

Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1002

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AN ACT to amend the Indiana Code concerning state offices and administration.

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

SECTION 1. IC 2-5-42.4 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]**:

**Chapter 42.4. Review, Analysis, and Evaluation of Workforce Related Programs**

**Sec. 1. As used in this chapter, "workforce related program" has the meaning set forth in IC 22-4.1-1-7.**

**Sec. 2. The general assembly intends that each workforce related program effectuates the purposes for which it was enacted and that the cost of workforce related programs should be included more readily in the biennial budgeting process.**

**Sec. 3. (a) To provide the general assembly with the information it needs to make informed policy choices about the efficacy of each workforce related program, the legislative services agency shall conduct a regular review, analysis, and evaluation of all workforce related programs according to a schedule developed by the legislative services agency.**

**(b) The legislative services agency shall conduct a systematic and comprehensive review, analysis, and evaluation of each workforce related program scheduled for review. The review, analysis, and evaluation must include information about each**

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workforce related program that is necessary to determine if the goals of the workforce related program are being achieved, which may include any of the following:

- (1) The basic attributes and policy goals of the workforce related program, including the statutory and programmatic goals of the workforce related program, the original scope and purpose of the workforce related program, and how the scope or purpose has changed over time.
- (2) The estimated cost to the state to administer the workforce related program.
- (3) The workforce related program's public purpose and extent of conformance with the original purposes of the legislation enacting the workforce related program.
- (4) The types of activities on which the workforce related program is based and how effective the workforce related program has been in promoting these targeted activities and in assisting participants in the workforce related program.
- (5) The count of the following:
  - (A) Participants who enter the workforce related program.
  - (B) Participants who complete the workforce related program.
  - (C) Providers of the workforce related program.
- (6) The dollar amount allotted for the workforce related program for the most recent state fiscal year.
- (7) An estimate of the impact of the workforce related program, including the following:
  - (A) A return on investment calculation for the workforce related program. For purposes of this clause, "return on investment calculation" means analyzing the cost to the state of providing the workforce related program and analyzing the benefits realized by the participants in the workforce related program and to the state.
  - (B) A cost-benefit comparison among workforce related programs.
  - (C) An estimate of the number of jobs that were the direct result of the workforce related program.
  - (D) For the workforce related program, a statement by the chief executive officer of the state agency that administers the workforce related program as to whether the statutory and programmatic goals of the workforce related program are being met, with obstacles to these goals identified, if possible.



**(8) The methodology and assumptions used in carrying out the reviews, analyses, and evaluations required under this section.**

**(9) An estimate of the extent to which benefits of the workforce related program remained in Indiana or flowed outside Indiana.**

**(10) Whether the effectiveness of the workforce related program could be determined more definitively if the general assembly were to clarify or modify the workforce related program's goals and intended purpose.**

**(11) Whether measuring the workforce related program's impact is significantly limited due to data constraints and whether any changes in statute would facilitate data collection in a way that would allow for better review, analysis, or evaluation.**

**(12) An estimate of the indirect economic benefit or activity stimulated by the workforce related program.**

**(13) Any additional review, analysis, or evaluation that the legislative services agency considers advisable, including comparisons with workforce related programs offered by other states if those comparisons would add value to the review, analysis, and evaluation.**

**Sec. 4. The legislative services agency may request a state official or a state agency or a body corporate and politic to furnish information necessary to complete the workforce related program review, analysis, and evaluation required by this chapter. An official or entity presented with a request from the legislative services agency under this section shall cooperate with the legislative services agency in providing the requested information. An official or entity may require that the legislative services agency adhere to the provider's rules, if any, that concern the confidential nature of the information.**

**Sec. 5. The legislative services agency shall, before October 1 of each year, submit a report to the legislative council, in an electronic format under IC 5-14-6, and to the interim study committee on fiscal policy established by IC 2-5-1.3-4 containing the results of the legislative services agency's review, analysis, and evaluation under this chapter. The report must include at least the following for each workforce related program reviewed:**

- (1) An explanation of the workforce related program.**
- (2) The history of the workforce related program.**
- (3) An estimate for each state fiscal year of the next biennial**



**budget of the cost of the workforce related program.**

**(4) A detailed description of the review, analysis, and evaluation for the workforce related program.**

**(5) Information to be used by the general assembly to determine whether the workforce related program should be continued, modified, or terminated, the basis for the recommendation, and the expected impact of the recommendation.**

**(6) Information to be used by the general assembly to better align the workforce related program with the original intent of the legislation that enacted the workforce related program.**

