



Reprinted
January 26, 2018

HOUSE BILL No. 1314

DIGEST OF HB 1314 (Updated January 25, 2018 1:28 pm - DI 116)

Citations Affected: IC 20-19; IC 20-20; IC 20-27; IC 31-9; IC 31-25.

Synopsis: Students receiving foster care services. Requires the State board of education to, in collaboration with the department of education (department) and the department of child services, prepare a report on foster care youth educational outcomes. Requires the department to, before November 1, 2018, and before November 1 each year thereafter, submit the report to the department of child services and legislative council. Requires certain information regarding students receiving foster care to be included in a school corporation's annual performance report. Requires the department of child services to, not later than 10 days after a child who attends public school is placed in foster care, notify the department that the child has been placed in foster care.

Effective: July 1, 2018.

DeVon, Behning, Frizzell, Summers

January 11, 2018, read first time and referred to Committee on Education.
January 18, 2018, amended, reported — Do Pass.
January 25, 2018, read second time, amended, ordered engrossed.

HB 1314—LS 7083/DI 110



Reprinted
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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 BILL No. 1314

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 20-19-3-17 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]: **Sec. 17. (a) As used in this section, "foster care" has the**
4 **meaning set forth in IC 31-9-2-46.7.**
5 **(b) As used in this section, "foster care youth" means students**
6 **in foster care.**
7 **(c) As used in this section, "graduation rate" has the meaning**
8 **set forth in IC 20-26-13-6.**
9 **(d) The state board shall, in collaboration with the department**
10 **and the department of child services annually prepare a report on**
11 **foster care youth educational outcomes that includes the following:**
12 **(1) The annual graduation rate of foster care youth, including**
13 **the following information:**
14 **(A) The graduation rate for each of the following:**
15 **(i) Foster care youth who received a graduation waiver**
16 **under IC 20-32-4-4.**
17 **(ii) Foster care youth who did not receive a graduation**

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- 1 waiver under IC 20-32-4-4.
- 2 (B) The number and percentage of foster care youth who
3 received each type of diploma.
- 4 (2) The adjusted cohort graduation rate for foster care youth,
5 including the adjusted cohort graduation rate for each of the
6 following:
- 7 (A) Foster care youth who received a graduation waiver
8 under IC 20-32-4-4.
- 9 (B) Foster care youth who did not receive a graduation
10 waiver under IC 20-32-4-4.
- 11 (3) The number and percentage for each of the following:
- 12 (A) Foster care youth who were promoted to the next
13 grade level at the end of the school year.
- 14 (B) Foster care youth who were retained in the same grade
15 level for the next school year.
- 16 (C) Foster care youth who were suspended during the
17 school year.
- 18 (D) Foster care youth who were expelled during the school
19 year.
- 20 Included in the report for foster care youth under this
21 subdivision, all state standardized assessment scores and
22 scores for assessments under IC 20-32-5-21 (before its
23 expiration on July 1, 2018), if appropriate, including the
24 number and percentage of students meeting academic
25 standards. The information reported under this subdivision
26 must also be disaggregated by race, grade, gender, free or
27 reduced price lunch status, and eligibility for special
28 education.
- 29 (4) The number and percentage of eligible foster care youth
30 who are enrolled in the prekindergarten program under
31 IC 12-17.2-7.2.
- 32 (5) The number and percentage of foster care youth who
33 passed the reading skills evaluation administered under
34 IC 20-32-8.5-2.
- 35 (6) The number and percentage of foster care youth enrolled
36 in schools, disaggregated by the category or designation of the
37 school under IC 20-31-8-3.
- 38 (7) The number and percentage of foster care youth enrolled
39 in schools, disaggregated by the type of school, including
40 public schools, charter schools, accredited nonpublic schools,
41 and secure private facilities (as defined in IC 31-9-2-115).



1 (e) If the department determines based on the information
 2 provided in the report prepared under subsection (d) that foster
 3 care youth are disproportionately:

4 (1) not meeting academic standards; or

5 (2) subject to school discipline;

6 compared to the overall school population, the department shall
 7 develop a remediation plan and shall include recommendations in
 8 the department's report prepared under subsection (f).

