



CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1380

Citations Affected: IC 20-19-3; IC 20-20-40; IC 20-25.7; IC 20-26-11; IC 20-27-12.1-2; IC 20-32-8.7; IC 20-33-2-17; IC 20-35; IC 20-40-18-8; IC 20-46; IC 20-51-1-5; IC 20-51.4-2-4; IC 20-52; IC 21-39-9.1; IC 22-14-2-13.

Synopsis: Various education matters. Requires the secretary of education to prepare and submit to the general assembly the following: (1) A plan to establish a pilot program concerning the use, operation, and management of school facilities to promote student learning and outcomes. (2) A plan to establish a pilot program concerning student transportation. Provides that the commission on seclusion and restraint in schools (commission) must include eliminating or minimizing the need for use of time-out in its model restraint and seclusion plan. Requires the commission to meet biannually (instead of annually, under current law), and requires the commission to submit a biannual report to the state advisory council on the education of children with disabilities. Makes various changes to innovation network school and participating innovation network charter school provisions regarding the following: (1) The terms that must be included in an agreement entered into between: (A) an innovation network team and the governing body of a school corporation; and (B) an organizer and the governing body of a school corporation. (2) Restrictions on altering an agreement. (3) Restrictions on a school corporation charging a participating innovation network charter school for goods and services. (4) Required distribution of state tuition support to participating innovation network charter schools. (5) Restrictions regarding altering the use of a facility occupied by an innovation network school or participating innovation network charter school. Provides that a school corporation may use the school corporation's operations fund for transportation of school children to certain: (1) apprenticeship programs; (2) career and technical education programs; (3) modern youth apprenticeships; and (4) work based learning courses. Makes changes to the student learning recovery grant program concerning the following: (1) The establishment of the program is subject to available funding. (2) The purpose for which the program was established with regard to disruption in education caused by the coronavirus disease pandemic and insufficient alternatives. (3) The limitation of the program to only certain state fiscal years. (4) Allowing the department of education (department) to require matching grant amounts. Provides that a student's Indiana enrichment scholarship account terminates under conditions established by the



department (instead of October 1, 2024). Provides that the governing body of a school corporation, the organizer of a charter school, or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is not a habitual truant and is ordered to active duty with the armed forces of the United States, including their reserve components or the Indiana National Guard for at least 15 days in a school year. Provides that the office of administrative law proceedings (office) has jurisdiction over hearing officers authorized to conduct hearings required by the Individuals with Disabilities Education Act (IDEA). Requires the office to: (1) determine the cost of conducting hearings; and (2) after July 1, 2025, assess a fee, based on the weighted ADM count, for each school corporation and charter school that is sufficient to cover the costs. Amends the date by which a student has to be a certain age to be eligible to participate in a school scholarship program and the Indiana education scholarship account program. Removes a condition with regard to requiring certain school corporations to accept transferring students who do not have legal settlement in the school corporation. Provides that a transferee corporation may not require a parent or student requesting transfer to the school corporation to pay transfer tuition or any other fee associated with the transfer of the student. Removes a provision that requires use of certain federal funds under the Indiana student enrichment grant program. Makes certain changes to the referendum time line. Repeals the following provisions regarding the student learning recovery grant program: (1) The appropriation in the 2021 fiscal year. (2) The expiration of the program. Repeals provisions regarding the expiration of the Indiana student enrichment grant program. Provides that a state educational institution (institution) must implement a policy to publish information concerning any act of hazing committed by a member of a group or organization that is adjudicated by the institution. Requires an institution to publish a public report concerning certain information about an investigation that results in a finding that hazing was committed. Specifies what an institution is required to publish on a website in connection with the public report concerning hazing. Allows an individual who is at least 16 years of age to enroll in and attend a training program for certification as a Firefighter I, Firefighter II, or emergency medical technician. **(This conference committee report inserts the following: (1) Provisions concerning the commission on seclusion and restraint in schools as it appeared in the January 30, 2024, reprinting of HB 1073. (2) The entirety of the January 19, 2024, printing of SB 154. (3) Certain provisions, with changes, authorizing the absence and excuse of certain students in the military from the February 14, 2024, printing of HB 1202. (4) Publication of hazing incidents language from the February 27, 2024, printing of SB 282. (5) Provisions allowing an individual who is at least 16 years of age to enroll in and attend a training program for certification as a Firefighter I, Firefighter II, or emergency medical technician, as it appeared in the February 27, 2024, printing of SB 282.)**

Effective: Upon passage; July 1, 2024.



CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1380 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 20-19-3-32 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2024]: **Sec. 32. Not later than November 1, 2024, the secretary of**
- 5 **education shall prepare and submit to the general assembly in an**
- 6 **electronic format under IC 5-14-6 a plan to establish a pilot**
- 7 **program that provides innovative approaches concerning the use,**
- 8 **operation, and management of school facilities to promote:**
- 9 (1) **enhanced learning environments;**
- 10 (2) **unique learning opportunities; and**
- 11 (3) **improved student academic and health outcomes.**
- 12 SECTION 2. IC 20-19-3-33 IS ADDED TO THE INDIANA CODE
- 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 14 1, 2024]: **Sec. 33. Not later than November 1, 2024, the secretary of**
- 15 **education shall prepare and submit to the general assembly in an**
- 16 **electronic format under IC 5-14-6 a plan to establish a pilot**
- 17 **program that encompasses innovative approaches for increasing**
- 18 **transportation of students enrolled at a:**
- 19 (1) **public school, including a charter school; or**

1 **(2) nonpublic school with at least one (1) employee;**
 2 **to travel to and from a school or other learning opportunities in a**
 3 **safe and efficient manner.**

4 SECTION 3. IC 20-20-40-10, AS ADDED BY P.L.122-2013,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 10. As used in this chapter, "time-out" means a
 7 behavior reduction procedure in which access to reinforcement is
 8 withdrawn for a certain period of time. Time-out occurs when the
 9 ability of a student to receive normal reinforcement in the school
 10 environment is restricted. **The term does not include a supervised**
 11 **time-out or scheduled break, as described in a student's**
 12 **individualized education program.**

13 SECTION 4. IC 20-20-40-12, AS AMENDED BY P.L.43-2021,
 14 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2024]: Sec. 12. (a) The designee of the secretary of education
 16 under section 11(b)(1) of this chapter serves as chairperson of the
 17 commission.

18 (b) The commission shall meet at least ~~annually~~ **biannually** on the
 19 call of the chairperson, and may meet as often as is necessary. The
 20 chairperson shall provide not less than fourteen (14) days notice of a
 21 meeting to the members of the commission and to the public.

22 (c) The affirmative votes of at least five (5) members of the
 23 commission are necessary for the commission to take action. The votes
 24 of the commission must be recorded.

25 (d) All commission meetings shall be open to the public, and each
 26 meeting must include opportunities for public comment.

27 (e) The department shall provide staff support for the commission.

28 SECTION 5. IC 20-20-40-13, AS AMENDED BY P.L.250-2023,
 29 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 13. (a) The commission has the following duties:

31 (1) To adopt rules concerning the following:

32 (A) The use of restraint and seclusion in a school corporation
 33 or a state accredited nonpublic school, with an emphasis on
 34 eliminating or minimizing the use of restraint and seclusion.

35 (B) The prevention of the use of types of restraint or seclusion
 36 that may harm a student, a school employee, a school
 37 volunteer, or the educational environment of the school.

38 (C) Requirements for notifying parents.

39 (D) Training regarding the use of restraint and seclusion,
 40 including the frequency of training and what employees must
 41 be trained.

42 (E) The distribution of the seclusion and restraint policy to
 43 parents and the public.

44 (F) Requirements for the reporting of incidents of restraint and
 45 seclusion in the annual school performance report, including
 46 incidents of restraint and seclusion involving school resource
 47 officers (as defined in IC 20-26-18.2-1).

48 (G) Circumstances that may require more timely incident
 49 reporting and the requirements for such reporting.

