

HOUSE BILL No. 1219

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24-8-5; IC 20-26-5-37; IC 20-51-4-1.

Synopsis: High school diplomas. Requires: (1) a charter high school; (2) a high school operated by a school corporation; and (3) a high school that is eligible to receive choice scholarships; to offer the high school's students the opportunity to earn any type of state diploma approved by the state board of education. Provides that a student with a disability shall not be required to complete local requirements that exceed state requirements to receive a diploma.

Effective: July 1, 2016.

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January 11, 2016, read first time and referred to Committee on Education.



Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1219

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 20-24-8-5, AS AMENDED BY P.L.221-2015,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 5. The following statutes and rules and guidelines
4 adopted under the following statutes apply to a charter school:
5 (1) IC 5-11-1-9 (required audits by the state board of accounts).
6 (2) IC 20-39-1-1 (unified accounting system).
7 (3) IC 20-35 (special education).
8 (4) IC 20-26-5-10 (criminal history).
9 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
10 agencies).
11 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
12 (7) IC 20-28-10-14 (teacher freedom of association).
13 (8) IC 20-28-10-17 (school counselor immunity).
14 (9) For conversion charter schools only if the conversion charter
15 school elects to collectively bargain under IC 20-24-6-3(b),
16 IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and
17 IC 20-28-10.



- 1 (10) IC 20-33-2 (compulsory school attendance).
 2 (11) IC 20-33-3 (limitations on employment of children).
 3 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
 4 due process and judicial review).
 5 (13) IC 20-33-8-16 (firearms and deadly weapons).
 6 (14) IC 20-34-3 (health and safety measures).
 7 (15) IC 20-33-9 (reporting of student violations of law).
 8 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
 9 observances).
 10 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and
 11 IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic
 12 standards, accreditation, assessment, and remediation).
 13 (18) IC 20-33-7 (parental access to education records).
 14 (19) IC 20-31 (accountability for school performance and
 15 improvement).
 16 (20) IC 20-30-5-19 (personal financial responsibility instruction).
 17 **(21) IC 20-26-5-37 (types of diplomas offered).**

18 SECTION 2. IC 20-26-5-37 IS ADDED TO THE INDIANA CODE
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 20 1, 2016]: **Sec. 37. (a) A high school operated by a school
 21 corporation shall offer the high school's students the opportunity
 22 to earn any type of state diploma approved by the state board.**

23 **(b) A school corporation shall not require a student with a
 24 disability to complete locally required credits that exceed state
 25 credit requirements to receive a diploma.**

26 SECTION 3. IC 20-51-4-1, AS ADDED BY P.L.92-2011,
 27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2016]: Sec. 1. (a) Except as provided under subsections (b)
 29 through ~~(h)~~, **(i)**, it is the intent of the general assembly to honor the
 30 autonomy of nonpublic schools that choose to become eligible schools
 31 under this chapter. A nonpublic eligible school is not an agent of the
 32 state or federal government, and therefore:

- 33 (1) the department or any other state agency may not in any way
 34 regulate the educational program of a nonpublic eligible school
 35 that accepts a choice scholarship under this chapter, including the
 36 regulation of curriculum content, religious instruction or
 37 activities, classroom teaching, teacher and staff hiring
 38 requirements, and other activities carried out by the eligible
 39 school;
 40 (2) the creation of the choice scholarship program does not
 41 expand the regulatory authority of the state, the state's officers, or
 42 a school corporation to impose additional regulation of nonpublic



1 schools beyond those necessary to enforce the requirements of the
 2 choice scholarship program in place on July 1, 2011; and
 3 (3) a nonpublic eligible school shall be given the freedom to
 4 provide for the educational needs of students without
 5 governmental control.

6 (b) This section applies to the following writings, documents, and
 7 records:

- 8 (1) The Constitution of the United States.
- 9 (2) The national motto.
- 10 (3) The national anthem.
- 11 (4) The Pledge of Allegiance.
- 12 (5) The Constitution of the State of Indiana.
- 13 (6) The Declaration of Independence.
- 14 (7) The Mayflower Compact.
- 15 (8) The Federalist Papers.
- 16 (9) "Common Sense" by Thomas Paine.
- 17 (10) The writings, speeches, documents, and proclamations of the
 18 founding fathers and presidents of the United States.
- 19 (11) United States Supreme Court decisions.
- 20 (12) Executive orders of the presidents of the United States.
- 21 (13) Frederick ~~Douglas~~ **Douglass's** speech at Rochester, New
 22 York, on July 5, 1852, entitled "What to ~~a~~ **the** Slave is the Fourth
 23 of July?".
- 24 (14) "Appeal" by David Walker.
- 25 (15) Chief Seattle's letter to the United States government in 1852
 26 in response to the United States government's inquiry regarding
 27 the purchase of tribal lands.

