a); and

13 (B) place in the group qualifying school corporations from the
 14 top of the revised list.

15 (4) The department shall label the groups with sequential numbers
 16 beginning with "group one".

17 SECTION 39. IC 20-20-13-22, AS ADDED BY HEA 1288-2005,
 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2005]: Sec. 22. (a) This section applies in a year when a
 20 school corporation receives a grant under sections 13 through 24 of this
 21 chapter. The school corporation's capital projects fund budget must
 22 include an expenditure for technology that is not less than the school
 23 corporation's average annual expenditure for technology from the
 24 capital projects fund in the six (6) budget years preceding the year of
 25 the grant. If **the Indiana School for the Blind and Visually Impaired**
 26 **established by IC 20-21-2-1** or the Indiana School for the Deaf
 27 established by IC 20-22-2-1 ~~or the Indiana School for the Blind~~
 28 ~~established by IC 20-21-2-1~~ receives a grant under sections 13 through
 29 24 of this chapter, the school's expenditures for technology in the year
 30 of the grant must exceed the school's average annual expenditure for
 31 technology in the six (6) budget years preceding the year of the grant.

32 (b) For each year that a school corporation fails to observe
 33 subsection (a), the school corporation forfeits a grant under sections 13
 34 through 24 of this chapter. The forfeit of the grant must occur in the
 35 first grant year after the school corporation fails to observe subsection
 36 (a).

37 SECTION 40. IC 20-20-13-24, AS ADDED BY HEA 1288-2005,
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2005]: Sec. 24. A school corporation that receives a grant
 2 under sections 13 through 24 of this chapter shall deposit the grant in
 3 the school technology fund established under IC 21-2-18. If **the**
 4 **Indiana School for the Blind and Visually Impaired established by**
 5 **IC 20-21-2-1** or the Indiana School for the Deaf established by
 6 IC 20-22-2-1 ~~or the Indiana School for the Blind established by~~
 7 ~~IC 20-21-2-1~~ receives a grant under sections 13 through 24 of this
 8 chapter, the school shall deposit the grant in an account or fund that the
 9 school uses exclusively for the funding of technology.

10 SECTION 41. IC 20-21-1-2, AS ADDED BY HEA 1288-2005,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2005]: Sec. 2. "Board" refers to the Indiana School for the
 13 **Blind and Visually Impaired** board established by IC 20-21-3-1.

14 SECTION 42. IC 20-21-1-4.5 IS ADDED TO THE INDIANA
 15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. "Executive" refers to the**
 17 **chief executive officer of the school appointed under IC 20-21-2-4.**

18 SECTION 43. IC 20-21-1-5, AS ADDED BY HEA 1288-2005,
 19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2005]: Sec. 5. "School" refers to the Indiana School for the
 21 **Blind and Visually Impaired** established by IC 20-21-2-1.

22 SECTION 44. IC 20-21-2-1, AS ADDED BY HEA 1288-2005,
 23 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2005]: Sec. 1. The Indiana School for the **Blind and Visually**
 25 **Impaired** is established as a state educational resource center that
 26 includes the following:

- 27 (1) A residential and day school.
- 28 (2) Outreach services.
- 29 (3) Consultative services to local educational agencies to assist the
 30 agencies in meeting the needs of locally enrolled students with
 31 visual disabilities.

32 SECTION 45. IC 20-21-2-4, AS ADDED BY HEA 1288-2005,
 33 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2005]: Sec. 4. (a) The board shall appoint the ~~superintendent;~~
 35 **chief executive officer**, subject to the approval of the governor. The
 36 ~~superintendent executive~~ serves at the pleasure of the board and may
 37 be removed for cause.

- 38 (b) The ~~superintendent executive~~ appointee must have the following

1 qualifications:

- 2 (1) Be an educator with knowledge, skill, and ability in the
3 appointee's profession.
- 4 (2) Have at least five (5) years experience in instruction of
5 ~~visually disabled~~ students **with visual impairment disabilities**.
- 6 (3) Have a master's degree or a higher degree.
- 7 (4) Meet the qualifications for an Indiana teacher's certificate in
8 the area of visual **impairment** disabilities.
- 9 ~~(5) Have a superintendent's license or obtain a superintendent's~~
10 ~~license not more than two (2) years after appointment by the~~
11 ~~board.~~
- 12 **(5) Have at least five (5) years experience supervising other**
13 **individuals.**

14 SECTION 46. IC 20-21-2-5, AS ADDED BY HEA 1288-2005,
15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2005]: Sec. 5. (a) The ~~superintendent~~, **executive**, subject to the
17 approval of the board and IC 20-21-4, has complete responsibility for
18 management of the school.