50 (2) To develop, maintain, and revise a model restraint and
 51 seclusion plan for schools that includes the following elements:

- 1 (A) A statement on how students will be treated with dignity
2 and respect and how appropriate student behavior will be
3 promoted and taught.
- 4 (B) A statement ensuring that the school will use prevention,
5 positive behavior intervention and support, and conflict
6 de-escalation to eliminate or minimize the need for use of any
7 of the following:
- 8 (i) Seclusion.
9 (ii) Chemical restraint.
10 (iii) Mechanical restraint.
11 (iv) Physical restraint.
12 (v) **Time-out.**
- 13 (C) A statement ensuring that any behavioral intervention used
14 will be consistent with the student's most current behavioral
15 intervention plan, or individualized education program, if
16 applicable.
- 17 (D) Definitions for restraint and seclusion, as defined in this
18 chapter.
- 19 (E) A statement ensuring that if a procedure listed in clause
20 (B) is used, the procedure will be used:
- 21 (i) as a last resort safety procedure, employed only after
22 another, less restrictive procedure has been implemented
23 without success; and
24 (ii) in a situation in which there is an imminent risk of injury
25 to the student, other students, school employees, or visitors
26 to the school.
- 27 (F) An indication that restraint or seclusion may be used only
28 for a short time period, or until the imminent risk of injury has
29 passed.
- 30 (G) A documentation and recording requirement governing
31 instances in which procedures listed in clause (B) are used,
32 including:
- 33 (i) how every incident will be documented and debriefed;
34 (ii) how responsibilities will be assigned to designated
35 employees for evaluation and oversight; and
36 (iii) designation of a school employee to be the keeper of
37 such documents.
- 38 (H) A requirement that the student's parent must be notified as
39 soon as possible when an incident involving the student occurs
40 that includes use of procedures listed in clause (B).
- 41 (I) A requirement that a copy of an incident report must be
42 sent to the student's parent after the student is subject to a
43 procedure listed in clause (B).
- 44 (J) Required recurrent training for appropriate school
45 employees on the appropriate use of effective alternatives to
46 physical restraint and seclusion, including the use of positive
47 behavioral intervention and support and conflict de-escalation.
48 The training must include the safe use of physical restraint and
49 seclusion in incidents involving imminent danger or serious
50 harm to the student, school employees, or others.

1 Consideration must be given to available school resources and
2 the time commitments of school employees.

3 (3) To accept and review reports from the public and make
4 nonbinding recommendations to the department of any suggested
5 action to be taken.

6 **(4) To biannually provide a report to the state advisory
7 council on the education of children with disabilities
8 appointed under IC 20-35-3-1 regarding the:**

9 **(A) execution of the commission's duties under this section;
10 and**

11 **(B) review of incident reports under section 13.6 of this
12 chapter.**

13 (b) The model policy developed by the commission must take into
14 consideration that implementation and reporting requirements for state
15 accredited nonpublic schools may vary, and the model plan must
16 provide state accredited nonpublic schools flexibility with regards to
17 accountability under and implementation of the plan adopted by a state
18 accredited nonpublic school under section 14 of this chapter.

19 (c) The commission will assist the department in enabling training
20 required by this section to be provided after June 30, 2024, through the
21 online platform established or licensed for use under IC 20-19-3-29, if
22 the online platform is established.

23 SECTION 6. IC 20-20-40-13.6, AS ADDED BY P.L.227-2017,
24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 13.6. (a) The department shall **biannually** review
26 incident reports under rules established by the commission under
27 IC 4-22-2 and submit summary findings to the commission in
28 compliance with the federal Family Educational Rights and Privacy Act
29 (20 U.S.C. 1232g and 34 CFR Part 99).

30 (b) The commission shall **biannually** review summary findings
31 submitted by the department under subsection (a) and may make
32 nonbinding recommendations to the department or other entities.

33 (c) If the department receives a recommendation from the
34 commission under subsection (b), the department shall provide the
35 commission a response with regard to the commission's
36 recommendation in a manner prescribed by the department within a
37 reasonable time after the department receives the recommendation
38 from the commission.

39 SECTION 7. IC 20-25.7-4-5, AS AMENDED BY P.L.246-2023,
40 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2024]: Sec. 5. (a) The board shall enter into an agreement
42 with an innovation network team to establish an innovation network
43 school or to reconstitute an eligible school as an innovation network
44 school under section 3 or 4 of this chapter. An innovation network team
45 may consist of or include teachers, a principal, a superintendent, or any
46 combination of these individuals who were employed at the eligible
47 school before the agreement is entered.

48 (b) The terms of the agreement must specify the following:

49 (1) A statement that the innovation network school is considered
50 to be part of the school corporation and not considered a separate
51 local educational agency.

- 1 (2) A statement that the innovation network team authorizes the
2 department to include the innovation network school's
3 performance assessment results under IC 20-31-8 when
4 calculating the school corporation's performance assessment
5 under rules adopted by the state board.
- 6 (3) The amount of state and federal funding, including tuition
7 support, and money levied as property taxes that will be
8 distributed by the school corporation to the innovation network
9 school.
- 10 (4) The performance goals and accountability metrics agreed
11 upon for the innovation network school.
- 12 (5) Grounds for termination of the agreement, including the right
13 of termination if the innovation network team fails to:
- 14 (A) comply with the conditions or procedures established in
15 the agreement;
- 16 (B) meet generally accepted fiscal management and
17 government accounting principles;
- 18 (C) comply with applicable laws; or
- 19 (D) meet the educational goals set forth in the agreement
20 between the board and the innovation network team.
- 21 (6) For an agreement entered into or renewed after June 30, 2023,
22 the process the board is required to follow in determining whether
23 to renew the agreement.
- 24 **(7) For an agreement entered into or renewed after June 30,**
25 **2024, and subject to section 9 of this chapter, the innovation**
26 **network school's enrollment and discipline policies, including**
27 **defined attendance areas and enrollment zones.**
- 28 (c) If an agreement is entered into under subsection (a), the board
29 shall notify the department that an agreement has been entered into
30 under this section within thirty (30) days after the agreement is entered
31 into.
- 32 (d) Upon receipt of the notification under subsection (c), for school
33 years starting after the date of the agreement:
- 34 (1) the department shall include the innovation network school's
35 performance assessment results under IC 20-31-8 when
36 calculating the school corporation's performance assessment
37 under rules adopted by the state board;
- 38 (2) the department shall treat the innovation network school in the
39 same manner as a school operated by the school corporation when
40 calculating the total amount of state and federal funding to be
41 distributed to the school corporation; and
- 42 (3) if requested by an innovation network school established
43 under IC 20-25.5-4-2(a)(2) (before its repeal) or
44 IC 20-25.7-4-4(a)(2), the department may use student growth as
45 the state board's exclusive means to determine the innovation
46 network school's category or designation of school improvement
47 under 511 IAC 6.2-10-10 for a period of three (3) years.
48 Beginning with the 2019-2020 school year, the department may
49 not use student growth as the state board's exclusive means to
50 determine an innovation network school's category or designation
51 of school improvement. This subdivision expires July 1, 2023.

1 A school corporation and an innovation network school are not entitled
 2 to any state funding in addition to the amount the school corporation
 3 and school would otherwise be eligible to receive if the innovation
 4 network school were a public school maintained by the school
 5 corporation.

6 (e) If a board or innovation network team fails to follow the renewal
 7 process described in subsection (b)(6), the board or innovation network
 8 team may appeal to the state board. The state board shall hear the
 9 appeal in a public meeting and ensure that the board or innovation
 10 network team follows the renewal process specified in the agreement.
 11 The board may not terminate an agreement until the board has provided
 12 evidence to the state board that the board has complied with the
 13 renewal process specified in the agreement. The state board shall issue
 14 a decision on an appeal under this subsection not later than sixty (60)
 15 days after the date the board or innovation network team submitted the
 16 appeal to the state board.

17 (f) If an administrative fee is included in an agreement entered into
 18 or renewed after June 30, 2023, under this section, the fee may not
 19 exceed one percent (1%) of the total amount of state tuition support
 20 that is distributed to the school corporation based on the student
 21 enrollment of the innovation network school.