**The report required by this section must not disclose any proprietary or otherwise confidential information.**

**Sec. 6. The interim study committee on fiscal policy shall do the following:**

**(1) Hold at least one (1) public hearing after September 30 and before November 1 of each year at which:**

**(A) the legislative services agency presents the review, analysis, and evaluation of workforce related programs; and**

**(B) the interim study committee on fiscal policy receives information concerning workforce related programs.**

**(2) Submit to the legislative council, in an electronic format under IC 5-14-6, any recommendations made by the interim study committee on fiscal policy that are related to the legislative services agency's review, analysis, and evaluation of workforce related programs.**

**Sec. 7. The general assembly shall use the legislative services agency's report and the interim study committee on fiscal policy's recommendations to determine whether a particular workforce related program:**

**(1) is successful;**

**(2) is provided at a cost that can be accommodated by the state's biennial budget; and**

**(3) should be continued, amended, or repealed.**

**Sec. 8. (a) The legislative services agency shall establish and maintain a system for making available to the public information about the amount and effectiveness of workforce related programs.**

**(b) The legislative services agency shall develop and publish on the general assembly's Internet web site a multiyear schedule that lists all workforce related programs and indicates the year when the report will be published for each workforce related program**



**reviewed. The legislative services agency may revise the schedule as long as the legislative services agency provides for a systematic review, analysis, and evaluation of all workforce related programs and that each workforce related program is reviewed at least once every five (5) years.**

**Sec. 9. This chapter expires December 31, 2028.**

SECTION 2. IC 4-12-1-9, AS AMENDED BY P.L.213-2015, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The budget agency shall assist the budget committee in the preparation of the budget report and the budget bill, using the recommendations and estimates prepared by the budget agency and the information obtained through investigation and presented at hearings. The budget committee shall consider the data, information, recommendations and estimates before it and, to the extent that there is agreement on items, matters, and amounts between the budget agency and a majority of the members of the budget committee, the committee shall organize and assemble a budget report and a budget bill or budget bills. In the event the budget agency and a majority of the members of the budget committee shall differ upon any item, matter, or amount to be included in such report and bills, the recommendation of the budget agency shall be included in the budget bill or bills, and the particular item, matter, or amount, and the extent of and reasons for the differences between the budget agency and the budget committee shall be stated fully in the budget report. The budget committee shall submit the budget report and the budget bill or bills to the governor before:

- (1) the second Monday of January in the year immediately following the calendar year in which the budget report and budget bill or bills are prepared, if the budget report and budget bill or bills are prepared in a calendar year other than a calendar year in which a gubernatorial election is held; or
- (2) the third Monday of January, if the budget report and budget bill or bills are prepared in the same calendar year in which a gubernatorial election is held.

The governor shall deliver to the house members of the budget committee such bill or bills for introduction into the house of representatives.

(b) Whenever during the period beginning thirty (30) days prior to a regular session of the general assembly the budget report and budget bill or bills have been completed and printed and are available for distribution, upon the request of a member of the general assembly an informal distribution of one (1) copy of each such document shall be



made by the budget committee to such members. During business hours, and as may be otherwise required during sessions of the general assembly, the budget agency shall make available to the members of the general assembly so much as they shall require of its accumulated staff information, analyses and reports concerning the fiscal affairs of the state and the current budget report and budget bill or bills.

(c) The budget report shall include at least the following parts:

(1) A statement of budget policy, including but not limited to recommendations with reference to the fiscal policy of the state for the coming budget period, and describing the important features of the budget.

(2) A general budget summary setting forth the aggregate figures of the budget to show the total proposed expenditures and the total anticipated income, and the surplus or deficit.

(3) The detailed data on actual receipts and expenditures for the previous fiscal year or two (2) fiscal years depending upon the length of the budget period for which the budget bill or bills is proposed, the estimated receipts and expenditures for the current year, and for the ensuing budget period, and the anticipated balances at the end of the current fiscal year and the ensuing budget period. Such data shall be supplemented with necessary explanatory schedules and statements, including a statement of any differences between the recommendations of the budget agency and of the budget committee.

(4) A description of the capital improvement program for the state and an explanation of its relation to the budget.

(5) The budget bills.

(6) A list of tax expenditures for individual income tax and corporate income tax under IC 6-3.1 for the previous fiscal year, the current fiscal year, and the ensuing budget period.

**(7) For each appropriation in the governor's recommended budget bill that is made to a state provider, as defined in IC 22-4.1-1-5.5, for a workforce related program, as defined in IC 22-4.1-1-7, a summary and justification for the workforce related program.**

(d) The budget report shall cover and include all special and dedicated revenue funds as well as the general revenue fund and shall include the estimated amounts of federal aids, for whatever purpose provided, together with estimated expenditures therefrom.

