

# HOUSE BILL No. 1035

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-21-1-14; IC 20-19-3; IC 20-25; IC 20-28-3-3; IC 20-31; IC 20-36-2-1.

**Synopsis:** Elimination of school improvement plans. Repeals the requirement that a public school or a state accredited nonpublic school develop an initial three year strategic and continuous school improvement and achievement plan. Removes language referencing school improvement and achievement plans.

**Effective:** July 1, 2024.

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January 8, 2024, read first time and referred to Committee on Education.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1035

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

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

1 SECTION 1. IC 10-21-1-14, AS ADDED BY P.L.150-2023,  
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 14. (a) Each school operated by a school  
4 corporation shall establish a safe school committee. ~~The committee~~  
5 ~~may be a subcommittee of the committee that develops the strategic~~  
6 ~~and continuous school improvement and achievement plan under~~  
7 ~~IC 20-31-5.~~ Each committee may include at least one (1) member who  
8 is a member of the support staff of the school or school corporation  
9 career and technical education school.

10 (b) Each school operated by a charter school shall establish a safe  
11 school committee. A charter school in operation on July 1, 2023, shall  
12 comply with this subsection not later than July 1, 2024.

13 (c) The safe school committee shall actively participate in and assist  
14 with the development of the school safety plan.

15 (d) The department of education, the school corporation's or charter  
16 school's school safety specialist or specialists, and a school resource  
17 officer, if one (1) is employed by the school corporation or charter



1 school, shall provide materials and guidelines to assist a safe school  
 2 committee in developing a policy for a particular school that addresses  
 3 the following issues:

4 (1) Implementation of the school safety plan.

5 (2) Addressing outside and internal threats to the physical safety  
 6 of students, faculty, staff, and the public, including unsafe  
 7 conditions, crime prevention, school violence, bullying and  
 8 cyberbullying, criminal organization activity, child abuse and  
 9 child sexual abuse, mental health and behavioral health, suicide  
 10 awareness and prevention, and other issues that prevent the  
 11 maintenance of a safe school.

12 (3) Addressing the professional development needs for faculty  
 13 and staff to implement methods that decrease problems identified  
 14 under subdivision (2).

15 (4) Identifying and implementing methods to encourage:

16 (A) involvement by the community, families, and students;

17 (B) development of relationships between students and school  
 18 faculty and staff; and

19 (C) use of problem solving teams.

20 (e) The guidelines developed under subsection (d) must include age  
 21 appropriate, research based information that assists school corporations  
 22 or charter schools and safe school committees in:

23 (1) developing and implementing bullying and cyberbullying  
 24 prevention programs;

25 (2) establishing investigation and reporting procedures related to  
 26 bullying and cyberbullying; and

27 (3) adopting discipline rules that comply with IC 20-33-8-13.5.

28 (f) In addition to developing guidelines under subsection (d), the  
 29 department of education shall establish categories of types of bullying  
 30 incidents to allow school corporations to use the categories in making  
 31 reports under IC 20-20-8-8 and IC 20-34-6-1.

32 (g) The materials and guidelines provided under subsection (d) must  
 33 include the model educational materials and model response policies  
 34 and reporting procedures on child abuse and child sexual abuse  
 35 developed or identified under IC 20-19-3-11.

36 SECTION 2. IC 20-19-3-12.2, AS AMENDED BY P.L.233-2015,  
 37 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2024]: Sec. 12.2. (a) The department shall make reduction of  
 39 absenteeism in schools a policy priority and provide assistance and  
 40 guidance to school corporations and schools in:

41 (1) identifying contributing factors of absenteeism; and

42 (2) developing chronic absence reduction plans. ~~that school~~



1 corporations may elect to include as a component of the school  
2 improvement plans required under ~~IC 20-31-5~~.

3 (b) The department shall provide resources and guidance to school  
4 corporations concerning evidence based practices and effective  
5 strategies that reduce absenteeism in schools. However, the department  
6 may not mandate a particular policy within a chronic absence reduction  
7 plan adopted by a school corporation or school.

8 SECTION 3. IC 20-19-3-32 IS ADDED TO THE INDIANA CODE  
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
10 1, 2024]: **Sec. 32. (a) As used in this section, "cultural competency"**  
11 **means a system of congruent behaviors, attitudes, and policies that**  
12 **enables teachers to work effectively in cross-cultural situations.**  
13 **The term includes the use of knowledge concerning individuals and**  
14 **groups to develop specific standards, policies, practices, and**  
15 **attitudes to be used in appropriate cultural settings to increase**  
16 **students' educational performance.**

17 (b) **The department shall develop and make available to school**  
18 **corporations and nonpublic schools materials that assist teachers,**  
19 **administrators, and staff in developing a school's cultural**  
20 **competency for use in providing professional and staff**  
21 **development programs.**

22 SECTION 4. IC 20-25-10-1, AS AMENDED BY P.L.211-2021,  
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2024]: Sec. 1. (a) The board shall modify, develop, and  
25 implement a plan for the improvement of student achievement in the  
26 schools in the school city.