22 **(g) An agreement entered into between the board and an**
 23 **innovation network team under this section may not be altered**
 24 **without written approval from the innovation network team.**

25 SECTION 8. IC 20-25.7-4-6, AS AMENDED BY P.L.246-2023,
 26 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 6. (a) For as long as an innovation network
 28 team operates an innovation network school:

29 (1) the innovation network team may use the school building, the
 30 accompanying real property, and the building's contents,
 31 equipment, and supplies, as provided in the agreement established
 32 under section 5 of this chapter;

33 (2) the school corporation may:

34 (A) provide transportation for students attending the
 35 innovation network school; and

36 (B) maintain and repair the buildings and grounds consistent
 37 with the maintenance and repair to the school corporation's
 38 other buildings and grounds; ~~and~~

39 (3) the innovation network team and the school corporation may
 40 enter into an agreement to transfer the ownership of a school
 41 corporation facility to the innovation network team; **and**

42 **(4) the school corporation may not alter the use of the facility**
 43 **occupied by the innovation network school without agreement**
 44 **from the innovation network team.**

45 (b) If an innovation network team contracts with a school
 46 corporation for goods or services, the school corporation may not
 47 charge the innovation network team more for the goods or services than
 48 the school corporation pays for the goods or services. A school
 49 corporation may not require an innovation network team to contract for
 50 specific goods or services provided by the school corporation or any
 51 other entity.

1 (c) A school corporation and an innovation network team may
 2 negotiate to require specific services with regard to an innovation
 3 network school during the term of an agreement. However, subject to
 4 subsection (d), an innovation network team must be able to select the
 5 service provider for the services.

6 (d) A school corporation may require an innovation network school
 7 to:

- 8 (1) use the school corporation's student information system; and
- 9 (2) comply with the school corporation's networking,
 10 cybersecurity, and device standards.

11 However, nothing in this subsection may be construed to allow a school
 12 corporation to alter an innovation network team's autonomy to
 13 determine the academic programming of the innovation network team's
 14 school.

15 (e) For as long as an innovation network team operates an
 16 innovation network school, the school corporation may distribute
 17 money levied as property taxes to the innovation network team.
 18 Property taxes distributed to an innovation network team must be used
 19 only for a purpose for which the property taxes could have been used
 20 by the school corporation. Property taxes distributed under this
 21 subsection may supplement services and property provided under
 22 subsection (a) or (b). The parties may jointly modify an agreement
 23 described in section 5 of this chapter to implement this subsection.

24 (f) An agreement concerning the transfer of ownership of a school
 25 corporation facility to an innovation network team described in
 26 subsection (a) is not subject to IC 20-26-7.1.

27 SECTION 9. IC 20-25.7-5-2, AS AMENDED BY P.L.201-2023,
 28 SECTION 159, AND AS AMENDED BY P.L.246-2023, SECTION
 29 31, AND AS AMENDED BY THE TECHNICAL CORRECTIONS
 30 BILL OF THE 2024 GENERAL ASSEMBLY, IS CORRECTED AND
 31 AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 32 PASSAGE]: Sec. 2. (a) The board may enter into an agreement with an
 33 organizer to reconstitute an eligible school as a participating innovation
 34 network charter school or to establish a participating innovation
 35 network charter school at a location selected by the board within the
 36 boundary of the school corporation. Notwithstanding IC 20-26-7.1, a
 37 participating innovation network charter school may be established
 38 within a vacant school building.

39 (b) The terms of the agreement entered into between the board and
 40 an organizer must specify the following:

- 41 (1) A statement that the organizer authorizes the department to
 42 include the charter school's performance assessment results under
 43 IC 20-31-8 when calculating the school corporation's performance
 44 assessment under rules adopted by the state board.

- 45 (2) **The amount of state funding, including tuition support**
 46 **Subject to an administrative fee as described in subsection (g),**
 47 **a statement that the school corporation will distribute at least**
 48 **one hundred percent (100%) of state tuition support dollars**
 49 **that the school corporation receives from student enrollment**
 50 **in the participating innovation network charter school in**
 51 **accordance with the school funding formula to the**

1 **participating innovation network charter school** (if the
 2 participating innovation network charter school is treated in the
 3 same manner as a school operated by the school corporation
 4 under subsection (d)(2)). ~~and money levied as property taxes that~~
 5 ~~will be distributed by the school corporation to the organizer.~~

6 (3) The performance goals and accountability metrics agreed
 7 upon for the charter school in the charter agreement between the
 8 organizer and the authorizer **and a statement that the school**
 9 **corporation is prohibited from setting additional performance**
 10 **goals or accountability metrics.**

11 (4) *For an agreement entered into or renewed after June 30,*
 12 *2023, the process the board is required to follow in determining*
 13 *whether to renew the agreement.*

14 **(5) The amount of money levied as property taxes that will be**
 15 **distributed by the school corporation to the organizer.**

16 **(6) Subject to section 5 of this chapter, the participating**
 17 **innovation network charter school's enrollment and discipline**
 18 **policies, including defined attendance areas and enrollment**
 19 **zones.**

20 **(7) A statement that the innovation agreement shall not create**
 21 **an obligation that would cause the organizer to be in violation**
 22 **of its charter agreement (as described in IC 20-24-1-3).**

23 (c) If an organizer and the board enter into an agreement under
 24 subsection (a), the organizer and the board shall notify the department
 25 that the agreement has been made under this section within thirty (30)
 26 days after the agreement is entered into.

27 (d) Upon receipt of the notification under subsection (c), for school
 28 years starting after the date of the agreement:

29 (1) the department shall include the participating innovation
 30 network charter school's performance assessment results under
 31 IC 20-31-8 when calculating the school corporation's performance
 32 assessment under rules adopted by the state board;

33 (2) the department shall treat the participating innovation network
 34 charter school in the same manner as a school operated by the
 35 school corporation when calculating the total amount of state
 36 funding to be distributed to the school corporation unless
 37 subsection (e) applies; and

38 (3) if requested by a participating innovation network charter
 39 school that reconstitutes an eligible school, the department may
 40 use student growth as the state board's exclusive means to
 41 determine the innovation network charter school's category or
 42 designation of school improvement under 511 IAC 6.2-10-10 for
 43 a period of three (3) years. Beginning with the 2019-2020 school
 44 year, the department may not use student growth as the state
 45 board's exclusive means to determine an innovation network
 46 charter school's category or designation of school improvement.
 47 This subdivision expires July 1, 2023.

48 (e) If a participating innovation network school was established
 49 before January 1, 2016, and for the current school year has a
 50 complexity index that is greater than the complexity index for the
 51 school corporation that the innovation network school has contracted

1 with, the innovation network school shall be treated as a charter school
 2 for purposes of determining tuition support. This subsection expires
 3 June 30, ~~2023~~ 2025.

4 *(f) If the board or organizer fails to follow the process described in*
 5 *subsection (b)(4), the board or organizer may appeal to the state*
 6 *board. The state board shall hear the appeal in a public meeting and*
 7 *ensure that the board or organizer follows the renewal process*
 8 *specified in the agreement. The board may not terminate an agreement*
 9 *until the board has provided evidence to the state board that the board*
 10 *has complied with the renewal process specified in the agreement. The*
 11 *state board shall issue a decision on an appeal under this subsection*
 12 *not later than sixty (60) days after the date the board or organizer*
 13 *submitted the appeal to the state board.*

14 *(g) If an administrative fee is included in an agreement entered into*
 15 *or renewed after June 30, 2023, under this section, the fee may not*
 16 *exceed one percent (1%) of the total amount of state tuition support*
 17 *that is distributed to the school corporation based on the participating*
 18 *innovation network charter school's student enrollment.*

19 **(h) An agreement entered into between the board and an**
 20 **organizer under this section may not be altered without written**
 21 **approval from the organizer.**

22 SECTION 10. IC 20-25.7-5-3, AS AMENDED BY P.L.246-2023,
 23 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 UPON PASSAGE]: Sec. 3. (a) For as long as a charter school remains
 25 a participating innovation network charter school: ~~the school~~
 26 ~~corporation may:~~

27 (1) **the school corporation may** provide transportation for
 28 students attending the participating innovation network charter
 29 school;

30 (2) **the school corporation may** maintain and repair the
 31 buildings and grounds used by the participating innovation
 32 network charter school consistent with the maintenance and repair
 33 to the school corporation's other buildings and grounds; ~~and~~

34 (3) **the school corporation may** enter into an agreement to
 35 transfer the ownership of a school corporation facility to the
 36 organizer; **and**

37 (4) **the school corporation may not alter the use of the facility**
 38 **occupied by the participating innovation network charter**
 39 **school without agreement from the organizer.**

40 (b) If an organizer contracts with a school corporation for goods or
 41 services, the school corporation may not charge the organizer more for
 42 the goods or services than the school corporation pays for the goods or
 43 services. A school corporation may not require an organizer to contract
 44 for specific goods or services provided by the school corporation or any
 45 other entity.

