

ENGROSSED HOUSE BILL No. 1384

DIGEST OF HB 1384 (Updated March 29, 2017 6:58 pm - DI 110)

Citations Affected: IC 20-19; IC 20-20; IC 20-26; IC 20-30; IC 20-31; IC 20-32; IC 20-36; IC 20-51; IC 21-22; noncode.

Synopsis: Various education matters. Provides that before July 1, 2018, the state board of education (state board) shall establish a definition of a high mobility school for schools with a high concentration of mobile students. Provides that for each school year beginning after June 30, 2018, the department of education (department) shall make a report regarding the performance of high mobility schools and post the report on the department's Internet web site. Provides that for purposes of calculating a school's category or designation of school improvement, the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students. Provides that \$50,000 is the maximum grant a school corporation or charter school may receive under the dual language immersion pilot program. Provides that appropriations to the department to provide (Continued next page)

Effective: Upon passage; July 1, 2017.

Behning

(SENATE SPONSORS — RAATZ, KRUSE, BASSLER)

January 17, 2017, read first time and referred to Committee on Education. February 20, 2017, amended, reported — Do Pass. February 22, 2017, read second time, amended, ordered engrossed. February 23, 2017, engrossed. Read third time, passed. Yeas 60, nays 32.

SENATE ACTION
February 27, 2017, read first time and referred to Committee on Education and Career

March 30, 2017, amended, reported favorably — Do Pass.



Digest Continued

grants to school corporations for high ability students must be for expenditures beyond those for regular educational programs. Provides that the state board may accredit a nonpublic school at the time the nonpublic school begins operation in Indiana. Provides that the state board may accredit a nonpublic school that enters into a contract with the state board to become a freeway school at the time the nonpublic school enters into the contract. Provides that a choice scholarship school may submit a request to the state board to waive or delay certain consequences if it is placed in the two lowest categories or designations of school improvement for a particular school year. Provides that the state board may grant a request to an eligible school that requests a delay or waiver if the choice scholarship school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. Requires a school corporation to issue, upon request of a parent, a posthumous diploma to a student who: (1) dies while enrolled in grade 12 of a school in the school corporation; and (2) was academically eligible or on track to meet the requirements for the diploma at the time of death. Requires the department to conduct a review of each high school's graduation cohort on a schedule determined by the department. Prohibits a public school from classifying a student as, or applying an exit code or description that indicates that a student is, leaving a cohort for the reason of removal by a student's parents to provide instruction equivalent to that given in the public school unless the public school has substantial evidence that the parent or guardian of the student initiated the student leaving the cohort. Requires the department to accept applications for choice scholarships for the spring semester of a school year from November 1 through January 15 of that school year, instead of from September 2 through January 15 of that school year. Amends requirements for an individual who obtains a position as a school social worker. Makes changes to the composition of the board of trustees for Ivy Tech Community College of Indiana. Requires before December 1, 2017, the department of workforce development to commission the Indiana Literacy Association to: (1) prepare and submit a report regarding adult literacy programs to the legislative council; and (2) present the report to the state workforce innovation council Makes technical corrections.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1384

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 20-19-2-10, AS AMENDED BY P.L.65-2012
2	SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2017]: Sec. 10. (a) It is the policy of the state that the state:
4	(1) recognizes that nonpublic schools provide education to
5	children in Indiana;
6	(2) has an interest in ensuring that all Indiana children are well
7	educated in both curricular and extracurricular programs; and
8	(3) should facilitate the transferability of comparable academic
9	credit between appropriate nonpublic schools and state supported
0	educational institutions.
1	(b) The state board shall implement a system of recognition of the
2	educational programs of nonpublic schools to fulfill the policy set forth
3	in subsection (a).
4	(c) The system of recognition described under subsection (b) must
5	(1) be voluntary in nature with respect to the nonpublic school;
6	(2) recognize the characteristics that distinguish nonpublic
7	schools from public schools; and



1	(3) be a recognition system that is separate from the accreditation
2 3	standards required of public schools and available to nonpublic schools under section $\frac{8(a)(5)}{8(a)(4)}$ of this chapter.
4	(d) This section does not prohibit a nonpublic school from seeking
5	accreditation under section $\frac{8(a)(5)}{8(a)(4)}$ of this chapter.
6	(e) The state board shall adopt rules under IC 4-22-2 to implement
7	this section.
8	(f) (e) The department shall waive accreditation standards for an
9	accredited nonpublic alternative school that enters into a contract with
10	a school corporation to provide alternative education services for
11	students who have:
12	(1) dropped out of high school;
13	(2) been expelled; or
14	(3) been sent to the nonpublic alternative school due to the
15	students' lack of success in the public school environment;
16	to accommodate the nonpublic alternative school's program and student
17	population. A nonpublic alternative school to which this subsection
18	applies is not subject to being placed in a category or designation under
19	IC 20-31-8-4. However, the nonpublic alternative school must comply
20	with all state reporting requirements and submit a school improvement
21	growth model on the anniversary date of the nonpublic alternative
22	school's original accreditation.
23	(f) The state board may accredit a nonpublic school under this
24	section at the time the nonpublic school begins operation in
25	Indiana.
26	(g) The state board shall adopt rules under IC 4-22-2 to
27	implement this section.
28	SECTION 2. IC 20-20-19-1, AS ADDED BY P.L.1-2005,
29	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30	JULY 1, 2017]: Sec. 1. (a) An individual who obtains a position as a
31	school social worker for a school corporation must
32	(1) hold a master's degree in social work. or
33	(2) agree as a condition of employment to obtain a master's degree
34	in social work not more than five (5) years after the individual
35	begins employment as a school social worker.
36	(b) Subsection (a) does not apply to an individual who obtained a
37	position as a school social worker for a school corporation before July
38	1, 2001.
39 40	SECTION 3. IC 20-20-41-1, AS ADDED BY P.L.226-2015,
40	SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 42	JULY 1, 2017]: Sec. 1. The department, with the approval of the state board, shall establish and maintain a dual language immersion pilot
	DOMEST STATE ESTABLISH AND MAINTAIN A CHALLANGUAGE IMMERSION NITOL



