



Reprinted  
April 19, 2011

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**ENGROSSED  
SENATE BILL No. 85**

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DIGEST OF SB 85 (Updated April 18, 2011 3:38 pm - DI 71)

**Citations Affected:** IC 9-19; IC 20-19; IC 20-27.

**Synopsis:** Graduation rates; school buses. Requires the education roundtable to study the causes of low graduation rates in certain schools and how the graduation rates can be improved. Requires a person operating a school bus equipped with safety belts to provide instruction to the passengers on the school bus on the proper fastening of the safety belts at least one time a semester. Requires a person operating a school bus to conduct a school bus passenger evacuation drill at least one time a semester.

**Effective:** July 1, 2011.

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**Leising, Rogers, Young R, Mrvan,  
Buck, Kruse, Breaux**  
(HOUSE SPONSORS — BEHNING, SMITH V)

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January 5, 2011, read first time and referred to Committee on Education and Career Development.  
January 20, 2011, amended, reported favorably — Do Pass.  
January 24, 2011, read second time, ordered engrossed.  
January 25, 2011, engrossed. Read third time, passed. Yeas 49, nays 0.  
HOUSE ACTION  
March 28, 2011, read first time and referred to Committee on Education.  
April 14, 2011, reported — Do Pass.  
April 18, 2011, read second time, amended, ordered engrossed.

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ES 85—LS 6521/DI 109+



First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 85

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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 20-19-4-14 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2011]: **Sec. 14. (a) The roundtable shall study the following issues  
4 related to high school graduation rates:**  
5 (1) Study the causes of low graduation rates in Indiana high  
6 schools.  
7 (2) Study the impact that school counselors, teachers, school  
8 administrators, and parents have on graduation rates.  
9 (3) Identify best practices that increase graduation rates in  
10 high schools in Indiana and other states.  
11 (4) Highlight training and technical assistance opportunities  
12 for high schools to effectively address low graduation rates.  
13 (b) Not later than December 1, 2012, the roundtable shall  
14 submit a status report to the governor and the legislative council  
15 on the activities of the roundtable and any action it has taken. The  
16 roundtable shall issue a final report stating the findings,  
17 conclusions, and recommendations of the roundtable by November

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1 **1, 2013. The roundtable shall submit the reports to the governor**  
2 **and the legislative council. A report submitted under this section**  
3 **to the legislative council must be in an electronic format under**  
4 **IC 5-14-6.**

5 **(c) This chapter expires December 1, 2013.**

6 SECTION 2. IC 9-19-13-2 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. An officer or  
8 employee of a school corporation who:

9 (1) violates any of the rules, **including those adopted as**  
10 **required by IC 20-27-3-6.5**, adopted by the state school bus  
11 committee concerning the design and operation of school buses;  
12 or

13 (2) fails to include an obligation to comply with those rules in a  
14 contract executed by the officer or employee on behalf of a school  
15 corporation;

16 is guilty of misconduct and subject to removal from office or  
17 employment.

18 SECTION 3. IC 9-19-13-3 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. A person operating  
20 a school bus under contract with a school corporation who fails to  
21 comply with any of the rules, **including those adopted as required by**  
22 **IC 20-27-3-6.5**, adopted by the state school bus committee concerning  
23 the design and operation of school buses is guilty of breach of contract.  
24 The contract may be canceled after notice and hearing by responsible  
25 officers of the school corporation.

26 SECTION 4. IC 20-27-3-3, AS ADDED BY P.L.1-2005, SECTION  
27 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
28 2011]: Sec. 3. (a) The committee:

29 (1) shall hold one (1) regular meeting each ~~month~~; **quarter**; and  
30 (2) may hold special meetings as the chairperson considers  
31 necessary.

32 (b) Four (4) voting members of the committee constitute a quorum  
33 for the transaction of official business.

34 SECTION 5. IC 20-27-3-6.5 IS ADDED TO THE INDIANA CODE  
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
36 1, 2011]: **Sec. 6.5. (a) The committee shall adopt and enforce rules**  
37 **under IC 4-22-2 to require that a person operating a school bus**  
38 **that is equipped with safety belts meeting the standards set forth**  
39 **in IC 9-19-10-2 provide instruction to the passengers on the school**  
40 **bus at least one (1) time a semester on the proper fastening of the**  
41 **safety belt about the passenger's body.**

42 (b) The committee shall adopt and enforce rules under IC 4-22-2

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1 to require that a person operating a school bus conduct a school  
2 bus passenger evacuation drill at least one (1) time a semester.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 85, 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 17, delete "thirteen (13)" and insert "**fourteen (14)**".