46 (c) A school corporation and an organizer may negotiate to require
 47 specific services with regard to a participating innovation network
 48 charter school during the term of an agreement. However, an organizer
 49 must be able to select the service provider for the services.

50 (d) For as long as a charter school remains a participating

1 innovation network charter school, the school corporation may
 2 distribute money levied as property taxes to the charter school. Property
 3 taxes distributed to a charter school must be used only for a purpose for
 4 which the property taxes could have been used by the school
 5 corporation. Property taxes distributed under this subsection may
 6 supplement services and property provided under subsection (a) or (b).
 7 The parties may jointly modify an agreement described in section 2 of
 8 this chapter to implement this subsection.

9 (e) An agreement concerning the transfer of ownership of a school
 10 corporation facility described in subsection (a) is not subject to
 11 IC 20-26-7.1.

12 **(f) Unless an agreement entered into before July 1, 2024,**
 13 **between a board and an organizer provides otherwise, a school**
 14 **corporation may not charge an organizer an amount for goods and**
 15 **services that is greater than the amount of the operations fund**
 16 **property tax levy the organizer receives under IC 20-46-8-11.2 for**
 17 **the participating innovation network charter school.**

18 SECTION 11. IC 20-25.7-5-6 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) Subject to an**
 21 **administrative fee as described in section 2(g) of this chapter, a**
 22 **school corporation that enters into an agreement with an organizer**
 23 **under this chapter shall distribute at least one hundred percent**
 24 **(100%) of state tuition support dollars that the school corporation**
 25 **receives from student enrollment in the participating innovation**
 26 **network charter school in accordance with the school funding**
 27 **formula to the participating innovation network charter school.**

28 **(b) Unless an agreement entered into before July 1, 2024,**
 29 **between a board and an organizer provides otherwise, all**
 30 **participating innovation network charter schools operating under**
 31 **existing agreements with boards as of July 1, 2024, will receive**
 32 **funds as required under subsection (a).**

33 SECTION 12. IC 20-26-11-6, AS AMENDED BY P.L.30-2010,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: **Sec. 6. (a) A school corporation may accept a**
 36 **transferring student without approval of the transferor corporation**
 37 **under section 5 of this chapter.**

38 ~~(b) A transfer may be accepted regardless of whether, as a condition~~
 39 ~~of the transfer, the transferee school requires the requesting parents or~~
 40 ~~student to pay transfer tuition in an amount determined under the~~
 41 ~~formula established in section 13 of this chapter for the payment of~~
 42 ~~transfer tuition by a transferor school corporation. However, if the~~
 43 ~~transferee school elects to charge transfer tuition, the transferee school~~
 44 ~~may not offset the amounts described in section 13(b) STEP TWO (B)~~
 45 ~~through section 13(b) STEP TWO (D) of this chapter from the amount~~
 46 ~~charged to the requesting parents or student.~~

47 ~~(c) When the transferee school elects to charge tuition to the~~
 48 ~~requesting parents or student, the tuition determined under subsection~~
 49 ~~(b) must be paid by the parents or the student before the end of the~~
 50 ~~school year in installments as determined by the transferee corporation.~~

51 ~~(d) Failure to pay a tuition installment that is agreed to by the~~

1 parents or student and the transferee school corporation is a ground for
2 exclusion from school.

3 (e) If the transferee school elects not to charge transfer tuition to the
4 parents or student under this section, the transferee school may not
5 charge transfer tuition or fees to the transferor school.

6 **(b) A transferee corporation may not require a parent or**
7 **student requesting transfer to the school corporation to pay**
8 **transfer tuition or any other fee associated with the transfer of the**
9 **student.**

10 SECTION 13. IC 20-26-11-6.7, AS AMENDED BY P.L.92-2020,
11 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 6.7. (a) This section:

13 (1) applies to a school corporation that does not have a policy of
14 accepting transfer students having legal settlement outside the
15 attendance area of the transferee school corporation; and

16 (2) does not apply to a school corporation that has more than one
17 (1) high school.

18 (b) Notwithstanding this chapter, a school corporation shall accept
19 a transferring student who resides in Indiana and who does not have
20 legal settlement in the school corporation if:

21 (1) the student attended a state accredited nonpublic elementary
22 school located in the attendance area of the transferee school
23 corporation for at least two (2) school years immediately
24 preceding the school year in which the student transfers to a high
25 school in the transferee school corporation under this section;

26 (2) the student is transferring because the state accredited
27 nonpublic school from which the student is transferring does not
28 offer grades 9 through 12; **and**

29 ~~(3) the majority of the students in the same grade as the~~
30 ~~transferring student at the state accredited nonpublic school have~~
31 ~~legal settlement in the transferee school corporation and will~~
32 ~~attend a school under the authority of the transferee school~~
33 ~~corporation; and~~

34 ~~(4) (3) the transferee school corporation has the capacity to accept~~
35 ~~students.~~

36 (c) If the number of students who request to transfer to a transferee
37 school corporation under this section causes the school corporation to
38 exceed the school corporation's maximum student capacity, the
39 governing body shall determine which students will be admitted as
40 transfer students by a random drawing in a public meeting.

41 SECTION 14. IC 20-27-12.1-2, AS ADDED BY P.L.155-2020,
42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
43 JULY 1, 2024]: Sec. 2. As used in this chapter, "career and technical
44 education" has the meaning set forth in IC 20-20-38-1: **refers to:**

45 **(1) an apprenticeship program (as defined in IC 20-43-8-0.3);**

46 **(2) a career and technical education (as defined in**
47 **IC 20-20-38-1) program;**

48 **(3) a modern youth apprenticeship (as defined in**
49 **IC 20-51.4-2-9.5); and**

50 **(4) a work based learning course (as defined in**
51 **IC 20-43-8-0.7).**

1 SECTION 15. IC 20-32-8.7-5, AS AMENDED BY P.L.171-2023,
 2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 5. (a) **Subject to available funding**, the student
 4 learning recovery grant program is established to provide grants to an
 5 eligible entity for the purpose of providing recovery learning and
 6 remediation to students in kindergarten through grade 12 who:

- 7 (1) have experienced learning loss;
- 8 (2) have fallen behind in acquiring anticipated grade level
 9 academic skills and knowledge;
- 10 (3) have scored below academic standards or average
 11 benchmarks; or
- 12 (4) are at risk of falling below academic standards.

13 ~~due to the disruption in student education caused by the coronavirus~~
 14 ~~disease (COVID-19) pandemic and insufficient instructional~~
 15 ~~alternatives:~~

16 (b) The department shall administer the program.

17 (c) The department may award grants to eligible entities under the
 18 program. ~~in state fiscal year 2024 and state fiscal year 2025 from funds~~
 19 ~~appropriated during the 2021 regular session of the Indiana general~~
 20 ~~assembly that have not been obligated:~~

21 SECTION 16. IC 20-32-8.7-7, AS AMENDED BY P.L.171-2023,
 22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 7. ~~(a)~~ To be eligible to receive a grant under this
 24 chapter, an eligible entity must do the following:

- 25 (1) Apply on a form and in a manner established by the
 26 department.
- 27 (2) Apply by a date established by the department.
- 28 (3) Develop and submit to the department a student learning
 29 recovery plan that meets the requirements in section 8 of this
 30 chapter and any other requirements established by the department.
 31 ~~including a requirement that a school corporation or charter~~
 32 ~~school identified in the plan provide a matching grant in an~~
 33 ~~amount determined by the department:~~
- 34 (4) Specify the amount requested in the student learning recovery
 35 plan submitted by the eligible entity under subdivision (3).