27 (b) A plan modified, developed, and implemented under this chapter  
28 must be consistent with this article and with IC 20-31-1, IC 20-31-2,  
29 ~~IC 20-31-5~~, ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10.

30 SECTION 5. IC 20-25-10-3, AS AMENDED BY P.L.211-2021,  
31 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2024]: Sec. 3. The board shall:

33 (1) modify, develop, and publish the plan required under this  
34 chapter; and

35 (2) implement the modified plan;

36 in compliance with the timelines of IC 20-31-1, ~~IC 20-31-5~~,  
37 ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10.

38 SECTION 6. IC 20-25-10-5, AS AMENDED BY P.L.211-2021,  
39 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2024]: Sec. 5. (a) The board shall annually assess and evaluate  
41 educational programs offered by the school city to determine:

42 (1) the relationship of the programs to improved student



- 1 achievement; and  
 2 (2) the educational value of the programs in relation to cost.  
 3 (b) The board may obtain information from:  
 4 (1) educators in the schools offering a program;  
 5 (2) students participating in a program; and  
 6 (3) the parents of students participating in a program;  
 7 in preparing an assessment and evaluation under this section. The  
 8 assessment must include the performance of the school's students in  
 9 achieving student performance improvement levels under IC 20-31-1,  
 10 ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, IC 20-31-10, and IC 20-25-11.  
 11 SECTION 7. IC 20-25-11-1, AS AMENDED BY P.L.211-2021,  
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2024]: Sec. 1. The board shall establish annual student  
 14 performance improvement levels for each school that are not less  
 15 rigorous than the student performance improvement levels under  
 16 IC 20-31-1, ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10,  
 17 including the following:  
 18 (1) For students:  
 19 (A) improvement in results on assessment tests and assessment  
 20 programs;  
 21 (B) improvement in attendance rates; and  
 22 (C) improvement in progress toward graduation.  
 23 (2) For teachers:  
 24 (A) improvement in student results on assessment tests and  
 25 assessment programs;  
 26 (B) improvement in the number and percentage of students  
 27 achieving:  
 28 (i) state achievement standards; and  
 29 (ii) if applicable, performance levels set by the board;  
 30 on assessment tests;  
 31 (C) improvement in student progress toward graduation;  
 32 (D) improvement in student attendance rates for the school  
 33 year;  
 34 (E) improvement in individual teacher attendance rates;  
 35 (F) improvement in:  
 36 (i) communication with parents; and  
 37 (ii) parental involvement in classroom and extracurricular  
 38 activities; and  
 39 (G) other objectives developed by the board.  
 40 (3) For the school and school administrators:  
 41 (A) improvement in student results on assessment tests, totaled  
 42 by class and grade;



- 1 (B) improvement in the number and percentage of students  
 2 achieving:  
 3 (i) state achievement standards; and  
 4 (ii) if applicable, performance levels set by the board;  
 5 on assessment tests, totaled by class and grade;  
 6 (C) improvement in:  
 7 (i) student graduation rates; and  
 8 (ii) progress toward graduation;  
 9 (D) improvement in student attendance rates;  
 10 (E) management of:  
 11 (i) education fund expenditures;  
 12 (ii) operations fund expenditures; and  
 13 (iii) total expenditures;  
 14 per student;  
 15 (F) improvement in teacher attendance rates; and  
 16 (G) other objectives developed by the board.

17 SECTION 8. IC 20-25-12-1, AS AMENDED BY P.L.211-2021,  
 18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2024]: Sec. 1. (a) **IC 20-19-3-32**, IC 20-31-1, IC 20-31-2,  
 20 ~~IC 20-31-5~~, ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10 apply  
 21 to the school city. The composition of a local school improvement  
 22 committee is determined under IC 20-31-1, IC 20-31-2, ~~IC 20-31-5~~,  
 23 ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10.

24 (b) The plan developed and implemented by the board under  
 25 IC 20-25-10 must contain general guidelines for decisions by the  
 26 educators in each school to improve student achievement in the school.

27 (c) The board's plan shall provide for the publication to other  
 28 schools in the school city and to the general community those:

- 29 (1) processes;  
 30 (2) innovations; and  
 31 (3) approaches;

32 that have led individual schools to significant improvement in student  
 33 achievement.

