

PROPOSED AMENDMENT

HB 1134 # 14

DIGEST

Tenets and concepts. Removes the following provisions from the bill: (1) Provides that a school corporation or qualified school may not promote certain concepts as part of a course of instruction or in a curriculum or direct or otherwise compel a school employee or student to adhere to certain tenets relating to the individual's sex, race, ethnicity, religion, color, national origin, or political affiliation. (2) Provides that a school corporation or qualified school may not require an employee of the school corporation or qualified school to engage in certain training, orientations, or therapies. (3) Establishes a complaint process. (4) Provides that, upon the secretary of education's recommendation, the department of education may suspend or revoke a license of a teacher, principal, superintendent, or any other individual licensed by the department for willfully or wantonly violating certain provisions in the bill.

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- 1 Page 11, delete lines 5 through 42, begin a new paragraph and
2 insert:
3 "SECTION 3. IC 20-23-18-3, AS AMENDED BY P.L.147-2020,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]: Sec. 3. (a) Except as provided in subsection (c), the
6 Muncie Community School Corporation is subject to all applicable
7 federal and state laws.
8 (b) If a provision of this chapter conflicts with any other law,
9 including IC 20-23-4, the provision in this chapter controls.
10 (c) Notwithstanding subsection (a), to provide all administrative and
11 academic flexibility to implement innovative strategies, the Muncie
12 Community School Corporation is subject only to the following IC 20
13 and IC 22 provisions:
14 (1) IC 20-26-5-10 (criminal history).
15 **(2) IC 20-26-12.5 (curricular materials advisory committee).**
16 **(3) IC 20-26-21 (personal analysis, evaluations, or surveys by**
17 **third party vendors).**
18 ~~(2)~~ **(4)** IC 20-28-5-8 (conviction of certain felonies; notice and
19 hearing; permanent revocation of license; data base of school
20 employees who have been reported).
21 ~~(3)~~ **(5)** IC 20-28-10-17 (school counselor immunity).
22 ~~(4)~~ **(6)** IC 20-29 (collective bargaining) to the extent required by

- 1 subsection (e).
- 2 ~~(5)~~ **(7)** IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
- 3 observances).
- 4 ~~(6)~~ **(8)** The following:
- 5 (A) IC 20-30-5-0.5 (display of the United States flag; Pledge
- 6 of Allegiance).
- 7 (B) IC 20-30-5-1, IC 20-30-5-2, and IC 20-30-5-3 (the
- 8 constitutions of Indiana and the United States; writings,
- 9 documents, and records of American history or heritage).
- 10 (C) IC 20-30-5-4 (system of government; American history).
- 11 (D) IC 20-30-5-5 (morals instruction).
- 12 (E) IC 20-30-5-6 (good citizenship instruction).
- 13 **(9) IC 20-30-17 (curriculum portals).**
- 14 ~~(7)~~ **(10)** IC 20-32-4, concerning graduation requirements.
- 15 ~~(8)~~ **(11)** IC 20-32-5.1, concerning the Indiana's Learning
- 16 Evaluation Assessment Readiness Network (ILEARN) program.
- 17 ~~(9)~~ **(12)** IC 20-32-8.5 (IRead3).
- 18 ~~(10)~~ **(13)** IC 20-33-2 (compulsory school attendance).
- 19 ~~(11)~~ **(14)** IC 20-33-8-16 (firearms and deadly weapons).
- 20 ~~(12)~~ **(15)** IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22
- 21 (student due process and judicial review).
- 22 ~~(13)~~ **(16)** IC 20-33-7 (parental access to education records).
- 23 ~~(14)~~ **(17)** IC 20-33-9 (reporting of student violations of law).
- 24 ~~(15)~~ **(18)** IC 20-34-3 (health and safety measures).
- 25 ~~(16)~~ **(19)** IC 20-35 (concerning special education).
- 26 ~~(17)~~ **(20)** IC 20-39 (accounting and financial reporting
- 27 procedures).
- 28 ~~(18)~~ **(21)** IC 20-40 (government funds and accounts).
- 29 ~~(19)~~ **(22)** IC 20-41 (extracurricular funds and accounts).
- 30 ~~(20)~~ **(23)** IC 20-42 (fiduciary funds and accounts).
- 31 ~~(21)~~ **(24)** IC 20-42.5 (allocation of expenditures to student
- 32 instruction and learning).
- 33 ~~(22)~~ **(25)** IC 20-43 (state tuition support).
- 34 ~~(23)~~ **(26)** IC 20-44 (property tax levies).
- 35 ~~(24)~~ **(27)** IC 20-46 (levies other than general fund levies).
- 36 ~~(25)~~ **(28)** IC 20-47 (related entities; holding companies; lease
- 37 agreements).
- 38 ~~(26)~~ **(29)** IC 20-48 (borrowing and bonds).
- 39 ~~(27)~~ **(30)** IC 20-49 (state management of common school funds;

- 1 state advances and loans).
 - 2 ~~(28)~~ **(31)** IC 20-50 (concerning homeless children and foster care
 - 3 children).
 - 4 ~~(29)~~ **(32)** IC 22-2-18, before its expiration on June 30, 2021
 - 5 (limitation on employment of minors).
 - 6 (d) The Muncie Community School Corporation is subject to
 - 7 required audits by the state board of accounts under IC 5-11-1-9.
 - 8 (e) Except to the extent required under a collective bargaining
 - 9 agreement entered into before July 1, 2018, the Muncie Community
 - 10 School Corporation is not subject to IC 20-29 unless the school
 - 11 corporation voluntarily recognizes an exclusive representative under
 - 12 IC 20-29-5-2. If the school corporation voluntarily recognizes an
 - 13 exclusive representative under IC 20-29-5-2, the school corporation
 - 14 may authorize a school within the corporation to opt out of bargaining
 - 15 allowable subjects or discussing discussion items by specifying the
 - 16 excluded items on the notice required under IC 20-29-5-2(b). The
 - 17 notice must be provided to the education employment relations board
 - 18 at the time the notice is posted.".
 - 19 Delete page 12.
 - 20 Page 18, delete lines 23 through 42.
 - 21 Delete page 19.
 - 22 Page 20, delete lines 1 through 34.
 - 23 Page 21, delete lines 37 through 42.
 - 24 Delete pages 22 through 23.
 - 25 Page 24, delete lines 1 through 25.
 - 26 Page 28, delete lines 9 through 25.
 - 27 Page 28, delete lines 33 through 34.
 - 28 Page 28, line 35, delete "(c)" and insert "**(b)**".
 - 29 Page 28, delete lines 37 through 42.
 - 30 Delete pages 29 through 33.
 - 31 Page 34, delete lines 1 through 6.
 - 32 Page 35, delete lines 12 through 14.
 - 33 Page 35, line 15, delete "(g)" and insert "**(f)**".
 - 34 Page 35, line 23, delete "(h)" and insert "**(g)**".
 - 35 Renumber all SECTIONS consecutively.
- (Reference is to HB 1134 as reprinted January 26, 2022.)