36 ~~(b) If a school corporation or charter school is required to provide~~
 37 ~~a matching grant as part of a student learning recovery plan, the~~
 38 ~~matching grant may only consist of federal funds received by the~~
 39 ~~school corporation or charter school:~~

40 SECTION 17. IC 20-32-8.7-8, AS AMENDED BY P.L.216-2021,
 41 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2024]: Sec. 8. (a) To be eligible to receive a grant under this
 43 chapter, an eligible entity must develop and submit to the department
 44 a student learning recovery plan to provide recovery learning to
 45 students of the eligible entity described in section 5(a) of this chapter.

46 (b) A plan developed under subsection (a) must do the following:

- 47 (1) Address learning loss associated with the purpose of the
 48 program described in section 5(a) of this chapter.
- 49 (2) Identify metrics to measure learning recovery under the
 50 program as well as the proposed measurable and specific

1 improvements to be made to demonstrate learning recovery.

2 (3) Provide for recovery learning to be offered in an in person
3 setting, and may not offer recovery learning in a virtual setting.

4 ~~(4) Include requirements that if the eligible entity receives any
5 federal grants or money for a similar purpose in which the eligible
6 entity is requesting a grant under this chapter, the eligible entity
7 must use the federal grant or money before using any grant money
8 awarded by the department under section 9 of this chapter.~~

9 SECTION 18. IC 20-32-8.7-13, AS AMENDED BY P.L.171-2023,
10 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 13. (a) Not later than July 1 ~~2023~~, ~~and July 1,~~
12 ~~2024~~, **of each year**, the department shall prepare an annual report that
13 includes the following:

14 (1) A list of all of the eligible entities that participated in the
15 program.

16 (2) The amount of the grant awarded to each participating eligible
17 entity.

18 (3) The total amount of grants awarded under this chapter.

19 (b) The department shall submit the report described in subsection
20 (a) to the:

21 (1) governor; and

22 (2) legislative council in an electronic format under IC 5-14-6.

23 SECTION 19. IC 20-32-8.7-15 IS REPEALED [EFFECTIVE JULY
24 1, 2024]. ~~Sec. 15: There is appropriated to the fund one hundred fifty
25 million dollars (\$150,000,000) from the state general fund for the
26 purposes of providing grants under this chapter for the state fiscal year
27 beginning July 1, 2020, and ending June 30, 2021. Funds appropriated
28 under this section do not revert to the state general fund and remain
29 available to be spent for purposes of the program.~~

30 SECTION 20. IC 20-32-8.7-16 IS REPEALED [EFFECTIVE JULY
31 1, 2024]. ~~Sec. 16: This chapter expires July 1, 2025.~~

32 SECTION 21. IC 20-33-2-17, AS ADDED BY P.L.1-2005,
33 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2024]: Sec. 17. The governing body of a school corporation,
35 **the organizer of a charter school**, or the chief administrative officer
36 of a nonpublic school system shall authorize the absence and excuse of
37 each secondary school student who is:

38 (1) **not a habitual truant (as defined in IC 20-18-2-6.5); and**

39 (2) ordered to active duty with the **armed forces of the United**
40 **States, including their reserve components, or the Indiana**
41 **National Guard for not more than ten (10) at least fifteen (15)**
42 **days in a school year.**

43 **However, the governing body of a school corporation, the**
44 **organizer of a charter school, or the chief administrative officer of**
45 **a nonpublic school system may authorize additional excused**
46 **absences for additional military training.** For verification, the
47 student must submit to school authorities a copy of the orders to active
48 duty and a copy of the orders releasing the student from active duty. A
49 student excused from school attendance under this section may not be
50 recorded as being absent on any date for which the excuse is operative

1 and may not be penalized by the school in any manner.

2 SECTION 22. IC 20-35-2-1, AS AMENDED BY P.L.43-2021,
3 SECTION 114, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) There is established under the
5 state board a division of special education. The division shall exercise
6 all the power and duties set out in this chapter, IC 20-35-3 through
7 IC 20-35-6, and IC 20-35-8.

8 (b) The governor shall appoint, upon the recommendation of the
9 secretary of education, a director of special education who serves at the
10 pleasure of the governor. The amount of compensation of the director
11 shall be determined by the budget agency with the approval of the
12 governor. The director has the following duties:

13 (1) To do the following:

14 (A) Have general supervision of special education programs
15 and services, including those conducted by school
16 corporations, charter schools, the Indiana School for the Blind
17 and Visually Impaired, the Indiana School for the Deaf, the
18 department of correction, and the division of mental health and
19 addiction to ensure compliance with federal and state special
20 education laws and rules.

21 (B) Take appropriate action to ensure school corporations,
22 charter schools, and the department remain eligible for federal
23 special education funds.

24 **(C) Oversee the training of hearing officers and establish
25 guidelines as described in IC 20-35-14-5.**

26 (2) With the consent of the secretary of education and the budget
27 agency, to appoint and determine salaries for any assistants and
28 other personnel needed to enable the director to accomplish the
29 duties of the director's office.

30 SECTION 23. IC 20-35-14 IS ADDED TO THE INDIANA CODE
31 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2024]:

33 **Chapter 14. Employment of Independent Hearing Officers**

34 **Sec. 1. As used in this chapter, "IDEA" refers to the federal
35 Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.**

36 **Sec. 2. As used in this chapter, "office" has the meaning set
37 forth in IC 4-15-10.5-6.**

38 **Sec. 3. (a) The office has jurisdiction over hearing officers
39 authorized to conduct hearings required by the IDEA.**

40 **(b) The office is granted jurisdiction to conduct hearings
41 described in subsection (a) as permitted under IC 4-15-10.5-12.**

42 **Sec. 4. Not later than August 1, 2024, the department and the
43 office shall enter into a memorandum of understanding regarding
44 the transition to hearing officers employed by the office as
45 full-time, salaried, state employees to act as and satisfy the
46 requirements regarding independent hearing officers under the
47 IDEA.**

48 **Sec. 5. The director of special education appointed under
49 IC 20-35-2-1 shall:**

50 **(1) oversee the training of hearing officers; and**

51 **(2) establish guidelines for hearing officers who conduct**

1 hearings under this chapter, including guidelines to ensure
2 compliance with state and federal special education laws and
3 rules.

4 **Sec. 6. The office shall:**

5 **(1) determine the cost of conducting hearings under this**
6 **chapter; and**

7 **(2) after July 1, 2025, assess each school corporation and**
8 **charter school in the state, based on the weighted ADM count,**
9 **a fee that is sufficient to cover the costs determined under**
10 **subdivision (1).**

11 SECTION 24. IC 20-40-18-8, AS ADDED BY P.L.244-2017,
12 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2024]: Sec. 8. (a) A school corporation shall use the
14 operations fund to pay the transportation costs attributable to
15 transportation of school children as specified in subsection (b).

16 (b) Only the following costs are payable from the fund:

17 (1) Salaries paid to bus drivers, transportation supervisors,
18 mechanics and garage employees, clerks, and other transportation
19 related employees.

20 (2) Contracted transportation services.

21 (3) Wages of independent contractors.

22 (4) Contracts with common carriers.

23 (5) Student fares.

24 (6) Transportation related insurance.

25 **(7) Transportation of school children to:**

26 **(A) an apprenticeship program (as defined in**
27 **IC 20-43-8-0.3);**

28 **(B) a career and technical education (as defined in**
29 **IC 20-20-38-1) program;**

30 **(C) a modern youth apprenticeship (as defined in**
31 **IC 20-51.4-2-9.5); and**

32 **(D) a work based learning course (as defined in**
33 **IC 20-43-8-0.7).**

34 ~~(7)~~ **(8) Other expenses of operating the school corporation's**
35 **transportation service, including gasoline, lubricants, tires,**
36 **repairs, contracted repairs, parts, supplies, equipment, and other**
37 **related expenses.**

38 (c) Percentages or parts of salaries of teaching personnel or
39 principals are not attributable to transportation. However, parts of
40 salaries of instructional aides who are assigned to assist with the school
41 transportation program are attributable to transportation. The costs
42 described in this subsection (other than instructional aide costs) may
43 not be budgeted for payment or paid from the fund.