(e) The budget agency shall furnish the governor with any further information required concerning the budget, and upon request shall attend hearings of committees of the general assembly on the budget



bills.

SECTION 3. IC 20-20-38-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 14.5. (a) An emancipated student or the parent of a student enrolled in a career or technical education course may voluntarily release information, on a form prescribed by the department, pertaining to the student's enrollment in the career and technical education course to potential employers that contact the school to recruit students with particular career and technical skills. A school must provide a copy of the form described in this subsection to the emancipated student or the parent of the student when the student enrolls in the career and technical education course.**

**(b) If an emancipated student or the parent of a student described in subsection (a) voluntarily releases information under subsection (a), the school shall also provide the department of workforce development a copy of the student's voluntarily released enrollment information. The department of workforce development may provide the student's voluntarily released enrollment information to potential employers that contact the department of workforce development to recruit students with particular career and technical skills.**

**(c) The form prescribed in subsection (a) must comply with the federal Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).**

SECTION 4. IC 20-32-4-1.5, AS ADDED BY P.L.242-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 1.5. (a) This section applies after June 30, 2018.**

**(b) Except as provided in sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student shall:**

- (1) demonstrate college or career readiness through a pathway established by the state board, in consultation with the department of workforce development and the commission for higher education;**
- (2) meet the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and**
- (3) meet any additional requirements established by the governing body;**

to be eligible to graduate.

**(c) The state board shall establish graduation pathway requirements under subsection (b)(1) in consultation with the department of workforce development and the commission for higher education. A**



graduation pathway requirement may include the following options approved by the state board:

- (1) End of course assessments measuring academic standards in subjects determined by the state board.
- (2) International baccalaureate exams.
- (3) Nationally recognized college entrance assessments.
- (4) Advanced placement exams.
- (5) Assessments necessary to receive college credit for dual credit courses.
- (6) Industry recognized certificates.
- (7) The Armed Services Vocational Aptitude Battery.
- (8) Any other pathway approved by the state board.

(d) If the state board establishes a nationally recognized college entrance exam as a graduation pathway requirement, the nationally recognized college entrance exam must be offered to a student at the school in which the student is enrolled and during the normal school day.

**(e) When an apprenticeship is established as a graduation pathway requirement, the state board shall establish as an apprenticeship only an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.**

SECTION 5. IC 20-43-8-0.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.3. As used in this chapter, "apprenticeship" or "apprenticeship program" means an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.**

SECTION 6. IC 20-43-8-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.7. As used in this chapter, "work based learning course" means a program, delivered in an employment relationship, that provides a worker with paid work experience and corresponding classroom instruction.**

SECTION 7. IC 21-7-13-29 IS REPEALED [EFFECTIVE JULY 1, 2018]. **Sec. 29. "Region" has the meaning set forth in IC 21-22-1-5.**

SECTION 8. IC 21-12-8-9, AS ADDED BY P.L.230-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:**





- (1) An approved secondary school.
  - (2) An accredited nonpublic school.
  - (3) A nonaccredited nonpublic school.
- (b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:
- (1) The applicant is domiciled in Indiana, as defined by the commission.
  - (2) The applicant:
    - (A) has received a diploma of graduation from a school described in subsection (a);
    - (B) has been granted a:
      - (i) high school equivalency certificate before July 1, 1995; or
      - (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or
    - (C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.
  - (3) The applicant is enrolled in an eligible certificate program, as determined under IC 21-12-8-2(4), at Ivy Tech Community College or Vincennes University.
  - (4) The applicant enrolls at least half-time for purposes of federal financial aid.
  - (5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.
  - (6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).
  - (7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).
  - (8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.
  - (9) The applicant maintains satisfactory academic progress, as determined by the eligible institution, **unless one (1) or more of the following conditions is met:**
    - (A) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.**
    - (B) The applicant attended an eligible institution at any time during the immediately preceding two (2) academic**



**years and the applicant maintained satisfactory academic progress during the period in which the applicant attended the eligible institution.**

(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.

(11) The applicant meets any other minimum criteria established by the commission.