Page 2, between lines 7 and 8, begin a new line block indented and insert:

**"(4) The executive director of the Indiana Association of School Principals or the executive director's designee."**

Page 2, line 8, delete "(4)" and insert "**(5)**".

Page 2, line 12, delete "(5)" and insert "**(6)**".

Page 2, line 15, delete "(6)" and insert "**(7)**".

Page 2, line 17, delete "(7)" and insert "**(8)**".

Page 2, line 19, delete "(8)" and insert "**(9)**".

Page 2, line 21, delete "(9)" and insert "**(10)**".

Page 2, line 24, delete "(10)" and insert "**(11)**".

Page 2, line 27, delete "(11)" and insert "**(12)**".

Page 2, line 37, after "committee" insert "**who are not legislators**".

Page 3, line 9, delete "June 30," and insert "**November 1,**".

Page 3, line 13, delete "July" and insert "**December**".

and when so amended that said bill do pass.

(Reference is to SB 85 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 9, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 85, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 9, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 85 be amended to read as follows:

Page 1, line 1, delete "IC 2-5-31" and insert "IC 20-19-4-14".

Page 1, line 2, delete "CHAPTER" and insert "SECTION".

Page 1, line 3, after "2011]:" insert "**Sec. 14. (a) The roundtable shall study the following issues related to high school graduation rates:**".

Page 1, delete lines 4 through 9.

Page 1, line 11, delete "that have less than a fifty percent (50%) graduation" and insert ".".

Page 1, delete line 12.

Page 1, between lines 12 and 13, begin a new line block indented and insert:

**"(2) Study the impact that school counselors, teachers, school administrators, and parents have on graduation rates."**

Page 1, line 13, delete "(2)" and insert "**(3)**".

Page 1, line 15, delete "(3)" and insert "**(4)**".

Page 1, delete line 17.

Delete page 2.

Page 3, delete lines 1 through 7.

Page 3, line 8, delete "Sec. 9." and insert "**(b)**".

Page 3, line 8, delete "committee" and insert "**roundtable**".

Page 3, line 10, delete "committee" and insert "**roundtable**".

Page 3, line 11, delete "committee" and insert "**roundtable**".

Page 3, line 12, delete "committee" and insert "**roundtable**".

Page 3, line 13, delete "committee" and insert "**roundtable**".

Page 3, line 17, delete "Sec. 10." and insert "**(c)**".

(Reference is to ESB 85 as printed April 15, 2011.)

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 85 be amended to read as follows:

Page 3, after line 17, begin a new paragraph and insert:

"SECTION 2. IC 9-19-13-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. An officer or employee of a school corporation who:

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- (1) violates any of the rules, **including those adopted as required by IC 20-27-3-6.5**, adopted by the state school bus committee concerning the design and operation of school buses; or
- (2) fails to include an obligation to comply with those rules in a contract executed by the officer or employee on behalf of a school corporation;

is guilty of misconduct and subject to removal from office or employment.

SECTION 3. IC 9-19-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. A person operating a school bus under contract with a school corporation who fails to comply with any of the rules, **including those adopted as required by IC 20-27-3-6.5**, adopted by the state school bus committee concerning the design and operation of school buses is guilty of breach of contract. The contract may be canceled after notice and hearing by responsible officers of the school corporation.

SECTION 4. IC 20-27-3-3, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) The committee:

- (1) shall hold one (1) regular meeting each ~~month~~; **quarter**; and
- (2) may hold special meetings as the chairperson considers necessary.

(b) Four (4) voting members of the committee constitute a quorum for the transaction of official business.

SECTION 5. IC 20-27-3-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 6.5. (a) The committee shall adopt and enforce rules under IC 4-22-2 to require that a person operating a school bus that is equipped with safety belts meeting the standards set forth in IC 9-19-10-2 provide instruction to the passengers on the school bus at least one (1) time a semester on the proper fastening of the safety belt about the passenger's body.**

**(b) The committee shall adopt and enforce rules under IC 4-22-2 to require that a person operating a school bus conduct a school bus passenger evacuation drill at least one (1) time a semester."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 85 as printed April 15, 2011.)

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