44 (d) Costs for a calendar year are those costs attributable to
45 transportation for students during the school year ending in the
46 calendar year.

47 SECTION 25. IC 20-46-1-8, AS AMENDED BY P.L.189-2023,
48 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
49 UPON PASSAGE]: Sec. 8. (a) Subject to subsections (e), (f), and (g)
50 and this chapter, the governing body of a school corporation may adopt
51 a resolution to place a referendum under this chapter on the ballot for

- 1 any of the following purposes:
- 2 (1) The governing body of the school corporation determines that
- 3 it cannot, in a calendar year, carry out its public educational duty
- 4 unless it imposes a referendum tax levy under this chapter.
- 5 (2) The governing body of the school corporation determines that
- 6 a referendum tax levy under this chapter should be imposed to
- 7 replace property tax revenue that the school corporation will not
- 8 receive because of the application of the credit under
- 9 IC 6-1.1-20.6.
- 10 (3) Except for resolutions described in subsection (b), the
- 11 governing body makes the determination required under
- 12 subdivision (1) or (2) and determines to share a portion of the
- 13 referendum proceeds with a charter school, excluding a virtual
- 14 charter school, in the manner prescribed in subsection (e).
- 15 (b) A resolution for a referendum for a county described in section
- 16 21 of this chapter that is adopted after May 10, 2023, shall specify that
- 17 a portion of the proceeds collected from the proposed levy will be
- 18 distributed to applicable charter schools in the manner described under
- 19 section 21 of this chapter.
- 20 (c) The governing body of the school corporation shall certify a
- 21 copy of the resolution to place a referendum on the ballot to the
- 22 following:
- 23 (1) The department of local government finance, including:
- 24 (A) the language for the question required by section 10 of this
- 25 chapter, or in the case of a resolution to extend a referendum
- 26 levy certified to the department of local government finance
- 27 after March 15, 2016, section 10.1 of this chapter; and
- 28 (B) a copy of the revenue spending plan adopted under
- 29 subsection (g).
- 30 The language of the public question must include the estimated
- 31 average percentage increases certified by the county auditor under
- 32 section 10(e) or 10.1(f) of this chapter, as applicable. The
- 33 governing body of the school corporation shall also provide the
- 34 county auditor's certification described in section 10(e) or 10.1(f)
- 35 of this chapter, as applicable. The department of local government
- 36 finance shall post the values certified by the county auditor to the
- 37 department's website. The department shall review the language
- 38 for compliance with section 10 or 10.1 of this chapter, whichever
- 39 is applicable, and either approve or reject the language. The
- 40 department shall send its decision to the governing body of the
- 41 school corporation not more than ten (10) days after the resolution
- 42 is submitted to the department. If the language is approved, the
- 43 governing body of the school corporation shall certify a copy of
- 44 the resolution, including the language for the question and the
- 45 department's approval.
- 46 (2) The county fiscal body of each county in which the school
- 47 corporation is located (for informational purposes only).
- 48 (3) The circuit court clerk of each county in which the school
- 49 corporation is located.
- 50 (d) If a school safety referendum tax levy under IC 20-46-9 has been

1 approved by the voters in a school corporation at any time in the
2 previous three (3) years, the school corporation may not:

3 (1) adopt a resolution to place a referendum under this chapter on
4 the ballot; or

5 (2) otherwise place a referendum under this chapter on the ballot.

6 (e) Except as provided in section 21 of this chapter, the resolution
7 described in subsection (a) must indicate whether proceeds in the
8 school corporation's education fund collected from a tax levy under this
9 chapter will be used to provide a distribution to a charter school or
10 charter schools, excluding a virtual charter school, under IC 20-40-3-5
11 as well as the amount that will be distributed to the particular charter
12 school or charter schools. A school corporation may request from the
13 designated charter school or charter schools any financial
14 documentation necessary to demonstrate the financial need of the
15 charter school or charter schools.

16 (f) This subsection applies to a resolution described in subsection
17 (a) for a county described in section 21(a) of this chapter that is
18 adopted after May 10, 2023. The resolution described in subsection (a)
19 shall include a projection of the amount that the school corporation
20 expects to be distributed to a particular charter school, excluding
21 virtual charter schools or adult high schools, under section 21 of this
22 chapter if the charter school voluntarily elects to participate in the
23 referendum in the manner described in subsection (i). At least sixty
24 (60) days before the resolution described in subsection (a) is voted on
25 by the governing body, the school corporation shall contact the
26 department to determine the number of students in kindergarten
27 through grade 12 who have legal settlement in the school corporation
28 but attend a charter school, excluding virtual charter schools or adult
29 high schools, and who receive not more than fifty percent (50%) virtual
30 instruction. The department shall provide the school corporation with
31 the number of students with legal settlement in the school corporation
32 who attend a charter school and who receive not more than fifty percent
33 (50%) virtual instruction, which shall be disaggregated for each
34 particular charter school, excluding a virtual charter school or adult
35 high school. The projection may include an expected increase in
36 charter schools during the term the levy is imposed under this chapter.
37 The department of local government finance shall prescribe the manner
38 in which the projection shall be calculated. The governing body shall
39 take into consideration the projection when adopting the revenue
40 spending plan under subsection (g).

41 (g) As part of the resolution described in subsection (a), the
42 governing body of the school corporation shall adopt a revenue
43 spending plan for the proposed referendum tax levy that includes:

44 (1) an estimate of the amount of annual revenue expected to be
45 collected if a levy is imposed under this chapter;

46 (2) the specific purposes for which the revenue collected from a
47 levy imposed under this chapter will be used;

48 (3) an estimate of the annual dollar amounts that will be expended
49 for each purpose described in subdivision (2); and

50 (4) for a resolution for a referendum that is adopted after May 10,

1 2023, for a county described in section 21(a) of this chapter, the
2 projected revenue that shall be distributed to charter schools as
3 provided in subsections (f) and (i). The revenue spending plan
4 shall also take into consideration deviations in the proposed
5 revenue spending plan if the actual charter school distributions
6 exceed or are lower than the projected charter school distributions
7 described in subsection (f). The resolution shall include for each
8 charter school that elects to participate under subsection (i)
9 information described in subdivisions (1) through (3).

10 (h) A school corporation shall specify in its proposed budget the
11 school corporation's revenue spending plan adopted under subsection
12 (g) and annually present the revenue spending plan at its public hearing
13 on the proposed budget under IC 6-1.1-17-3.

14 (i) This subsection applies to a resolution described in subsection
15 (a) for a county described in section 21(a) of this chapter that is
16 adopted after May 10, 2023. At least forty-five (45) days before the
17 resolution described in subsection (a) is voted on by the governing
18 body, the school corporation shall contact each charter school,
19 excluding virtual charter schools or adult high schools, disclosed by the
20 department to the school corporation under subsection (f) to determine
21 whether the charter school will participate in the referendum. **The**
22 **notice must include the total amount of the school corporation's**
23 **expected need, the corresponding estimate for that amount divided**
24 **by the number of students enrolled in the school corporation, and**
25 **the date on which the governing body of the school corporation will**
26 **vote on the resolution.** The charter school must respond in writing to
27 the school corporation, **which may be by electronic mail addressed**
28 **to the superintendent of the school corporation,** at least fifteen (15)
29 days prior to the date that the resolution described in subsection (a) is
30 to be voted on by the governing body. If the charter school elects to not
31 participate in the referendum, the school corporation may exclude
32 distributions to the charter school under section 21 of this chapter and
33 from the projection described in subsection (f). If the charter school
34 elects to participate in the referendum, the charter school may receive
35 distributions under section 21 of this chapter and must be included in
36 the projection described in subsection (f). In addition, a charter school
37 that elects to participate in the referendum under this subsection shall
38 contribute a proportionate share of the cost to conduct the referendum
39 based on the total combined ADM of the school corporation and any
40 participating charter schools.