**(c) If an applicant is identified as dependent as determined by the Free Application for Federal Student Aid (FAFSA), the applicant must:**

**(1) meet the criteria specified in subsection (b), except for subsection (b)(4), (b)(7), and (b)(9);**

**(2) enroll full time for purposes of federal financial aid;**

**(3) maintain satisfactory academic progress, as determined by the eligible institution; and**

**(4) complete a workforce ready grant success program, as determined by the commission, if the applicant graduates from high school after December 31, 2018.**

**(d) If the demand for high value workforce ready credit-bearing grants exceeds the available appropriation, as determined by the commission, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).**

SECTION 9. IC 21-16-1-8, AS AMENDED BY P.L.165-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. "Eligible student" means a student who:

(1) is enrolled as a full-time ~~or part-time~~ student ~~or is eligible to receive an adult student grant (as defined in IC 21-12-1-4.5)~~ at an approved institution of higher education in Indiana;

(2) completes a Free Application for Federal Student Aid;

(3) meets financial eligibility requirements based on the student's financial aid application, regardless of the date on which the application is filed; and

(4) meets any other criteria established by the commission.

SECTION 10. IC 21-18.5-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

#### **Chapter 7. Nursing Programs**

**Sec. 1. All educational institutions offering certificate, diploma, or other nondegree credential programs subject to approval by the Indiana state board of nursing under IC 25-23-1-7 are subject to the approval process outlined in IC 21-18.5-6.**



SECTION 11. IC 21-22-1-1.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 1.3. "Campus" refers to a campus established under IC 21-22-6-1.**

SECTION 12. IC 21-22-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 1.4. "Campus board" refers to a campus board of trustees established under IC 21-22-6-2.**

SECTION 13. IC 21-22-1-3, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 3. "Region" refers to a region established under IC 21-22-6-1. means a geographic area of the state designated by the state board of trustees for the purpose of appointing the state board of trustees under IC 21-22-3-3.**

SECTION 14. IC 21-22-1-4 IS REPEALED [EFFECTIVE JULY 1, 2018]. **Sec. 4. "Regional board" refers to a regional board of trustees established under IC 21-22-6-2.**

SECTION 15. IC 21-22-1-5 IS REPEALED [EFFECTIVE JULY 1, 2018]. **Sec. 5. "Region" means an administrative region established under IC 21-22-6-1.**

SECTION 16. IC 21-22-3-3, AS AMENDED BY P.L.251-2017, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 3. (a) The number of members of the state board of trustees must equal the number of regions established by the state board of trustees plus one (1) additional member. The number of members of the state board of trustees must equal the number of regions established by the state board of trustees plus one (1) additional member, but shall not exceed fifteen (15) total members. The state board of trustees shall divide the state of Indiana into regions. Each region shall be represented by one (1) trustee. Each member of the state board of trustees must have knowledge or experience in one (1) or more of the following areas:**

- (1) Manufacturing.
- (2) Commerce.
- (3) Labor.
- (4) Agriculture.
- (5) State and regional economic development needs.
- (6) Indiana's educational delivery system.

**One (1) member of the state board of trustees must reside in each region established by the state board of trustees. One (1) member must serve as an at-large member. Appointments shall be for three (3) year terms, on a staggered basis.**



(b) An individual who holds an elective or appointed office of the state is not eligible to serve as a member of the state board of trustees. A member of a **regional campus** board may be appointed to the state board of trustees but must then resign from the **regional campus** board.

SECTION 17. IC 21-22-3-4, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) The governor shall fill all vacancies on the state board of trustees. ~~Each trustee appointed to fill a vacancy shall represent the same region as the trustee's predecessor.~~ **All members of the state board of trustees who are serving on July 1, 2018, are entitled to serve until the ends of their terms. At the end of a trustee's term or otherwise upon the occurrence of a vacancy, the governor may appoint a trustee in accordance with section 3 of this chapter.**

(b) ~~If a vacancy occurs on the state board of trustees, the regional board for the region in which the former member resided may recommend to the governor one (1) or more qualified persons to fill the vacancy.~~

SECTION 18. IC 21-22-6-1, AS ADDED BY P.L.169-2007, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. The state board of trustees may do the following:

- (1) ~~Divide Indiana into appropriate regions,~~ **Establish campuses and service areas**, taking into consideration, but not limited to, factors such as population, potential enrollment, tax bases, and driving distances, and develop an overall state plan that provides for the ~~orderly development of the regions encompassing, ultimately,~~ all parts of Indiana ~~into being~~ a coordinated system providing a comprehensive program of post-high school general, liberal arts, occupational, and technical education.
- (2) Whenever a **region campus** is established, issue a charter, in a form that the state board of trustees provides, to the ~~region,~~ **campus**, assist and supervise the development of a ~~regional~~ plan, and coordinate ~~regional workforce aligned~~ programs to avoid unnecessary and wasteful duplication.
- (3) Make biennial studies of the budget requirements of the ~~regions~~ **campuses** and of its own programs and prepare a budget, including anticipated revenues and providing for the construction or rental of facilities requisite to carrying out the needs of Ivy Tech Community College.
- (4) Perform or contract for the performance of periodic audits of the financial records of each ~~region,~~ **campus**.