19 (b) The ~~superintendent~~ **executive** has responsibility for the
20 following:

- 21 (1) Direction of the education, care, safety, and well-being of all
22 students in attendance.
- 23 (2) Evaluation and improvement of the school staff, educational
24 programs, and support services.
- 25 (3) Implementation and administration of the policies, mission,
26 and goals of the school as established by the board.
- 27 (4) Serving as the purchasing agent for the school under
28 IC 5-22-4-8.
- 29 (5) Implementation of budgetary matters as recommended by the
30 board and the department of education under IC 20-21-3-10(b).
- 31 (6) Management of the school's outreach program with local
32 public schools.
- 33 (7) Advocating on behalf of the school under guidelines
34 established by the board.
- 35 (8) Executing contracts on behalf of the school.

36 (c) The ~~superintendent~~ **executive** is the appointing authority for all
37 employees necessary to properly conduct and operate the school.

38 SECTION 47. IC 20-21-2-6, AS ADDED BY HEA 1288-2005,

1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2005]: Sec. 6. Subject to:

- 3 (1) the determination by case conference committees based on
4 individualized education programs; and
5 (2) the school's admissions criteria adopted by the board under
6 IC 20-21-3-10(a)(4);

7 the ~~superintendent~~ **executive** shall receive as students in the school
8 Indiana residents who are visually disabled school age individuals.

9 SECTION 48. IC 20-21-2-7, AS ADDED BY HEA 1288-2005,
10 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2005]: Sec. 7. (a) A placement review committee for the
12 school is established. The placement review committee consists of one
13 (1) representative of each of the following:

- 14 (1) The board.
15 (2) The office of the secretary of family and social services.
16 (3) The state superintendent.

17 (b) The placement review committee shall meet upon petition of an
18 interested party to review the following:

- 19 (1) Applications to the school denied through the process
20 described in section 6 of this chapter.
21 (2) All instances of dismissal from the school for reasons other
22 than graduation, voluntary transition to another educational
23 facility, or voluntary departure from the school.

24 (c) The ~~superintendent~~ **executive** shall serve as an adviser to the
25 placement review committee. The ~~superintendent~~ **executive** shall
26 provide the placement review committee with information and
27 justification for all application denials and dismissals under review.

28 (d) The placement review committee may recommend that
29 application denials or dismissals be reconsidered.

30 SECTION 49. IC 20-21-2-13, AS ADDED BY HEA 1288-2005,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2005]: Sec. 13. The ~~superintendent~~ **executive** may, subject to
33 the approval of the governor and the policies of the board, receive, for
34 the use of the school, gifts, legacies, devises, and conveyances of real
35 or personal property that are made, given, or granted to or for the
36 school.

37 SECTION 50. IC 20-21-3-1, AS ADDED BY HEA 1288-2005,
38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2005]: Sec. 1. The Indiana School for the Blind **and Visually**
 2 **Impaired** board is established.

3 SECTION 51. IC 20-21-3-10, AS ADDED BY HEA 1288-2005,
 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2005]: Sec. 10. (a) The board shall do the following:

- 6 (1) Establish policies and accountability measures for the school.
- 7 (2) Implement this article.
- 8 (3) Perform the duties required by IC 5-22-4-8.
- 9 (4) Adopt rules under IC 4-22-2 to establish criteria for the
 10 admission of visually disabled children, including children with
 11 multiple disabilities, at the school.
- 12 (5) Hire the ~~superintendent~~, **executive**, who serves at the pleasure
 13 of the board.
- 14 (6) Determine the salary and benefits of the ~~superintendent~~:
 15 **executive**.
- 16 (7) Adopt rules under IC 4-22-2 required by this article.

