



February 13, 2009

SENATE BILL No. 526

DIGEST OF SB 526 (Updated February 11, 2009 6:07 pm - DI 71)

Citations Affected: IC 20-31.

Synopsis: School performance consequences. Provides that certain consequences apply to schools in either of the two lowest categories or designations of school improvement. (Current law provides that the consequences apply to schools within the lowest category or designation.) Shortens the period before the consequences apply.

Effective: July 1, 2009.

Lubbers, Kruse

January 15, 2009, read first time and referred to Committee on Education and Career Development.
February 12, 2009, amended, reported favorably — Do Pass.

C
o
p
y

SB 526—LS 6755/DI 71+



February 13, 2009

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

C
O
P
Y

SENATE BILL No. 526



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

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

- 1 SECTION 1. IC 20-31-9-2, AS ADDED BY P.L.1-2005, SECTION
- 2 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 3 2009]: Sec. 2. (a) This section applies:
- 4 (1) the first ~~year~~ **and second consecutive years** that a school is
- 5 placed in the lowest category or designation of school
- 6 improvement; **or**
- 7 (2) **the third and fourth consecutive years that a school is**
- 8 **placed in either of the two (2) lowest categories or**
- 9 **designations of school improvement.**
- 10 (b) The state board shall place the school and the school corporation
- 11 on notice that the school is in **the lowest or one (1) of the two (2)**
- 12 ~~lowest category~~ **categories** or ~~designation~~ **designations** of school
- 13 improvement (**as applicable**). Upon receiving the notice, the governing
- 14 body shall:
- 15 (1) issue a public notice of the school's lack of improvement; and
- 16 (2) hold a public hearing in which public testimony is received
- 17 concerning the lack of improvement.

SB 526—LS 6755/DI 71+



1 (c) The committee shall revise the school's plan. A revision under
2 this subsection may include any of the following:

- 3 (1) Shifting resources.
- 4 (2) Changing personnel.
- 5 (3) Requesting the state board to appoint an outside team to
6 manage the school or assist in the development of a new plan.

7 (d) If the governing body approves a request for the state board to
8 appoint an outside team under subsection (c)(3), the school is
9 considered to be placed under section 3 of this chapter.

10 SECTION 2. IC 20-31-9-3, AS ADDED BY P.L.1-2005, SECTION
11 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
12 2009]: Sec. 3. (a) This section applies if:

- 13 **(1) in the ~~third~~ second year after initial placement in the lowest**
14 **category or designation a school still remains in the lowest**
15 **category or designation; or**
- 16 **(2) in the fourth year after initial placement in either of the**
17 **two (2) lowest categories or designations a school still remains**
18 **in either of the two (2) lowest categories or designations.**

19 (b) The state board shall establish and assign an expert team to the
20 school. The expert team:

- 21 (1) must include representatives from the community or region
22 that the school serves; and
- 23 (2) may include:
24 (A) school superintendents, members of governing bodies, and
25 teachers from school corporations that are in high categories
26 or designations; and
27 (B) special consultants or advisers.

28 (c) The expert team shall:

- 29 (1) assist the school in revising the school's plan; and
- 30 (2) recommend changes in the school that will promote
31 improvement, including the reallocation of resources or requests
32 for technical assistance.

33 SECTION 3. IC 20-31-9-4, AS ADDED BY P.L.1-2005, SECTION
34 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
35 2009]: Sec. 4. (a) This section applies if:

- 36 **(1) in the ~~fifth~~ third year after initial placement in the lowest**
37 **category or designation a school still remains in the lowest**
38 **category or designation; or**
- 39 **(2) in the fifth year after initial placement in either of the two**
40 **(2) lowest categories or designations a school still remains in**
41 **either of the two (2) lowest categories or designations.**

42 (b) The state board shall do the following:

C
O
P
Y



- 1 (1) Hold at least one (1) public hearing in the school corporation
- 2 where the school is located to consider and hear testimony
- 3 concerning the following options for school improvement:
- 4 (A) Merging the school with a nearby school that is in a higher
- 5 category.
- 6 (B) Assigning a special management team to operate all or
- 7 part of the school.
- 8 (C) The department's recommendations for improving the
- 9 school.
- 10 (D) Other options for school improvement expressed at the
- 11 public hearing, including closing the school.
- 12 (E) Revising the school's plan in any of the following areas:
- 13 (i) Changes in school procedures or operations.
- 14 (ii) Professional development.
- 15 (iii) Intervention for individual teachers or administrators.
- 16 (2) If the state board determines that intervention will improve the
- 17 school, implement at least one (1) of the options listed in
- 18 subdivision (1).

19 SECTION 4. IC 20-31-9-5 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 21 1, 2009]: **Sec. 5. The state board may establish priorities in**
 22 **carrying out its activities under sections 2 and 3 of this chapter**
 23 **based upon the resources available to the state board.**

C
o
p
y



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 526, 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 1, line 3, delete "applies" and insert "applies:

(1)".

Page 1, line 3, strike "year" and insert "**and second consecutive years**".

Page 1, line 4, delete "either of".

Page 1, line 4, delete "two (2)".

Page 1, line 4, reset in roman "category".

Page 1, line 4, delete "categories".

Page 1, line 5, reset in roman "designation".

Page 1, line 5, delete "designations".

Page 1, line 5, delete "improvement." and insert "improvement; or **(2) the third and fourth consecutive years that a school is placed in either of the two (2) lowest categories or designations of school improvement.**".

Page 1, line 7, delete "either" and insert "**the lowest or one (1)**".

Page 1, line 8, delete "improvement." and insert "improvement (**as applicable**)".

Page 2, line 8, delete "first" and insert "**second**".

Page 2, line 11, delete "third" and insert "**fourth**".

Page 2, line 31, delete "second" and insert "**third**".

Page 3, after line 13, begin a new paragraph and insert:

"SECTION 4. IC 20-31-9-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5. The state board may establish priorities in carrying out its activities under sections 2 and 3 of this chapter based upon the resources available to the state board.**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 526 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 5, Nays 4.

C
O
P
Y