SECTION 19. IC 21-22-6-2, AS ADDED BY P.L.169-2007, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. Whenever the state board of trustees establishes ~~an administrative region,~~ **a campus**, it shall appoint a **regional campus** board of trustees.

SECTION 20. IC 21-22-6-3, AS ADDED BY P.L.169-2007, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. The **regional campus** board ~~of a region~~ consists of at least seven (7) members, including at least five (5) members who are representative of the manufacturing, commercial, agricultural, labor, and educational groups of the ~~region,~~ **campus service area**, all appointed by the state board of trustees. **Membership may include a representative from a school corporation that has part of its district within the campus service area and at least one (1) Ivy Tech Community College student who is enrolled at the campus.** All members of the **regional campus** board must be residents of the ~~region,~~ **campus service area**. Appointments are for three (3) year terms, on a staggered basis, and all trustees must be citizens of Indiana. Members may serve for an unlimited number of terms.

SECTION 21. IC 21-22-6-4, AS ADDED BY P.L.169-2007, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. A vacancy on the **regional campus** board shall be filled by appointment by the state board of trustees. The **regional campus** board shall nominate and submit to the state board the names of one (1) or more candidates to fill the vacancy within ~~forty (40)~~ **ninety (90)** days after the vacancy occurs. The state board of trustees may appoint one (1) of the persons nominated by the **regional campus** board or may reject all of the ~~regional board's~~ nominees. If the state board of trustees rejects all of the nominees, ~~from a regional board,~~ the state board of trustees shall notify the **regional campus** board, and the **regional campus** board shall make one (1) or more additional nominations within ~~forty (40)~~ **ninety (90)** days after receipt of the notice. The state board of trustees shall then fill the vacancy from either the original group of nominations or from the additional nominations.

SECTION 22. IC 21-22-6-5, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. The members of the **regional campus** board shall annually elect a ~~chairman,~~ **chairperson**, a vice ~~chairman,~~ **chairperson**, and a secretary.

SECTION 23. IC 21-22-6-6, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. Meetings of the **regional campus**



board shall be called in such a manner and at ~~such the~~ times, and shall operate under ~~such the~~ rules, ~~as that the regional campus board~~ may prescribe. The ~~regional campus~~ board shall meet at least four (4) times annually.

SECTION 24. IC 21-22-6-7, AS ADDED BY P.L.169-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. A majority of the ~~regional campus~~ board constitutes a quorum. The affirmative votes of a majority of the ~~regional campus~~ board are required for the board to take action on any matter.

SECTION 25. IC 21-22-6-8, AS AMENDED BY P.L.3-2008, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. A ~~regional campus~~ board shall do the following:

- (1) Make a careful analysis of the educational needs and opportunities of the ~~region: campus service area~~, **including an analysis of programs and pathways designed to meet workforce and employer demand.**
- (2) Develop and recommend to the state board of trustees a plan for providing postsecondary:
  - (A) general education;
  - (B) liberal arts education; and
  - (C) occupational and technical education;
 programs and appropriate workforce development, assessment, and training services for the residents of that ~~region: campus service area~~. **service area.**
- (3) Develop and recommend a budget for ~~regional campus~~ programs and operations.
- (4) Identify and recommend ~~alternative methods of acquiring or securing methods to optimize the use of~~ facilities and equipment ~~necessary for the delivery of effective regional programs: to support programs and pathways designed to meet workforce and employer demand.~~
- (5) Facilitate and develop ~~regional~~ cooperation with employers, community leaders, economic development efforts, area career and technical education centers, and other public and private education and training entities in order to provide postsecondary general, liberal arts, and occupational and technical education and training **designed to meet workforce and employer demand** in an efficient and cost effective manner and to avoid duplication of services.
- (6) Determine through evaluation, studies, or assessments the



degree to which the established training needs of the ~~region~~ **campus service area** are being met.

(7) Make recommendations to the state board of trustees concerning policies that appear to substantially affect the ~~regional~~ **campus** board's capacity to deliver effective and efficient programming.

SECTION 26. IC 21-22-6-9, AS ADDED BY P.L.169-2007, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. A ~~regional~~ **campus** board may do the following:

(1) Adopt, amend, or repeal bylaws for the ~~region~~, **campus**, subject to the approval of the state board of trustees.