17 (b) The board shall submit the school's biennial budget to the
 18 department, which shall review the proposed budget. As part of its
 19 review, the department may request and shall receive from the board,
 20 in a form as may reasonably be required by the department, all
 21 information used by the board to develop the proposed budget. If, upon
 22 review, the department determines that any part of the budget request
 23 is not supported by the information provided, the department shall meet
 24 with the board at the earliest date possible in order to reconcile the
 25 budget request. The department shall submit the reconciled budget to
 26 the budget agency and the budget committee.

27 SECTION 52. IC 20-21-4-2, AS ADDED BY HEA 1288-2005,
 28 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2005]: Sec. 2. The ~~superintendent~~ **executive** shall hire directly
 30 for those positions as approved by the state personnel department and
 31 the board any candidate the ~~superintendent~~ **executive** considers
 32 qualified to fill a position at the school. The state personnel department,
 33 in collaboration with the board, shall annually develop a list of job
 34 classifications for positions at the school for which the ~~superintendent~~
 35 **executive** may fill a vacancy by hiring a candidate for the position
 36 based on a search for qualified candidates outside the state personnel
 37 hiring list.

38 SECTION 53. IC 20-22-1-4.5 IS ADDED TO THE INDIANA

1 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2005]: **Sec. 4.5. "Executive" refers to the**
 3 **chief executive officer of the school appointed under IC 20-22-2-4.**

4 SECTION 54. IC 20-22-2-4, AS ADDED BY HEA 1288-2005,
 5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2005]: Sec. 4. (a) The board shall appoint the ~~superintendent,~~
 7 **chief executive officer**, subject to the approval of the governor. The
 8 ~~superintendent executive~~ serves at the pleasure of the board and may
 9 be removed for cause.

10 (b) The ~~superintendent executive~~ appointee must have the following
 11 qualifications:

12 (1) Be an educator with knowledge, skill, and ability in the
 13 appointee's profession.

14 (2) Have at least five (5) years experience in instruction of ~~hearing~~
 15 ~~disabled~~ students **with hearing impairment disabilities.**

16 (3) Have a master's degree or a higher degree.

17 (4) Meet the qualifications for an Indiana teacher's certificate in
 18 the area of hearing **impairment** disabilities.

19 (5) ~~Have a superintendent's license or obtain a superintendent's~~
 20 ~~license not more than two (2) years after appointment by the~~
 21 ~~board.~~

22 **(5) Have at least five (5) years experience supervising other**
 23 **individuals.**

24 SECTION 55. IC 20-22-2-5, AS ADDED BY HEA 1288-2005,
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2005]: Sec. 5. (a) The ~~superintendent,~~ **executive**, subject to the
 27 approval of the board and IC 20-21-4, has complete responsibility for
 28 management of the school.

29 (b) The ~~superintendent executive~~ has responsibility for the
 30 following:

31 (1) Direction of the education, care, safety, and well-being of all
 32 students in attendance.

33 (2) Evaluation and improvement of the school staff, educational
 34 programs, and support services.

35 (3) Implementation and administration of the policies, mission,
 36 and goals of the school as established by the board.

37 (4) Serving as the purchasing agent for the school under
 38 IC 5-22-4-8.

1 (5) Implementation of budgetary matters as recommended by the
2 board and the department of education under IC 20-22-3-10(b).

3 (6) Management of the school's outreach program with local
4 public schools.

5 (7) Advocating on behalf of the school under guidelines
6 established by the board.

7 (8) Executing contracts on behalf of the school.

8 (c) The ~~superintendent~~ **executive** is the appointing authority for all
9 employees necessary to properly conduct and operate the school.

10 SECTION 56. IC 20-22-2-6, AS ADDED BY HEA 1288-2005,
11 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2005]: Sec. 6. Subject to:

13 (1) the determination by case conference committees based on
14 individualized education programs; and

15 (2) the school's admissions criteria adopted by the board under
16 IC 20-22-3-10(a)(4);

17 the ~~superintendent~~ **executive** shall receive as students in the school
18 Indiana residents who are hearing disabled school age individuals.

19 SECTION 57. IC 20-22-2-7, AS ADDED BY HEA 1288-2005,
20 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2005]: Sec. 7. (a) A placement review committee for the
22 school is established. The placement review committee consists of one
23 (1) representative of each of the following:

24 (1) The board.

25 (2) The office of the secretary of family and social services.