41 (j) This subsection applies to a resolution described in subsection
42 (a) for a county described in section 21(a) of this chapter that is
43 adopted after May 10, 2023. At least thirty (30) days before the
44 ~~resolution described in subsection (a)~~ **referendum submitted to the**
45 **voters under this chapter** is voted on by the ~~governing body,~~ **public**
46 **in a primary or general election,** the school corporation that is
47 pursuing the ~~resolution referendum~~ and any charter school that has
48 elected to participate under subsection (i), shall post a referendum
49 disclosure statement on each school's respective website that contains
50 the following information:

- 1 (1) The salaries of all employees employed by **position within** the
 2 school corporation or charter school listed from highest salary to
 3 lowest salary **and a link to Gateway Indiana for access to**
 4 **individual salaries.**
- 5 (2) An acknowledgment that the school corporation or charter
 6 school is not committing any crime described in IC 35-44.1-1.
- 7 (3) A link to the school corporation's or charter school's most
 8 recent state board of accounts audit on the state board of accounts'
 9 website.
- 10 (4) The current enrollment of the school corporation or charter
 11 school disaggregated by student group and race.
- 12 (5) The school corporation's or charter school's high school
 13 graduation rate.
- 14 (6) The school corporation's or charter school's annual retention
 15 rate for teachers for the previous five (5) years.
- 16 SECTION 26. IC 20-46-9-6, AS AMENDED BY P.L.189-2023,
 17 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 6. (a) Subject to this chapter, the governing
 19 body of a school corporation may adopt a resolution to place a
 20 referendum under this chapter on the ballot if the governing body of the
 21 school corporation determines that a referendum levy should be
 22 imposed for measures to improve school safety as described in
 23 IC 20-40-20-6(a) or IC 20-40-20-6(b).
- 24 (b) Except as provided in section 22 of this chapter, a school
 25 corporation may, with the approval of the majority of members of the
 26 governing body, distribute a portion of the proceeds of a tax levy
 27 collected under this chapter that is deposited in the fund to a charter
 28 school, excluding a virtual charter school, that is located within the
 29 attendance area of the school corporation, to be used by the charter
 30 school for the purposes described in IC 20-40-20-6(a).
- 31 (c) This subsection applies to a resolution described in subsection
 32 (a) that is adopted after May 10, 2023, in a county described in section
 33 22(a) of this chapter. A resolution shall specify that a portion of the
 34 proceeds of the proposed levy will be distributed to applicable charter
 35 schools in the manner described under section 22 of this chapter if the
 36 charter school voluntarily elects to participate in the referendum in the
 37 manner described in subsection (i).
- 38 (d) This subsection applies to a resolution described in subsection
 39 (a) that is adopted after May 10, 2023, in a county described in section
 40 22(a) of this chapter. The resolution described in subsection (a) shall
 41 include a projection of the amount that the school corporation expects
 42 to be distributed to a particular charter school, excluding virtual charter
 43 schools or adult high schools, under section 22 of this chapter that
 44 elects to participate in the referendum under subsection (i). At least
 45 sixty (60) days before the resolution described in subsection (a) is
 46 voted on by the governing body, the school corporation shall contact
 47 the department to determine the number of students in kindergarten
 48 through grade 12 who have legal settlement in the school corporation
 49 but attend a charter school, excluding virtual charter schools or adult
 50 high schools, and who receive not more than fifty percent (50%) virtual

1 instruction. The department shall provide the school corporation with
2 the number of students with legal settlement in the school corporation
3 who attend a charter school, which shall be disaggregated for each
4 particular charter school, excluding a virtual charter school or adult
5 high school. The projection may include an expected increase in
6 charter schools during the term the levy is imposed. The department of
7 local government finance shall prescribe the manner in which the
8 projection shall be calculated. The governing body shall take into
9 consideration the projection when adopting the revenue spending plan
10 under subsection (g).

11 (e) The governing body of the school corporation shall certify a
12 copy of the resolution to the following:

13 (1) The department of local government finance, including:

14 (A) the language for the question required by section 9 of this
15 chapter, or in the case of a resolution to extend a referendum
16 levy certified to the department of local government finance,
17 section 10 of this chapter; and

18 (B) a copy of the revenue spending plan adopted under
19 subsection (g).

20 The language of the public question must include the estimated
21 average percentage increases certified by the county auditor under
22 section 9(d) or 10(f) of this chapter, as applicable. The governing
23 body of the school corporation shall also provide the county
24 auditor's certification described in section 9(d) or 10(f) of this
25 chapter, as applicable. The department of local government
26 finance shall post the values certified by the county auditor to the
27 department's website. The department shall review the language
28 for compliance with section 9 or 10 of this chapter, whichever is
29 applicable, and either approve or reject the language. The
30 department shall send its decision to the governing body of the
31 school corporation not more than ten (10) days after the resolution
32 is submitted to the department. If the language is approved, the
33 governing body of the school corporation shall certify a copy of
34 the resolution, including the language for the question and the
35 department's approval.

36 (2) The county fiscal body of each county in which the school
37 corporation is located (for informational purposes only).

38 (3) The circuit court clerk of each county in which the school
39 corporation is located.

40 (f) Except as provided in section 22 of this chapter, the resolution
41 described in subsection (a) must indicate whether proceeds in the
42 school corporation's fund collected from a tax levy under this chapter
43 will be used to provide a distribution to a charter school or charter
44 schools, excluding a virtual charter school, under IC 20-40-20-6(b) as
45 well as the amount that will be distributed to the particular charter
46 school or charter schools. A school corporation may request from the
47 designated charter school or charter schools any financial
48 documentation necessary to demonstrate the financial need of the
49 charter school or charter schools.

50 (g) As part of the resolution described in subsection (a), the

1 governing body of the school corporation shall adopt a revenue
2 spending plan for the proposed referendum tax levy that includes:

3 (1) an estimate of the amount of annual revenue expected to be
4 collected if a levy is imposed under this chapter;

5 (2) the specific purposes described in IC 20-40-20-6 for which the
6 revenue collected from a levy imposed under this chapter will be
7 used;

8 (3) an estimate of the annual dollar amounts that will be expended
9 for each purpose described in subdivision (2); and

10 (4) for a resolution for a referendum that is adopted after May 10,
11 2023, for a county described in section 22(a) of this chapter, the
12 projected revenue that shall be distributed to charter schools as
13 provided in subsection (d). The revenue spending plan shall also
14 take into consideration deviations in the proposed revenue
15 spending plan if the actual charter school distributions exceed or
16 are lower than the projected charter school distributions described
17 in subsection (d). The resolution shall include for each charter
18 school that elects to participate under subsection (i) information
19 described in subdivisions (1) through (3).

20 (h) A school corporation shall specify in its proposed budget the
21 school corporation's revenue spending plan adopted under subsection
22 (g) and annually present the revenue spending plan at its public hearing
23 on the proposed budget under IC 6-1.1-17-3.

24 (i) This subsection applies to a resolution described in subsection
25 (a) for a county described in section 22(a) of this chapter that is
26 adopted after May 10, 2023. At least forty-five (45) days before the
27 resolution described in subsection (a) is voted on by the governing
28 body, the school corporation shall contact each charter school,
29 excluding virtual charter schools or adult high schools, disclosed by the
30 department to the school corporation under subsection (f) to determine
31 whether the charter school will participate in the referendum. **The**
32 **notice must include the total amount of the school corporation's**
33 **expected need, the corresponding estimate of that amount divided**
34 **by the number of students enrolled in the school corporation, and**
35 **the date on which the governing body of the school corporation will**
36 **vote on the resolution.** The charter school must respond in writing to
37 the school corporation, **which may be by electronic mail addressed**
38 **to the superintendent of the school corporation,** at least fifteen (15)
39 days prior to the date that the resolution described in subsection (a) is
40 to be voted on by the governing body. If the charter school elects to not
41 participate in the referendum, the school corporation may exclude
42 distributions to the charter school under section 22 of this chapter and
43 from the projection described in subsection (d). If the charter school
44 elects to participate in the referendum, the charter school may receive
45 distributions under section 22 of this chapter and must be included in
46 the projection described in subsection (d). In addition, a charter school
47 that elects to participate in the referendum under this subsection shall
48 contribute a proportionate share of the cost to conduct the referendum
49 based on the total combined ADM of the school corporation and any
50 participating charter schools.