(2) Make recommendations to the state board of trustees concerning amendments to the charter of the ~~region~~, **campus**.

SECTION 27. IC 21-22-6-10, AS ADDED BY P.L.169-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. Before taking any action under IC 21-27-6-3, IC 21-27-6-4, IC 21-31-2-5, IC 21-38-3-7(2), or IC 21-41-5-8 that would substantially affect a ~~region~~, **campus**, the state board of trustees shall request recommendations concerning the proposed action from the ~~regional~~ **campus** board. ~~for that region~~.

SECTION 28. IC 21-22-6-11, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11. Upon request of a ~~regional~~ **campus** board that has submitted recommendations under section 8(7) or 10 of this chapter, the state board of trustees shall conduct public hearings concerning the recommendations at a regular or special meeting of the state board of trustees.

SECTION 29. IC 21-27-6-2, AS ADDED BY P.L.169-2007, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. The board of trustees of Ivy Tech Community College has responsibility for the management and policies of Ivy Tech Community College and its ~~administrative regions~~ **campuses** within the framework of laws enacted by the general assembly.

SECTION 30. IC 21-27-6-6, AS ADDED BY P.L.169-2007, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. The board of trustees of Ivy Tech Community College may authorize, approve, enter into, ratify, or confirm any agreement relating to a statewide program or a ~~region~~ **campus** with:

(1) the United States government, acting through any agency of the government designated or created to aid in the financing of the projects; or



(2) any person, organization, or agency offering contracts or grants-in-aid financing the educational facilities or the operation of the facilities and programs.

SECTION 31. IC 21-27-6-7, AS ADDED BY P.L.167-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) The board of trustees shall create a diversity committee at the home campus and at each ~~regional~~ campus to do the following:

- (1) Review and recommend faculty employment policies concerning diversity issues.
- (2) Review faculty and administration personnel complaints concerning diversity issues.
- (3) Make recommendations to promote and maintain cultural diversity among faculty members.
- (4) Make recommendations to promote recruitment and retention of minority students.

(b) The diversity committee shall issue an annual report stating the findings, conclusions, and recommendations of the committee to the state board.

SECTION 32. IC 21-38-2-4, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. Members of a ~~regional~~ **campus** board of Ivy Tech Community College shall serve without pay but shall receive reimbursement for necessary expenses incurred in the conduct of business of the ~~regional~~ **campus** board.

SECTION 33. IC 21-38-3-7, AS AMENDED BY P.L.149-2016, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. The board of trustees of Ivy Tech Community College may do the following:

- (1) Develop a statewide salary structure and classification system, including provisions for employee group insurance, employee benefits, and personnel policies.
- (2) Employ the chief administrator of each ~~region~~ **campus**.
- (3) Authorize the chief administrator of a ~~region~~ **campus** to employ the necessary personnel for the ~~region~~ **campus**, determine qualifications for positions, and fix compensation for positions in accordance with statewide policies established under subdivision (1).

The authorizations under this section to provide for employee benefits and compensation are subject to IC 5-10.2-2-20 through IC 5-10.2-2-22.

SECTION 34. IC 21-41-2-2, AS ADDED BY P.L.2-2007,





SECTION 282, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. After March 29, 1971, a state educational institution may not:

- (1) establish any new branch, regional campus, **campus**, or extension center;
- (2) establish any new or additional academic college or school; or
- (3) offer any:
  - (A) new associate, baccalaureate, or graduate degree; or
  - (B) additional program of two (2) semesters or an equivalent duration leading to a certificate or other indication of accomplishment;

without the approval of the commission for higher education or without specific authorization by the general assembly.

SECTION 35. IC 21-41-5-11, AS AMENDED BY P.L.3-2008, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11. Ivy Tech Community College may enter into the contracts that are necessary to provide equipment for a data processing school on or off the premises of:

- (1) Ivy Tech Community College; or
- (2) any of the college's ~~regions~~: **campuses**.

SECTION 36. IC 21-41-5-12, AS AMENDED BY P.L.217-2017, SECTION 150, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 12. (a) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report to the department of workforce development the following information for the statewide system and each ~~region~~ **campus** established under IC 21-22-6-1 for the immediately preceding academic year:

- (1) Certificate programs available that are linked to industry recognized third party certifications.
- (2) The number of students enrolled in each certificate program.
- (3) The number of students successfully completing each certificate program.
- (4) To the extent a campus has access to the information, the number of students who:
  - (A) successfully completed a certificate program sequence; and
  - (B) obtained employment in the field for which the student successfully completed a certificate program sequence.

The report under this subsection must be submitted in the format required by the department of workforce development.