34 SECTION 9. IC 20-25-13-7, AS AMENDED BY P.L.211-2021,  
 35 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2024]: Sec. 7. IC 20-28-6-4 and IC 20-28-6-5 apply to  
 37 certificated employees in the school city. A teacher's students'  
 38 performance improvement levels under the assessment tests and  
 39 programs of IC 20-31-1, ~~IC 20-31-5~~, ~~IC 20-31-6~~, IC 20-31-7,  
 40 IC 20-31-8, and IC 20-31-10 may be used as a factor, but not the only  
 41 factor, to evaluate the performance of a teacher in the school city.

42 SECTION 10. IC 20-28-3-3, AS AMENDED BY P.L.220-2015,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2024]: Sec. 3. (a) The department shall develop guidelines for  
3 use by accredited teacher education institutions and departments in  
4 preparing individuals to:

- 5 (1) teach in various environments; and
- 6 (2) successfully apply positive classroom behavioral management  
7 strategies and research based alternatives to exclusionary  
8 discipline in a manner that serves the diverse learning needs of all  
9 students.

10 (b) The guidelines developed under subsection (a) must include  
11 courses and methods that assist individuals in developing cultural  
12 competency (as defined in ~~IC 20-31-2-5~~; **IC 20-19-3-32(a)**).

13 SECTION 11. IC 20-31-2-4 IS REPEALED [EFFECTIVE JULY 1,  
14 2024]. Sec. 4. "Committee" refers to the committee that develops the  
15 strategic and continuous school improvement and achievement plan  
16 under ~~IC 20-31-5~~.

17 SECTION 12. IC 20-31-2-5 IS REPEALED [EFFECTIVE JULY 1,  
18 2024]. Sec. 5. "Cultural competency" means a system of congruent  
19 behaviors, attitudes, and policies that enables teachers to work  
20 effectively in cross-cultural situations. The term includes the use of  
21 knowledge concerning individuals and groups to develop specific  
22 standards, policies, practices, and attitudes to be used in appropriate  
23 cultural settings to increase students' educational performance.

24 SECTION 13. IC 20-31-2-7, AS AMENDED BY P.L.211-2021,  
25 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2024]: Sec. 7. "Plan" refers to any of the following:

- 27 (1) A strategic and continuous school improvement and  
28 achievement plan established under this article for a school or  
29 school corporation.
- 30 (2) a plan to establish an innovation network school to improve  
31 school performance under IC 20-25.7.

32 SECTION 14. IC 20-31-5 IS REPEALED [EFFECTIVE JULY 1,  
33 2024]. (Strategic and Continuous School Improvement and  
34 Achievement Plan).

35 SECTION 15. IC 20-31-6 IS REPEALED [EFFECTIVE JULY 1,  
36 2024]. (Cultural Competency in Educational Environments).

37 SECTION 16. IC 20-36-2-1, AS AMENDED BY P.L.251-2017,  
38 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2024]: Sec. 1. (a) The department shall establish a state  
40 resources program using designated state resources that:

- 41 (1) supports school corporations in the development of local  
42 programs for high ability students;



- 1 (2) enables educational opportunities that encourage high ability  
 2 students to reach the highest possible level at every stage of the  
 3 students' development; and  
 4 (3) provides state integrated services that include the following:  
 5 (A) Information and materials resource centers.  
 6 (B) Professional development plan and programs.  
 7 (C) Research and development services.  
 8 (D) Technical assistance that includes the following:  
 9 (i) Student assessment.  
 10 (ii) Program assessment.  
 11 (iii) Program development and implementation.  
 12 (E) Support for educators pursuing professional development  
 13 leading to endorsement or licensure in high ability education.  
 14 (b) In addition to the program established under subsection (a), the  
 15 department shall use appropriations to provide grants to school  
 16 corporations for expenditures beyond those for regular educational  
 17 programs and specific to programs for high ability students under  
 18 section 2 of this chapter in an amount determined by the department  
 19 that is based upon a set minimum amount increased by an additional  
 20 amount for each student in the program. ~~A school corporation's~~  
 21 ~~program must align with the strategic and continuous school~~  
 22 ~~improvement and achievement plans under IC 20-31-5-4 for the~~  
 23 ~~schools within the school corporation.~~ A school that receives a grant  
 24 under this subsection shall submit an annual report to the department  
 25 that includes the following:  
 26 (1) The programs for which the grant is used.  
 27 (2) The results of the programs for which the grant is used,  
 28 including student general assessment results, program  
 29 effectiveness, or student achievement.