1 (j) This subsection applies to a resolution described in subsection
 2 (a) for a county described in section 22(a) of this chapter that is
 3 adopted after May 10, 2023. At least thirty (30) days before the
 4 ~~resolution described in subsection (a)~~ **referendum submitted to the**
 5 **voters under this chapter** is voted on by the ~~governing body,~~ **public**
 6 **in a primary or general election,** the school corporation that is
 7 pursuing the ~~resolution referendum~~ and any charter school that has
 8 elected to participate under subsection (i), shall post a referendum
 9 disclosure statement on each school's respective website that contains
 10 the following information:

11 (1) The salaries of ~~all employees employed~~ by **position within** the
 12 school corporation or charter school listed from highest salary to
 13 lowest salary **and a link to Gateway Indiana for access to**
 14 **individual salaries.**

15 (2) An acknowledgment that the school corporation or charter
 16 school is not committing any crime described in IC 35-44.1-1.

17 (3) A link to the school corporation's or charter school's most
 18 recent state board of accounts audit on the state board of accounts'
 19 website.

20 (4) The current enrollment of the school corporation or charter
 21 school disaggregated by student group and race.

22 (5) The school corporation's or charter school's high school
 23 graduation rate.

24 (6) The school corporation's or charter school's annual retention
 25 rate for teachers for the previous five (5) years.

26 SECTION 27. IC 20-51-1-5, AS AMENDED BY P.L.201-2023,
 27 SECTION 216, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2024]: Sec. 5. "Eligible student" refers to an
 29 individual who:

30 (1) has legal settlement in Indiana;

31 (2) is at least four (4) years of age and less than twenty-two (22)
 32 years of age ~~on the date in the school year specified in~~
 33 ~~IC 20-33-2-7;~~ **on October 1 of the applicable school year;**

34 (3) either has been or is currently enrolled in a participating
 35 school; and

36 (4) is a member of a household with an annual income of not
 37 more than four hundred percent (400%) of the amount required
 38 for the individual to qualify for the federal free or reduced price
 39 lunch program.

40 SECTION 28. IC 20-51.4-2-4, AS ADDED BY P.L.165-2021,
 41 SECTION 180, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2024]: Sec. 4. "Eligible student" refers to an
 43 individual who:

44 (1) has legal settlement in Indiana;

45 (2) is at least five (5) years of age and less than twenty-two (22)
 46 years of age ~~on the date in the school year specified in~~
 47 ~~IC 20-33-2-7;~~ **on October 1 of the applicable school year;**

48 (3) is a student with a disability at the time the account is
 49 established who requires special education and for whom:

50 (A) an individualized education program;

- 1 (B) a service plan developed under 511 IAC 7-34; or
 2 (C) a choice special education plan developed under 511
 3 IAC 7-49;
 4 has been developed; and
 5 (4) meets the annual income qualification requirement for a
 6 choice scholarship student under IC 20-51-1.

7 SECTION 29. IC 20-52-3-3, AS ADDED BY P.L.168-2022,
 8 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 3. (a) To be considered an enrichment student, the
 10 student must at a minimum:

- 11 (1) have experienced learning loss;
 12 (2) have fallen behind in acquiring anticipated grade level
 13 academic skills and knowledge;
 14 (3) have scored below academic standards or average
 15 benchmarks; or
 16 (4) be at risk of falling below academic standards.

17 However, the department may establish more stringent criteria for
 18 determining eligibility for a grant under this article.

19 (b) For each school year, the department shall determine, based on
 20 the amount of funds available for the program, the number of grants
 21 that the department will award under the program. The number of
 22 applications approved and the number of grants awarded under this
 23 article by the department for the school year may not exceed the
 24 number determined by the department under this section.

25 ~~(c) Only federal funds may be used to award grants under this~~
 26 ~~article. A grant may not be made under this article after funds received~~
 27 ~~by the department from the Elementary and Secondary School~~
 28 ~~Emergency Relief Fund (ESSER fund) are exhausted.~~

29 SECTION 30. IC 20-52-4-2, AS AMENDED BY P.L.171-2023,
 30 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 2. (a) An enrichment student who currently
 32 maintains an account is entitled to a grant amount, the amount of which
 33 shall be subject to available funding and determined by the department.
 34 The department shall deposit the enrichment grant amount under this
 35 section into an enrichment student's account in a manner established by
 36 the department.

37 (b) Except as provided in subsection (c), at the end of the year in
 38 which an account is established, the parent of an enrichment student
 39 may roll over for use in a subsequent year the amount available in the
 40 enrichment student's account.

41 (c) **The department shall determine conditions under which** an
 42 enrichment student's account shall terminate. ~~October 1, 2024.~~

43 SECTION 31. IC 20-52-7 IS REPEALED [EFFECTIVE JULY 1,
 44 2024]. (Expiration).

45 SECTION 32. IC 21-39-9.1 IS ADDED TO THE INDIANA CODE
 46 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 47 JULY 1, 2024]:

48 **Chapter 9.1. Publication of Hazing Incidents**

49 **Sec. 1. As used in this chapter, "group or organization" means**
 50 **a club, an association, a corporation, an order, a society, a private**

1 club, a fraternity or sorority, or a varsity or club athletic team
 2 primarily made up of students or alumni, regardless of whether it
 3 is chartered by a national organization.

4 **Sec. 2. A state educational institution shall implement a policy**
 5 **to publish a public report on the institution's website concerning**
 6 **any act of hazing that is adjudicated by the institution.**

7 **Sec. 3. (a) A public report published under section 2 of this**
 8 **chapter must include the following:**

9 (1) **The name of the group or organization involved in the**
 10 **hazing.**

11 (2) **The date on which the hazing incident occurred.**

12 (3) **The date the state educational institution started the**
 13 **investigation.**

14 (4) **The date the group or organization was charged with**
 15 **misconduct.**

16 (5) **The date on which the citation, sanction, or other**
 17 **punishment was implemented.**

18 (6) **A description of:**

19 (A) **the hazing incident;**

20 (B) **the findings of the investigation; and**

21 (C) **the citation, sanction, or other punishment**
 22 **implemented.**

23 (7) **The date the state educational institution completed the**
 24 **investigation.**

25 **(b) A public report published under section 2 of this chapter:**

26 (1) **may not include personal identifying information of the**
 27 **individual student members and is subject to the federal**
 28 **Family Educational Rights and Privacy Act (20 U.S.C. 1232g**
 29 **et seq.); and**

30 (2) **must include the following:**

31 (A) **A notice that:**

32 (i) **additional information related to the investigation,**
 33 **citation, sanction, other punishment, and group or**
 34 **organization is available upon request;**

35 (ii) **the state educational institution is required to comply**
 36 **with IC 5-14-3 (access to public records); and**

37 (iii) **information protected by the federal Educational**
 38 **Education Rights and Privacy Act (20 U.S.C. 1232g et**
 39 **seq.) may not be released.**

40 (B) **Instructions on how a person may request additional**
 41 **information from the state educational institution about an**
 42 **incident contained in the public report.**

43 **SECTION 33. IC 22-14-2-13 IS ADDED TO THE INDIANA**
 44 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 45 **[EFFECTIVE JULY 1, 2024]: Sec. 13. (a) An individual who is at**
 46 **least sixteen (16) years of age may enroll in and attend a training**
 47 **program for certification as:**

48 (1) **a Firefighter I;**

49 (2) **a Firefighter II; or**

50 (3) **an emergency medical technician.**

51 **(b) This section does not affect the minimum age requirements**

1 **for:**
2 **(1) employment as a firefighter or emergency medical**
3 **technician; or**
4 **(2) certification by a national certification agency.**
5 SECTION 34. [EFFECTIVE JULY 1, 2024] **(a) The board of**
6 **firefighting personnel standards and education shall adopt rules**
7 **under IC 4-22-2 to amend 655 IAC 1-1-1.1 to conform with**
8 **IC 22-14-2-13, as added by this act.**
9 **(b) This SECTION expires July 1, 2025.**
10 SECTION 35. **An emergency is declared for this act.**
 (Reference is to EHB 1380 as reprinted March 5, 2024.)

Conference Committee Report
on
Engrossed House Bill 1380

Signed by:

Representative Behning
Chairperson

Senator Raatz

Representative McGuire

Senator Rogers

House Conferees

Senate Conferees