26 (3) The state superintendent.

27 (b) The placement review committee shall meet upon petition of a
28 interested party to review the following:

29 (1) Applications to the school denied through the process
30 described in section 6 of this chapter.

31 (2) All instances of dismissal from the school for reasons other
32 than graduation, voluntary transition to another educational
33 facility, or voluntary departure from the school.

34 (c) The ~~superintendent~~ **executive** shall serve as an adviser to the
35 placement review committee. The ~~superintendent~~ **executive** shall
36 provide the placement review committee with information and
37 justification for all application denials and dismissals under review.

38 (d) The placement review committee may recommend that

1 application denials or dismissals be reconsidered.

2 SECTION 58. IC 20-22-2-13, AS ADDED BY HEA 1288-2005,
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]: Sec. 13. The ~~superintendent~~ **executive** may, subject to
5 the approval of the governor and the policies of the board, receive, for
6 the use of the school, gifts, legacies, devises, and conveyances of real
7 or personal property that are made, given, or granted to or for the
8 school.

9 SECTION 59. IC 20-22-3-10, AS ADDED BY HEA 1288-2005,
10 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2005]: Sec. 10. (a) The board shall do the following:

- 12 (1) Establish policies and accountability measures for the school.
- 13 (2) Implement this article.
- 14 (3) Perform the duties required by IC 5-22-4-8.
- 15 (4) Adopt rules under IC 4-22-2 to establish criteria for the
- 16 admission of hearing disabled children, including children with
- 17 multiple disabilities, at the school.
- 18 (5) Hire the ~~superintendent~~, **executive**, who serves at the pleasure
- 19 of the board.
- 20 (6) Determine the salary and benefits of the ~~superintendent~~.
- 21 **executive.**
- 22 (7) Adopt rules under IC 4-22-2 required by this article.

23 (b) The board shall submit the school's biennial budget to the
24 department, which shall review the proposed budget. As part of its
25 review, the department may request and shall receive from the board,
26 in a form as may reasonably be required by the department, all
27 information used by the board to develop the proposed budget. If, upon
28 review, the department determines that any part of the budget request
29 is not supported by the information provided, the department shall meet
30 with the board at the earliest date possible in order to reconcile the
31 budget request. The department shall submit the reconciled budget to
32 the budget agency and the budget committee.

33 SECTION 60. IC 20-22-4-2, AS ADDED BY HEA 1288-2005,
34 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2005]: Sec. 2. The ~~superintendent~~ **executive** shall hire directly
36 for those positions as approved by the state personnel department and
37 the board any candidate the ~~superintendent~~ **executive** considers
38 qualified to fill a position at the school. The state personnel department,

1 in collaboration with the board, shall annually develop a list of job
 2 classifications for positions at the school for which the ~~superintendent~~
 3 **executive** may fill a vacancy by hiring a candidate for the position
 4 based on a search for qualified candidates outside the state personnel
 5 hiring list.

6 SECTION 61. IC 20-27-3-1, AS ADDED BY HEA 1288-2005,
 7 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The state school bus
 9 committee is established. The committee has the following voting
 10 members:

11 (1) The state superintendent or the state superintendent's
 12 authorized representative, who serves as chairperson of the
 13 committee.

14 (2) The commissioner of the bureau of motor vehicles, or the
 15 commissioner's authorized representative.

16 (3) The administrator of the motor carrier services division of the
 17 department of state revenue.

18 (4) The director of the governor's council on impaired and
 19 dangerous driving.

20 (5) A school bus driver appointed by the state superintendent upon
 21 the recommendation of the Indiana State Association of School
 22 Bus Drivers, Inc.

23 (6) A superintendent of a school corporation appointed by the
 24 state superintendent upon the recommendation of the Indiana
 25 Association of Public School Superintendents.

26 (7) A member of the governing body of a school corporation
 27 appointed by the state superintendent upon the recommendation
 28 of the Indiana School Boards Association.

29 (8) A representative of the Indiana School for the Blind **and**
 30 **Visually Impaired** or the Indiana School for the Deaf appointed
 31 by the state superintendent.

32 (9) A member of the School Transportation Association of Indiana
 33 appointed by the state superintendent upon the recommendation
 34 of the School Transportation Association of Indiana.