28 (c) An eligible school may allow a principal or teacher in the
 29 eligible school to read or post in the school building or classroom or at
 30 a school event any excerpt or part of a writing, document, or record
 31 listed in subsection (b).

32 (d) An eligible school may not permit the content based censorship
 33 of American history or heritage based on religious references in a
 34 writing, document, or record listed in subsection (b).

35 (e) A library, a media center, or an equivalent facility that an
 36 eligible school maintains for student use must contain in the facility's
 37 permanent collection at least one (1) copy of each writing or document
 38 listed in subsection (b)(1) through (b)(9).

39 (f) An eligible school shall do the following:

- 40 (1) Allow a student to include a reference to a writing, document,
 41 or record listed in subsection (b) in a report or other work product.
- 42 (2) May not punish the student in any way, including a reduction



- 1 in grade, for using the reference.
2 (3) Display the United States flag in each classroom.
3 (4) Provide a daily opportunity for students to voluntarily recite
4 the Pledge of Allegiance in each classroom or on school grounds.
5 A student is exempt from participation in the Pledge of
6 Allegiance and may not be required to participate in the Pledge of
7 Allegiance if:
8 (A) the student chooses to not participate; or
9 (B) the student's parent chooses to have the student not
10 participate.
11 (5) Provide instruction on the constitutions of:
12 (A) Indiana; and
13 (B) the United States.
14 (6) For an eligible school that enrolls students in grades 6 through
15 12, provide within the two (2) weeks preceding a general election
16 five (5) full recitation periods of class discussion concerning:
17 (A) the system of government in Indiana and in the United
18 States;
19 (B) methods of voting;
20 (C) party structures;
21 (D) election laws; and
22 (E) the responsibilities of citizen participation in government
23 and in elections.
24 (7) Require that each teacher employed by the eligible school
25 present instruction with special emphasis on:
26 (A) honesty;
27 (B) morality;
28 (C) courtesy;
29 (D) obedience to law;
30 (E) respect for the national flag and the Constitution of the
31 State of Indiana and the Constitution of the United States;
32 (F) respect for parents and the home;
33 (G) the dignity and necessity of honest labor; and
34 (H) other lessons of a steadying influence that tend to promote
35 and develop an upright and desirable citizenry.
36 (8) Provide good citizenship instruction that stresses the nature
37 and importance of the following:
38 (A) Being honest and truthful.
39 (B) Respecting authority.
40 (C) Respecting the property of others.
41 (D) Always doing the student's personal best.
42 (E) Not stealing.



- 1 (F) Possessing the skills (including methods of conflict
2 resolution) necessary to live peaceably in society and not
3 resorting to violence to settle disputes.
4 (G) Taking personal responsibility for obligations to family
5 and community.
6 (H) Taking personal responsibility for earning a livelihood.
7 (I) Treating others the way the student would want to be
8 treated.
9 (J) Respecting the national flag, the Constitution of the United
10 States, and the Constitution of the State of Indiana.
11 (K) Respecting the student's parents and home.
12 (L) Respecting the student's self.
13 (M) Respecting the rights of others to have their own views
14 and religious beliefs.
- 15 (9) Provide instruction in the following studies:
16 (A) Language arts, including:
17 (i) English;
18 (ii) grammar;
19 (iii) composition;
20 (iv) speech; and
21 (v) second languages.
22 (B) Mathematics.
23 (C) Social studies and citizenship, including the:
24 (i) constitutions;
25 (ii) governmental systems; and
26 (iii) histories;
27 of Indiana and the United States, including a study of the
28 Holocaust and the role religious extremism played in the
29 events of September 11, 2001, in each high school United
30 States history course.
31 (D) Sciences.
32 (E) Fine arts, including music and art.
33 (F) Health education, physical fitness, safety, and the effects
34 of alcohol, tobacco, drugs, and other substances on the human
35 body.
- 36 (g) An eligible school, charter school, or public school shall not
37 teach the violent overthrow of the government of the United States.
38 (h) An eligible high school shall offer the high school's students the
39 opportunity to earn any type of state diploma approved by the state
40 board. An eligible high school shall not require a student with a
41 disability to complete additional required credits that exceed state
42 credit requirements to receive a diploma.



1 ~~(h)~~ **(i)** Nothing in this section shall be construed to limit the
2 requirements of IC 20-30-5.

