DIGEST OF HB 1398
(Updated January 23, 2018 10:47 am - DI 116)

Citations Affected: IC 20-18; IC 20-26.5; IC 20-29.

Synopsis: Coalition of school corporations. Provides that the state board of education may approve a coalition of continuous improvement school districts (coalition). Provides that certain statutes or rules may be suspended for a coalition member.

Effective: July 1, 2018.

Behning, Goodin

HOUSE BILL No. 1398

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

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

SECTION 1. IC 20-18-2-16, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-28-11.5, IC 20-30-8, IC 20-30-16, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

(1) school city;
(2) school town;
(3) consolidated school corporation;
(4) metropolitan school district;
(5) township school corporation;
(6) county school corporation;
(7) united school corporation; or
(8) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.
(c) "School corporation", for purposes of IC 20-20-33, IC 20-26.5, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).
(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.
(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3.
(f) "School corporation", for purposes of IC 20-35, has the meaning set forth in IC 20-35-1-6.
(g) "School corporation", for purposes of IC 20-30-16, has the meaning set forth in IC 20-30-16-4.

SECTION 2. IC 20-26.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

ARTICLE 26.5. COALITION OF CONTINUOUS IMPROVEMENT SCHOOL DISTRICTS

Chapter 1. Definitions
Sec. 1. As used in this article, "coalition" refers to a coalition of continuous improvement school districts approved by the state board under IC 20-26.5-2.
Sec. 2. As used in this article, "coalition member" refers to a school corporation, eligible school (as defined in IC 20-51-1-4.7), or accredited nonpublic school that is approved by the state board under IC 20-26.5-2 to become a member of a coalition established under IC 20-26.5-2.

Chapter 2. Establishment of Coalition of Continuous Improvement School Districts
Sec. 1. (a) The state board may approve not more than one (1) coalition of continuous improvement school districts under this chapter to offer flexibility and innovation to schools to improve student outcomes.
(b) To establish a coalition under this chapter, at least four (4), but not more than eight (8) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or accredited nonpublic schools must jointly submit a plan to the state board in a manner prescribed by the state board.
(c) The plan submitted under subsection (b) must include:
(1) a description of the various educational programs that will be offered by members of the proposed coalition;
(2) a description that identifies potential coalition member partnerships with:
(1) business or industry;
(2) higher educational institutions; or
(C) community partners;

(3) the specific goals and the measurable student outcomes to be obtained by the proposed coalition members; and

(4) an explanation of how student performance in achieving the specific outcomes will be measured, evaluated, and reported.

(d) The state board may approve a coalition under this chapter if the state board determines that the coalition will:

(1) improve student performance and outcomes;

(2) offer coalition members flexibility in the administration of educational programs; and

(3) promote innovative educational approaches to student learning.

(e) The plan approved by the state board under subsection (d) must apply uniformly for each member of the coalition. Notwithstanding IC 20-32-4-1.5(b)(2), each coalition member may establish flexible course requirements that are not aligned with the requirements provided in IC 20-30-10 that are unique for that particular coalition member to meet current high school diploma requirements. However, coalition member students must comply with the requirements specified in IC 20-32-4-1.5(b)(1).

(f) Upon approval of the coalition by the state board under subsection (d), the department shall post the following on the state board's Internet web site:

(1) A copy of the plan approved by the state board under subsection (d).

(2) Information describing how a school corporation, eligible school (as defined in IC 20-51-1-4.7), or accredited nonpublic school may submit an application to become a coalition member to the coalition under section 2(b) of this chapter.

Sec. 2. (a) Subject to subsection (b), if the state board approves a coalition under section 1(d) of this chapter, the applicants who jointly submitted an application under section 1 of this chapter become coalition members.

(b) In addition to the coalition members described in subsection (a), a school corporation, eligible school (as defined in IC 20-51-1-4.7), or accredited nonpublic school may become a coalition member by submitting an application to the coalition, in a manner prescribed by the coalition. The coalition may submit a recommendation to the state board that an applicant under this subsection should be approved to participate in the coalition. Subject to subsection (c), the state board shall approve an
application submitted under this subsection.

(c) For the 2018-2019 school year, not more than eight (8) school
corporations, eligible schools (as defined in IC 20-51-1-4.7), or
accredited nonpublic schools may participate in the coalition.
Beginning in the 2021-2022 school year and each school year
thereafter, the state board shall limit the number of coalition
members to thirty (30) school corporations, eligible schools (as
defined in IC 20-51-1-4.7), or accredited nonpublic schools.

Sec. 3. (a) Notwithstanding any other law, the operation of the
following is suspended for a coalition school:

(1) IC 20-30, concerning curriculum.

(2) The following statutes and rules concerning curricular
materials:
   IC 20-26-12-1
   IC 20-26-12-2
   IC 20-26-12-24
   IC 20-26-12-26
   511 IAC 6.1-5-5.

(3) The following rules concerning teacher licenses:
   511 IAC 16.
   511 IAC 17.

(4) IC 20-31-4, concerning the performance based
   accreditation system.

(5) Except as provided in subsection (b), any other statute in
   IC 20 or rule in 511 IAC requested to be suspended as part of
   the plan that is approved by the state board under section 1 of
   this chapter.

(b) A coalition school may not suspend under subsection (a)(4)
any of the following:

(1) The following statutes concerning teacher salaries and
   conditions of employment:
   IC 20-28-9-5
   IC 20-28-9-6
   IC 20-28-9-7
   IC 20-28-9-8
   IC 20-28-9-9
   IC 20-28-9-10
   IC 20-28-9-11
   IC 20-28-9-12
   IC 20-28-9-13
   IC 20-28-9-14
   IC 20-28-9-15
IC 20-28-9-16
IC 20-28-9-17
IC 20-28-9-18
IC 20-28-9-19
IC 20-28-10.
(2) IC 20-28-11.5, concerning staff performance evaluations.
(3) IC 20-29, concerning collective bargaining.
(4) IC 20-32-5.1, concerning the Indiana’s Learning Evaluation Assessment Readiness Network (ILEARN) program.
(5) IC 20-32-4, concerning graduation requirements.
(6) IC 20-33, concerning students.
(7) IC 20-34, concerning school safety measures.
(8) IC 20-35, concerning special education.
(9) IC 20-31, except IC 20-31-4, concerning accountability for performance and improvement.

Sec. 4. The state board may revoke a coalition member's membership in the coalition if the state board determines that the coalition member has not met the specific goals or measurable student outcomes set forth under section 1(c)(3) of this chapter.

SECTION 3. IC 20-29-6-4, AS AMENDED BY P.L.217-2017, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) A school employer shall bargain collectively with the exclusive representative on the following:

(1) Salary.
(2) Wages.
(3) Salary and wage related fringe benefits, including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off as permitted to be bargained under IC 20-28-9-11.

(b) Except as provided in IC 20-26.5-2-3(a)(4), salary and wages include the amounts of pay increases available to employees under the compensation plan adopted under IC 20-28-9-1.5, but do not include the teacher evaluation procedures and criteria, any components of the teacher evaluation plan, rubric, or tool, or any performance stipend or addition to base salary based on a stipend to an individual teacher under IC 20-43-10-3.5.
COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1398, 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:

Page 4, line 5, delete "2019-2020" and insert "2021-2022".

and when so amended that said bill do pass.

(Reference is to HB 1398 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.