9 (f) Before November 1, 2018, and before November 1 each year
 10 thereafter, the department shall submit the report described in
 11 subsection (d) and include any policy recommendations described
 12 in subsection (e) to the following:

13 (1) Department of child services.

14 (2) Legislative council in an electronic format under
 15 IC 5-14-6.

16 SECTION 2. IC 20-20-8-8, AS AMENDED BY P.L.242-2017,
 17 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2018]: Sec. 8. (a) The report must include the following
 19 information:

20 (1) Student enrollment.

21 (2) Graduation rate (as defined in IC 20-26-13-6) and the
 22 graduation rate excluding students that receive a graduation
 23 waiver under IC 20-32-4-4.

24 (3) Attendance rate.

25 (4) The following test scores, including the number and
 26 percentage of students meeting academic standards:

27 (A) All state standardized assessment scores.

28 (B) Scores for assessments under IC 20-32-5-21 (before its
 29 expiration on July 1, 2018), if appropriate.

30 (C) For a freeway school, scores on a locally adopted
 31 assessment program, if appropriate.

32 (5) Average class size.

33 (6) The school's performance category or designation of school
 34 improvement assigned under IC 20-31-8.

35 (7) The number and percentage of students in the following
 36 groups or programs:

37 (A) Alternative education, if offered.

38 (B) Career and technical education.

39 (C) Special education.

40 (D) High ability.

41 (E) Limited English language proficiency.

42 (F) Students receiving free or reduced price lunch under the



- 1 national school lunch program.
- 2 **(G) Students in foster care.**
- 3 (8) Advanced placement, including the following:
- 4 (A) For advanced placement tests, the percentage of students:
- 5 (i) scoring three (3), four (4), and five (5); and
- 6 (ii) taking the test.
- 7 (B) For the Scholastic Aptitude Test:
- 8 (i) the average test scores for all students taking the test;
- 9 (ii) the average test scores for students completing the
- 10 academic honors diploma program; and
- 11 (iii) the percentage of students taking the test.
- 12 (9) Course completion, including the number and percentage of
- 13 students completing the following programs:
- 14 (A) Academic honors diploma.
- 15 (B) Core 40 curriculum.
- 16 (C) Career and technical programs.
- 17 (10) The percentage of graduates considered college and career
- 18 ready in a manner prescribed by the state board.
- 19 (11) School safety, including:
- 20 (A) the number of students receiving suspension or expulsion
- 21 for the possession of alcohol, drugs, or weapons;
- 22 (B) the number of incidents reported under IC 20-33-9; and
- 23 (C) the number of bullying incidents reported under
- 24 IC 20-34-6 by category.
- 25 (12) Financial information and various school cost factors
- 26 required to be provided to the office of management and budget
- 27 under IC 20-42.5-3-5.
- 28 (13) The number and percentage of each of the following within
- 29 the school corporation:
- 30 (A) Teachers who are certificated employees (as defined in
- 31 IC 20-29-2-4).
- 32 (B) Teachers who teach the subject area for which the teacher
- 33 is certified and holds a license.
- 34 (C) Teachers with national board certification.
- 35 (14) The percentage of grade 3 students reading at grade 3 level.
- 36 (15) The number of students expelled, including the percentage
- 37 of students expelled **disaggregated** by race, grade, gender, free
- 38 or reduced price lunch status, ~~and~~ eligibility for special education,
- 39 **and students in foster care.**
- 40 (16) Chronic absenteeism, which includes the number of students
- 41 who have been absent from school for ten percent (10%) or more
- 42 of a school year for any reason.