35 (b) The state superintendent shall designate a secretary from the
 36 department who shall keep the official record of the meetings and of
 37 official transactions of the committee.

38 SECTION 62. IC 20-33-3-33, AS ADDED BY HEA 1288-2005,

1 SECTION 17, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2005]: Sec. 33. The employment of children by
 3 the:

4 (1) Indiana School for the Deaf; and
 5 (2) Indiana School for the Blind **and Visually Impaired**;
 6 is subject to the general restrictions imposed on child labor under this
 7 chapter.

8 SECTION 63. IC 20-35-2-1, AS ADDED BY HEA 1288-2005,
 9 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) There is established under the
 11 state board a division of special education. The division shall exercise
 12 all the power and duties set out in this chapter, IC 20-35-3 through
 13 IC 20-35-6, and IC 20-35-8.

14 (b) The governor shall appoint, upon the recommendation of the
 15 state superintendent, a director of special education who serves at the
 16 pleasure of the governor. The amount of compensation of the director
 17 shall be determined by the budget agency with the approval of the
 18 governor. The director has the following duties:

19 (1) To do the following:
 20 (A) Have general supervision of all programs, classes, and
 21 schools for children with disabilities, including those
 22 conducted by public schools, the Indiana School for the Blind
 23 **and Visually Impaired**, the Indiana School for the Deaf, the
 24 department of correction, the state department of health, the
 25 division of disability, aging, and rehabilitative services, and the
 26 division of mental health and addiction.

27 (B) Coordinate the work of schools described in clause (A).
 28 For programs for preschool children with disabilities as required
 29 under IC 20-35-4-9, have general supervision over programs,
 30 classes, and schools, including those conducted by the schools or
 31 other state or local service providers as contracted for under
 32 IC 20-35-4-9. However, general supervision does not include the
 33 determination of admission standards for the state departments,
 34 boards, or agencies authorized to provide programs or classes
 35 under this chapter.

36 (2) To adopt, with the approval of the state board, rules governing
 37 the curriculum and instruction, including licensing of personnel in
 38 the field of education, as provided by law.

- 1 (3) To inspect and rate all schools, programs, or classes for
 2 children with disabilities to maintain proper standards of
 3 personnel, equipment, and supplies.
- 4 (4) With the consent of the state superintendent and the budget
 5 agency, to appoint and determine salaries for any assistants and
 6 other personnel needed to enable the director to accomplish the
 7 duties of the director's office.
- 8 (5) To adopt, with the approval of the state board, the following:
 9 (A) Rules governing the identification and evaluation of
 10 children with disabilities and their placement under an
 11 individualized education program in a special education
 12 program.
 13 (B) Rules protecting the rights of a child with a disability and
 14 the parents of the child with a disability in the identification,
 15 evaluation, and placement process.
- 16 (6) To make recommendations to the state board concerning
 17 standards and case load ranges for related services to assist each
 18 teacher in meeting the individual needs of each child according to
 19 that child's individualized education program. The
 20 recommendations may include the following:
 21 (A) The number of teacher aides recommended for each
 22 exceptionality included within the class size ranges.
 23 (B) The role of the teacher aide.
 24 (C) Minimum training recommendations for teacher aides and
 25 recommended procedures for the supervision of teacher aides.
- 26 (7) To cooperate with the interagency coordinating council
 27 established by IC 12-17-15-7 to ensure that the preschool special
 28 education programs required IC 20-35-4-9 are consistent with the
 29 early intervention services program described in IC 12-17-15.
- 30 (c) The director or the state board may exercise authority over
 31 vocational programs for children with disabilities through a letter of
 32 agreement with the department of workforce development.
- 33 SECTION 64. IC 20-35-3-1, AS ADDED BY HEA 1288-2005,
 34 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The state superintendent shall
 36 appoint a state advisory council on the education of children with
 37 disabilities. The state advisory council's duties consist of providing
 38 policy guidance concerning special education and related services for

1 children with disabilities. The state superintendent shall appoint at least
 2 seventeen (17) members who serve for a term of four (4) years.
 3 Vacancies shall be filled in the same manner for the unexpired balance
 4 of the term.

