

# HOUSE BILL No. 1008

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-32-8.7.

**Synopsis:** Student learning recovery grant program. Establishes the: (1) student learning recovery grant program; and (2) student learning recovery grant program fund (fund). Provides that, to be eligible to receive a grant, an eligible entity must develop and submit a student learning acceleration plan (plan). Establishes requirements for a plan. Appropriates to the fund from the state general fund for the purposes of the program \$150,000,000 for the 2021 state fiscal year.

**Effective:** Upon passage.

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**Carbaugh, Engleman, McNamara**

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January 14, 2021, read first time and referred to Committee on Ways and Means.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

# HOUSE BILL No. 1008

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-32-8.7 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 8.7. Student Learning Recovery Grant Program and**  
5 **Fund**

6 **Sec. 1. As used in this chapter, "eligible entity" refers to an**  
7 **entity that meets criteria established by the department under**  
8 **section 6 of this chapter.**

9 **Sec. 2. As used in this chapter, "fund" refers to the student**  
10 **learning recovery grant program fund established by section 12 of**  
11 **this chapter.**

12 **Sec. 3. As used in this chapter, "plan" refers to a student**  
13 **learning recovery plan developed by an eligible entity under**  
14 **section 8 of this chapter.**

15 **Sec. 4. As used in this chapter, "program" refers to the student**  
16 **learning recovery grant program established by section 5 of this**  
17 **chapter.**



1           **Sec. 5. (a) The student learning recovery grant program is**  
2 **established to provide grants to an eligible entity for the purpose**  
3 **of providing recovery learning and remediation to students who:**

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

10 **due to the disruption in student education caused by the**  
11 **coronavirus disease (COVID-19) pandemic and insufficient**  
12 **instructional alternatives.**

13           **(b) The department shall administer the program.**

14           **Sec. 6. The department, in consultation with the state board,**  
15 **shall establish criteria for determining who is considered an**  
16 **eligible entity. In determining eligibility criteria, the department**  
17 **shall consider a broad range of educational and remedial resources**  
18 **including institutions of higher education, community based**  
19 **organizations, and philanthropic organizations, as well as current,**  
20 **prospective, and retired teachers, in addition to school**  
21 **corporations, charter schools, nonpublic schools, and virtual**  
22 **education providers, as well as ways to encourage partnerships**  
23 **between two (2) or more of these entities.**

24           **Sec. 7. To be eligible to receive a grant under this chapter, an**  
25 **eligible entity must do the following:**

- 26           **(1) Apply on a form and in a manner established by the**  
27 **department.**  
28           **(2) Apply by a date established by the department.**  
29           **(3) Develop and submit to the department a student learning**  
30 **recovery plan that meets the requirements in section 8 of this**  
31 **chapter and any other requirements established by the**  
32 **department.**

33           **Sec. 8. (a) To be eligible to receive a grant under this chapter, an**  
34 **eligible entity must develop and submit to the department a student**  
35 **learning recovery plan to provide recovery learning and recovery**  
36 **learning to students of the eligible entity described in section 5(a)**  
37 **of this chapter.**

38           **(b) A plan developed under subsection (a) must:**

- 39           **(1) address learning loss associated with the purpose of the**  
40 **program described in section 5(a) of this chapter; and**  
41           **(2) include requirements that if the eligible entity receives any**  
42 **federal grants or money for a similar purpose in which the**



1 eligible entity is requesting a grant under this chapter, the  
 2 eligible entity must use the federal grant or money before  
 3 using any grant money awarded by the department under  
 4 section 9 of this chapter.

5 **Sec. 9. (a)** If an eligible entity meets the requirements under this  
 6 chapter, the department may award a grant under this chapter to  
 7 the eligible entity in an amount determined by the department.

8 **(b)** If an eligible entity that receives a grant under this chapter  
 9 is a school corporation, the grant amount is not subject to collective  
 10 bargaining under IC 20-29. Notwithstanding IC 20-29-6-3, grant  
 11 money received under this chapter is not considered revenue in the  
 12 school corporation's education fund for purposes of determining  
 13 whether the school corporation is in a position of deficit financing  
 14 under IC 20-29-6-3.

15 **Sec. 10.** An eligible entity that receives a grant under this  
 16 chapter shall use the grant to implement the plan developed and  
 17 submitted by the eligible entity under section 7(3) of this chapter.

18 **Sec. 11.** Subject to the federal Family Educational Rights and  
 19 Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99), upon request  
 20 by a student's parent, a school shall provide to an eligible entity  
 21 awarded a grant under this chapter student records necessary to  
 22 conduct remedial or recovery learning in accordance with the  
 23 purpose of the program described in section 5 of this chapter,  
 24 including:

- 25 (1) benchmark;
- 26 (2) diagnostic;
- 27 (3) formative; or
- 28 (4) summative;

29 assessment results.

30 **Sec. 12. (a)** The student learning recovery grant program fund  
 31 is established for the purpose of providing grants to eligible entities  
 32 under the program.

33 **(b)** The department shall administer the fund.

34 **(c)** The fund consists of the following:

- 35 (1) Appropriations by the general assembly.
- 36 (2) Interest deposited in the fund under subsection (d).
- 37 (3) Donations, gifts, and money received from any other  
 38 source, including transfers from other funds or accounts.

39 **(d)** The treasurer of state shall invest money in the fund not  
 40 currently needed to meet the obligations of the fund in the same  
 41 manner as other public money may be invested. Interest that  
 42 accrues from these investments shall be deposited in the fund.



1 (e) All money accruing to the fund is appropriated continuously  
2 for the purposes of the fund.

3 (f) Money in the fund at the end of a state fiscal year does not  
4 revert to the state general fund.

5 Sec. 13. (a) Not later than July 1, 2022, and July 1, 2023, the  
6 department shall prepare an annual report that includes the  
7 following:

8 (1) A list of all of the eligible entities that participated in the  
9 program.

10 (2) The amount of the grant awarded to each participating  
11 eligible entity.

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

13 (b) The department shall submit the report described in  
14 subsection (a) to the:

15 (1) governor; and

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

17 Sec. 14. The state board may adopt rules under IC 4-22-2  
18 necessary to implement this chapter.

19 Sec. 15. There is appropriated to the fund one hundred fifty  
20 million dollars (\$150,000,000) from the state general fund for the  
21 purposes of providing grants under this chapter for the state fiscal  
22 year beginning July 1, 2020, and ending June 30, 2021.

23 Sec. 16. This chapter expires July 1, 2023.

24 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Money in the  
25 student learning recovery grant program fund established in  
26 IC 20-32-8.7-12, as added by this act, shall revert to the state  
27 general fund on June 30, 2023.

28 (b) This SECTION expires July 1, 2024.

29 SECTION 3. An emergency is declared for this act.