- 1 (17) Habitual truancy, which includes the number of students who
 2 have been absent ten (10) days or more from school within a
 3 school year without being excused or without being absent under
 4 a parental request that has been filed with the school.
- 5 (18) The number of students who have dropped out of school,
 6 including the:
- 7 (A) reasons for dropping out; ~~including the and~~
 8 (B) percentage of students who have dropped out,
 9 **disaggregated** by race, grade, gender, free or reduced price
 10 lunch status, ~~and~~ eligibility for special education, **and**
 11 **students in foster care.**
- 12 (19) The number of out of school suspensions assigned, including
 13 the percentage of students suspended **disaggregated** by race,
 14 grade, gender, free or reduced price lunch status, ~~and~~ eligibility
 15 for special education, **and students in foster care.**
- 16 (20) The number of in school suspensions assigned, including the
 17 percentage of students suspended **disaggregated** by race, grade,
 18 gender, free or reduced price lunch status, ~~and~~ eligibility for
 19 special education, **and students in foster care.**
- 20 (21) The number of student work permits revoked.
- 21 (22) The number of students receiving an international
 22 baccalaureate diploma.
- 23 (b) Section 3(a) of this chapter does not apply to the publication of
 24 information required under this subsection. This subsection applies to
 25 schools, including charter schools, located in a county having a
 26 consolidated city, including schools located in excluded cities (as
 27 defined in IC 36-3-1-7). A separate report including the information
 28 reported under subsection (a) must be:
- 29 (1) disaggregated by race, grade, gender, free or reduced price
 30 lunch status, ~~and~~ eligibility for special education, **and students in**
 31 **foster care; and must be**
- 32 (2) made available on the Internet as provided in section 3(b) of
 33 this chapter.
- 34 SECTION 3. IC 20-27-12-0.5 IS REPEALED [EFFECTIVE JULY
 35 1, 2018]. Sec. 0.5. (a) As used in this chapter, "homeless student"
 36 includes a student who is awaiting placement in foster care:
 37 (b) The term does not include a student who is in foster care.
- 38 SECTION 4. IC 31-9-2-99.5 IS ADDED TO THE INDIANA CODE
 39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2018]: Sec. 99.5. "Public school", for purposes of IC 31-25-2-25,
 41 means a school maintained by a school corporation or a charter
 42 school.



1 SECTION 5. IC 31-25-2-25 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]: **Sec. 25. The department shall, not later than ten (10) days**
4 **after a child who attends a public school is placed in foster care,**
5 **notify the department of education that the child has been placed**
6 **in foster care.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1314, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 38, after "public" insert "**school**".

and when so amended that said bill do pass.

(Reference is to HB 1314 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 1, line 3, delete "care youth".

Page 1, delete line 4 and insert "**care**" has the meaning set forth in IC 31-9-2-46.7.

(b) As used in this section, "foster care youth" means students in foster care."

Page 1, line 5, delete "(b)" and insert "(c)".

Page 1, line 7, delete "(c)" and insert "(d)".

Page 1, line 7, after "(c) The" delete "department" and insert "**state board**".

Page 1, line 7, after "with" delete "the department" and insert "**the department and the department**".

Page 1, line 8, delete "**IC 31-25-1-1**",

Page 2, line 32, delete "(d)" and insert "(e)".

Page 2, line 34, delete "(c)" and insert "(d)".

Page 2, delete lines 38 through 42.

Page 3, delete lines 1 through 6.

Page 3, line 35, delete "receiving foster care services." and insert "**in foster care**".

Page 4, line 30, delete "receiving foster care services." and insert "**in foster care**".

Page 5, line 2, delete "receiving foster care services." and insert "**in foster care**".

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Page 5, line 6, delete "receiving foster care".

Page 5, delete line 7 and insert "**in foster care.**".

Page 5, line 11, delete "receiving foster care services." and insert "**in foster care.**".

Page 5, line 22, after "students" insert "**in foster care;**".

Page 5, line 23, delete "receiving foster care services;".

Renumber all SECTIONS consecutively.

(Reference is to HB 1314 as printed January 19, 2018.)

BEHNING

HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 2, between lines 18 and 19, begin a new line block indented and insert:

"Included in the report for foster care youth under this subdivision, all state standardized assessment scores and scores for assessments under IC 20-32-5-21 (before its expiration on July 1, 2018), if appropriate, including the number and percentage of students meeting academic standards. The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education."

(Reference is to HB 1314 as printed January 19, 2018.)

SMITH V



HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"(d) If the department determines based on the information provided in the report prepared under subsection (c) that foster care youth are disproportionately:

(1) not meeting academic standards; or

(2) subject to school discipline;

compared to the overall school population, the department shall develop a remediation plan and shall include recommendations in the department's report prepared under subsection (e)."

Page 2, line 32, delete "(d)" and insert "(e)".

Page 2, line 34, after "(c)" insert **"and include any policy recommendations described in subsection (d)".**

(Reference is to HB 1314 as printed January 19, 2018.)

SMITH V