5 (b) The members of the state advisory council must be:

- 6 (1) citizens of Indiana;
- 7 (2) representative of the state's population; and
- 8 (3) selected on the basis of their involvement in or concern with
- 9 the education of children with disabilities.

10 (c) A majority of the members of the state advisory council must be
 11 individuals with disabilities or the parents of children with disabilities.

12 Members must include the following:

- 13 (1) Parents of children with disabilities.
- 14 (2) Individuals with disabilities.
- 15 (3) Teachers.
- 16 (4) Representatives of higher education institutions that prepare
- 17 special education and related services personnel.
- 18 (5) State and local education officials.
- 19 (6) Administrators of programs for children with disabilities.
- 20 (7) Representatives of state agencies involved in the financing or
- 21 delivery of related services to children with disabilities, including
- 22 the following:

23 (A) The commissioner of the state department of health or the
 24 commissioner's designee.

25 (B) The director of the division of disability, aging, and
 26 rehabilitative services or the director's designee.

27 (C) The director of the division of mental health and addiction
 28 or the director's designee.

29 (D) The director of the division of family and children or the
 30 director's designee.

31 (8) Representatives of nonpublic schools and freeway schools.

32 (9) One (1) or more representatives of vocational, community, or
 33 business organizations concerned with the provision of
 34 transitional services to children with disabilities.

35 (10) Representatives of the department of correction.

36 (11) A representative from each of the following:

37 (A) The Indiana School for the Blind **and Visually Impaired**
 38 board.

- 1 (B) The Indiana School for the Deaf board.
- 2 (d) The responsibilities of the state advisory council are as follows:
- 3 (1) To advise the state superintendent and the state board
- 4 regarding all rules pertaining to children with disabilities.
- 5 (2) To recommend approval or rejection of completed
- 6 comprehensive plans submitted by school corporations acting
- 7 individually or on a joint school services program basis with other
- 8 corporations.
- 9 (3) To advise the department of unmet needs within Indiana in the
- 10 education of children with disabilities.
- 11 (4) To provide public comment on rules proposed by the state
- 12 board regarding the education of children with disabilities.
- 13 (5) To advise the department in developing evaluations and
- 14 reporting data to the United States Secretary of Education under
- 15 20 U.S.C. 1418.
- 16 (6) To advise the department in developing corrective action plans
- 17 to address findings identified in federal monitoring reports under
- 18 20 U.S.C. 1400 et seq.
- 19 (7) To advise the department in developing and implementing
- 20 policies related to the coordination of services for children with
- 21 disabilities.
- 22 (e) The state advisory council shall do the following:
- 23 (1) Organize with a chairperson selected by the state
- 24 superintendent.
- 25 (2) Meet as often as necessary to conduct the council's business at
- 26 the call of the chairperson, upon ten (10) days written notice, but
- 27 not less than four (4) times a year.
- 28 (f) Members of the state advisory council are entitled to reasonable
- 29 amounts for expenses necessarily incurred in the performance of their
- 30 duties.
- 31 (g) The state superintendent shall do the following:
- 32 (1) Designate the director to act as executive secretary of the state
- 33 advisory council.
- 34 (2) Furnish all professional and clerical assistance necessary for
- 35 the performance of the state advisory council's powers and duties.
- 36 (h) The affirmative votes of a majority of the members appointed to
- 37 the state advisory council are required for the state advisory council to
- 38 take action.

1 SECTION 65. IC 20-35-4-10, AS ADDED BY HEA 1288-2005,
 2 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) For purposes of this section,
 4 "comprehensive plan" means a plan for educating the following:

5 (1) All children with disabilities that a school corporation is
 6 required to educate under sections 8 through 9 of this chapter.

7 (2) The additional children with disabilities that the school
 8 corporation elects to educate.

9 (b) For purposes of this section, "school corporation" includes the
 10 following:

11 (1) The Indiana School for the Blind **and Visually Impaired**
 12 board.

13 (2) The Indiana School for the Deaf board.

14 (c) The state board shall adopt rules under IC 4-22-2 detailing the
 15 contents of the comprehensive plan. Each school corporation shall
 16 complete and submit to the state superintendent a comprehensive plan.
 17 School corporations operating cooperative or joint special education
 18 services may submit a single comprehensive plan. In addition, if a
 19 school corporation enters into a contractual agreement as permitted
 20 under section 9 of this chapter, the school corporation shall collaborate
 21 with the service provider in formulating the comprehensive plan.

