

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 301 because it conflicts with HEA 1288-2005 without properly recognizing the existence of HEA 1288-2005, has had Engrossed Senate Bill 301 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed Senate Bill 301 be corrected as follows:

- 1 Page 3, after line 29, begin a new paragraph and insert:
2 "SECTION 2. IC 20-19-2-8, AS ADDED BY HEA 1288-2005,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]: Sec. 8. (a) In addition to any other powers and duties
5 prescribed by law, the state board shall adopt rules under IC 4-22-2
6 concerning, but not limited to, the following matters:
7 (1) The designation and employment of the employees and
8 consultants necessary for the department. The state board shall fix
9 the compensation of employees of the department, subject to the
10 approval of the budget committee and the governor under
11 IC 4-12-2.
12 (2) The establishment and maintenance of standards and
13 guidelines, other than building, space, and site requirements, for
14 media centers, libraries, instructional materials centers, or any
15 other area or system of areas in a school where a full range of
16 information sources, associated equipment, and services from
17 professional media staff are accessible to the school community.
18 With regard to library automation systems, the state board may
19 only adopt rules that meet the standards established by the state
20 library board for library automation systems under
21 IC 4-23-7.1-11(b).
22 (3) The establishment and maintenance of standards for student
23 personnel and guidance services.
24 (4) The establishment and maintenance of minimum standards for
25 driver education programs (including classroom instruction and

1 practice driving) and equipment. Classroom instruction standards
2 established under this subdivision must include instruction about:

3 (A) railroad-highway grade crossing safety; and

4 (B) the procedure for participation in the human organ donor
5 program.

6 (5) The inspection of all public schools in Indiana to determine the
7 condition of the schools. The state board shall establish standards
8 governing the accreditation of public schools. Observance of:

9 (A) IC 20-31-4;

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

11 (C) IC 20-28-6-3 through IC 20-28-6-7;

12 (D) IC 20-28-9-7 and IC 20-28-9-8;

13 (E) IC 20-28-11; and

14 (F) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, and
15 IC 20-32-8;

16 is a prerequisite to the accreditation of a school. Local public
17 school officials shall make the reports required of them and
18 otherwise cooperate with the state board regarding required
19 inspections. Nonpublic schools may also request the inspection for
20 classification purposes. Compliance with the building and site
21 guidelines adopted by the state board is not a prerequisite of
22 accreditation.

23 (6) Subject to section 9 of this chapter, the adoption and approval
24 of textbooks under IC 20-20-5.

25 (7) The distribution of funds and revenues appropriated for the
26 support of schools in the state.

27 (8) The state board may not establish an accreditation system for
28 nonpublic schools that is less stringent than the accreditation
29 system for public schools.

30 (9) A separate system for recognizing nonpublic schools under
31 IC 20-19-2-10. Recognition of nonpublic schools under this
32 subdivision constitutes the system of regulatory standards that
33 apply to nonpublic schools that seek to qualify for the system of
34 recognition.

35 **(10) The establishment and enforcement of standards and**
36 **guidelines concerning the safety of students participating in**
37 **cheerleading activities.**

38 (b) Before final adoption of any rule, the state board shall make a
39 finding on the estimated fiscal impact that the rule will have on school
40 corporations."

(Reference is to ESB 301 as printed March 22, 2005.)

Senator GARTON, Chairperson

Senator R YOUNG, R.M.M.

Senator CLARK