- (b) Not later than ninety (90) days after receiving the data provided



under IC 22-4.1-4-13, Ivy Tech Community College shall report the following information to the commission for higher education, the department of workforce development, and the legislative council (in an electronic format under IC 5-14-6):

- (1) A list of programs that have been identified as having either:
  - (A) insufficient student demand;
  - (B) insufficient employer demand; or
  - (C) insufficient graduation or transfer rates;

as determined by the commission for higher education in the review under IC 21-18-9-10.5.

- (2) For each of the programs described in subdivision (1), information concerning whether the program will be eliminated, restructured, or placed on an improvement plan or whether no action will be taken regarding the program.

- (3) The status of system-wide restructuring of student support services recommended by the commission under IC 21-18-9-10.5(b)(1).

- (4) A target date for the development of courses and programs identified under IC 22-4.1-4-12 as being required to meet the workforce needs in one (1) or more regions designated under IC 20-19-6-3 (before its expiration).

- (5) Information concerning whether the resources available to Ivy Tech Community College are sufficient to comply with IC 21-18-9-10.5 and section 8 of this chapter.

(c) This section expires July 1, 2020.

SECTION 37. IC 22-4.1-20-1, AS ADDED BY P.L.7-2011, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. As used in this chapter, "eligible provider" has the meaning set forth in ~~20 U.S.C. 9202~~: **29 U.S.C. 3272**.

SECTION 38. IC 22-4.1-20-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 1.5. As used in this chapter, "work Indiana program" means the short term certification training program developed and administered by the department for individuals enrolled in adult education.**

SECTION 39. IC 22-4.1-20-4, AS AMENDED BY P.L.121-2014, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) **Not less than twenty-five percent (25%) of the money appropriated by the general assembly for adult education and the work Indiana program shall be used as provided in subsections (b) and (c).**

(b) **Money described in subsection (a) may be used only to**



reimburse an eligible provider for adult education that is provided to individuals who:

- (1) need the education to master a skill that leads to:
  - (A) the completion of grade 8; or
  - (B) an Indiana high school equivalency diploma under IC 22-4.1-18;
- (2) need the education to receive high school credit to obtain a high school diploma; or
- (3) have graduated from high school (or received a high school equivalency certificate, a general educational development (GED) diploma, or an Indiana high school equivalency diploma), but who demonstrate basic skill deficiencies in mathematics or English/language arts.

**(c) The department shall use the money described in subsection (a) for adult education grants to employers. An employer is eligible for an adult education grant for each eligible employee who obtains a high school diploma or a high school equivalency diploma through a program organized or funded by the employer. The amount of the grant is the lesser of five hundred dollars (\$500) or the out-of-pocket expenditure by the employer for the costs described in subsection (e). To qualify as an eligible employee, an individual must meet all of the following criteria:**

- (1) The individual must be at least eighteen (18) years of age and not enrolled in a school corporation's kindergarten through grade 12 educational program.**
- (2) The individual must be a resident of Indiana for at least thirty (30) days before enrolling in a program of adult education.**
- (3) The individual must be employed on a part-time or full-time basis in Indiana.**
- (4) When initially employed by the employer, the individual:**
  - (A) did not have sufficient high school credits to earn a high school diploma; or**
  - (B) had not passed the examination to earn a high school equivalency diploma or a general educational development (GED) diploma.**

**(d)** For purposes of reimbursement under this section, the eligible provider may not count an individual who is also enrolled in a school corporation's kindergarten through grade 12 educational program. An individual described in ~~subdivision (3)~~ **subsection (b)(3)** may be counted for reimbursement by the eligible provider only for classes taken in mathematics and English/language arts.



(b) (e) The council shall provide for reimbursement to an eligible provider **or employer** under this section for instructor salaries and administrative and support costs. However, the council may not allocate more than fifteen percent (15%) of the total appropriation under subsection (a) for administrative and support costs.

SECTION 40. IC 22-4.1-21-9, AS ADDED BY P.L.107-2012, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. As used in this chapter, "postsecondary proprietary educational institution" means a person doing business in Indiana by offering to the public, for a tuition, fee, or charge, instructional or educational services or training in a technical, professional, mechanical, business, or industrial occupation, in the recipient's home, at a designated location, or by mail. The term does not include the following:

- (1) A postsecondary credit bearing proprietary educational institution accredited by the board for proprietary education under IC 21-18.5-6.
- (2) A state educational institution or another educational institution established by law and financed in whole or in part by public funds.
- (3) A postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency, or commission.
- (4) An elementary or secondary school attended by students in kindergarten or grades 1 through 12 and supported in whole or in part by private tuition payments.
- (5) Any educational institution or educational training that:
  - (A) is maintained or given by an employer or a group of employers, without charge, for employees or for individuals the employer anticipates employing;
  - (B) is maintained or given by a labor organization, without charge, for its members or apprentices;
  - (C) offers exclusively instruction that is clearly self-improvement, motivational, or avocational in intent (including instruction in dance, music, or self-defense, and private tutoring); or
  - (D) is a Montessori or nursery school.
- (6) A privately endowed two (2) or four (4) year degree granting institution that is regionally accredited and whose principal campus is located in Indiana.
- (7) All educational institutions offering programs requiring approval by the Indiana state board of nursing under**



**IC 25-23-1-7.**

SECTION 41. IC 22-4.1-26 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

**Chapter 26. Next Level Jobs Employer Training Grant Program**

**Sec. 1.** As used in this chapter, "program" refers to the next level jobs employer training grant program established by section 2 of this chapter.

**Sec. 2.** The next level jobs employer training grant program is established to provide grants to reimburse training costs to employers for newly trained employees.

**Sec. 3.** The department shall administer the program.

**Sec. 4.** During the state fiscal year beginning July 1, 2018, the department may allocate not more than ten million dollars (\$10,000,000) from the fiscal year appropriation for career and technical education innovation and advancement for the program.

**Sec. 5.** Eligible employees must be trained, hired, and retained for at least six (6) months by the employer. If an eligible employee separates from employment with the employer that provided the training in order to accept employment with another employer before the end of the six (6) month period, the retention requirement is waived. Eligible employment must be in one (1) of the following sectors:

- (1) Manufacturing.
- (2) Technology business services.
- (3) Transportation and logistics.
- (4) Health sciences.
- (5) Building and construction.
- (6) Agriculture.

**Sec. 6. (a)** Eligible training must be job skills training that ties to an in demand occupation.

**(b)** Eligible training does not include human resource training or job shadowing.

**Sec. 7. (a)** The maximum grant amount provided to an employer for each eligible employee is five thousand dollars (\$5,000).

**(b)** The maximum grant amount provided to a particular employer is fifty thousand dollars (\$50,000).

SECTION 42. IC 25-23-1-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 7.3. (a)** The following definitions apply throughout this section:

- (1) "Eligible associate degree registered nursing program"



means an associate degree registered nursing program that:

(A) is accredited by the board; and

(B) has an annual rate of successful completion of the National Council Licensure Examination (NCLEX) score of at least eighty percent (80%).

(2) "Qualified nurse educator certificate program" means a nurse educator certificate program that:

(A) is provided by an accredited institution; and

(B) requires at least fifteen (15) credit hours for completion.

(b) Notwithstanding 848 IAC 1-2-13(b), and subject to the approval of the board, an individual who holds a bachelor of science in nursing without having attained a master's degree in nursing may teach clinical courses in an eligible associate degree registered nursing program if:

(1) subject to subsection (c), the individual:

(A) is enrolled in a qualified nurse educator certificate program; and

(B) completes the qualified nurse educator certificate program within two (2) years after the individual's hire date;

(2) the individual has completed a qualified nurse educator certificate program; or

(3) the individual is enrolled in a master's degree nursing program.

(c) An individual described in subsection (b)(1) must:

(1) show progress toward completion of the qualified nurse educator certificate program throughout the two (2) year period beginning on the individual's hire date; and

(2) upon completion of the qualified nurse educator certificate program, enroll in a master's degree nursing program.

(d) This section expires June 30, 2021.

SECTION 43. [EFFECTIVE JULY 1, 2018] (a) As used in this SECTION, "office" refers to the office of the secretary of family and social services established by IC 12-8-1.5-1.

(b) The office and the Indiana department of transportation shall perform a coordinated study of how money received by the office to cover transportation expenses of clients of the office could be leveraged with money available to the Indiana department of transportation for transportation to workforce related programs located in Indiana.

(c) A report of the study shall be submitted to the budget



**committee before December 1, 2018.**

**(d) This SECTION expires June 30, 2019.**

**SECTION 44. [EFFECTIVE JULY 1, 2018] (a) The legislative council is urged to assign to an appropriate interim study committee for study during the 2018 interim the question of whether under the federal Workforce Innovation and Opportunity Act (WIOA) the state should submit a combined state WIOA plan instead of a unified state WIOA plan when the state is required to submit a new WIOA plan to the United States Department of Labor.**

**(b) This SECTION expires January 1, 2019.**

**SECTION 45. An emergency is declared for this act.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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