22 (d) Notwithstanding the age limits set out in IC 20-35-1-1, the state
 23 board may:

24 (1) conduct a program for the early identification of children with
 25 disabilities, between the ages of birth and less than twenty-two
 26 (22) years of age not served by the public schools or through a
 27 contractual agreement under section 9 of this chapter; and

28 (2) use agencies that serve children with disabilities other than the
 29 public schools.

30 (e) The state board shall adopt rules under IC 4-22-2 requiring the:

31 (1) department of correction;

32 (2) state department of health;

33 (3) division of disability, aging, and rehabilitative services;

34 (4) Indiana School for the Blind **and Visually Impaired** board;

35 (5) Indiana School for the Deaf board; and

36 (6) division of mental health and addiction;

37 to submit to the state superintendent a plan for the provision of special
 38 education for children in programs administered by each respective

1 agency who are entitled to a special education.

2 (f) The state superintendent shall furnish professional consultant
3 services to school corporations and the entities listed in subsection (e)
4 to aid them in fulfilling the requirements of this section.

5 SECTION 66. IC 20-35-8-2, AS ADDED BY HEA 1288-2005,
6 SECTION 19, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The state board shall adopt
8 rules under IC 4-22-2 to establish limits on the amount of transportation
9 that may be provided in the student's individualized education program.
10 Unless otherwise specially shown to be essential by the child's
11 individualized education program, in case of residency in a public or
12 private facility, these rules must limit the transportation required by the
13 student's individualized education program to the following:

14 (1) The student's first entrance and final departure each school
15 year.

16 (2) Round trip transportation each school holiday period.

17 (3) Two (2) additional round trips each school year.

18 (b) If a student is a transfer student receiving special education in a
19 public school, the state or school corporation responsible for the
20 payment of transfer tuition under IC 20-33-6-1 through IC 20-33-6-4
21 shall pay the cost of transportation required by the student's
22 individualized education program. However, if a transfer student was
23 counted as an eligible student for purposes of a distribution in a
24 calendar year under IC 21-3-3.1, the transportation costs that the
25 transferee school may charge for a school year ending in the calendar
26 year shall be reduced by the sum of the following:

27 (1) The quotient of:

28 (A) the amount of money that the transferee school is eligible
29 to receive under IC 21-3-3.1-2.1 for the calendar year in which
30 the school year ends; divided by

31 (B) the number of eligible students for the transferee school for
32 the calendar year (as determined under IC 21-3-3.1-2.1).

33 (2) The amount of money that the transferee school is eligible to
34 receive under IC 21-3-3.1-4 for the calendar year in which the
35 school year ends for the transportation of the transfer student
36 during the school year.

37 (c) If a student receives a special education:

38 (1) in a facility operated by:

- 1 (A) the state department of health;
 2 (B) the division of disability, aging, and rehabilitative services;
 3 or
 4 (C) the division of mental health and addiction;
 5 (2) at the Indiana School for the Blind **and Visually Impaired**; or
 6 (3) at the Indiana School for the Deaf;

7 the school corporation in which the student has legal settlement shall
 8 pay the cost of transportation required by the student's individualized
 9 education program. However, if the student's legal settlement cannot be
 10 ascertained, the state board shall pay the cost of transportation required
 11 by the student's individualized education program.

12 (d) If a student is placed in a private facility under IC 20-35-6-2 in
 13 order to receive a special education because the student's school
 14 corporation cannot provide an appropriate special education program,
 15 the school corporation in which the student has legal settlement shall
 16 pay the cost of transportation required by the student's individualized
 17 education program. However, if the student's legal settlement cannot be
 18 ascertained, the state board shall pay the cost of transportation required
 19 by the student's individualized education program.

20 SECTION 67. THE FOLLOWING ARE REPEALED
 21 [EFFECTIVE JULY 1, 2005]: IC 20-15-1-7; IC 20-16-1-7;
 22 IC 20-21-1-7; IC 20-22-1-7."

23 Renumber all SECTIONS consecutively.

(Reference is to SB 433 as printed February 4, 2005.)

and when so amended that said bill do pass.

Representative Behning