program to provide grants, in an amount not to exceed fifty thousand dollars (\$50,000), to school corporations and charter schools that establish dual language immersion programs in:

(1) Chinese;

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- (2) Spanish;
- (3) French; or
- (4) any other language approved by the department.

SECTION 4. IC 20-26-11-31, AS ADDED BY P.L.65-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,2017]: Sec. 31. (a) This section applies to a school corporation that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(f). IC 20-19-2-10(e).

- (b) A school corporation is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:
 - (1) the amount received by the school corporation in which the student is enrolled for ADM purposes; or
 - (2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.

SECTION 5. IC 20-26-13-11, AS AMENDED BY P.L.229-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) A student who has left school is not included in clauses (A) through (I) of STEP THREE of the formula established in section 10 of this chapter unless the school corporation can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through (I) of STEP THREE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's



graduation cohort on a schedule determined by the department.

(b) (c) If a school corporation cannot provide written proof that a student should be included in clauses (A) through (I) of STEP THREE of section 10 of this chapter, the student is considered a dropout.

SECTION 6. IC 20-26-13-11.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11.3. (a) A public school may not classify a student as, or apply an exit code or description to a student that indicates that the student is, leaving a cohort for the reason described in section 10 STEP THREE clause (B) of this chapter unless the public school has substantial evidence that the parent or guardian of the student initiated the student leaving the cohort.

- (b) Upon request by the department, the public school shall provide a copy of evidence described in subsection (a) for any student the school classifies, or to whom the school applies an exit code or description, as described in subsection (a).
- (c) The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 7. IC 20-26-13-12, AS AMENDED BY P.L.45-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. For each high school, the department shall calculate an estimated graduation rate that is determined by the total number of graduates for the reporting year divided by the total number of students enrolled in grade 9 at the school three (3) years before the reporting year. For any school where the difference between the estimated graduation rate and the number determined under STEP FIVE of section 10 of this chapter is more than five percent (5%), the department shall request the data used in determining that the missing students are classified under one (1) or more of clauses (A) through (I) of STEP THREE of section 10 of this chapter.

SECTION 8. IC 20-26-15-13, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) A nonpublic school may enter into a contract with the state board to become a freeway school.

- (b) The state board and the governing body of a nonpublic school must enter into a contract that complies with this chapter to designate the nonpublic school as a freeway school if the nonpublic school:
 - (1) petitions the state board for designation as a freeway school; and
 - (2) agrees to comply with this chapter.
 - (c) A nonpublic school becomes a freeway school when the contract



1	is signed by:
2	(1) the state superintendent, acting for the state board after a
3	majority of the members of the board have voted in a public
4	session to enter into the contract; and
5	(2) the president of the governing body of the nonpublic school,
6	acting for the governing body of the nonpublic school after a
7	majority of the members of the governing body have voted to
8	enter into the contract.
9	(d) The state board shall accredit a nonpublic school that:
10	(1) becomes a freeway school under this chapter; and
11	(2) complies with the terms of the contract.
12	(e) The state board may accredit a nonpublic school under this
13	section at the time the nonpublic school enters into the contract
14	under subsection (a).
15	SECTION 9. IC 20-30-5-2, AS AMENDED BY P.L.286-2013,
16	SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17	JULY 1, 2017]: Sec. 2. (a) Each public and nonpublic high school shall
18	provide a required course that is:
19	(1) not less than one (1) year of school work; and
20	(2) in the:
21	(A) historical;
22	(B) political;
23	(C) civic;
24	(D) sociological;
25	(E) economical; and
26	(F) philosophical;
27	aspects of the constitutions of Indiana and the United States.
28	(b) The state board shall:
29	(1) prescribe the course described in this section and the course's
30	appropriate outlines; and
31	(2) adopt the necessary curricular materials for uniform
32	instruction.
33	(c) Except as provided in IC 20-32-4-13, a high school student
34	may not receive a diploma unless the student has successfully
35	completed the interdisciplinary course described in this section.
36	SECTION 10. IC 20-30-5-4, AS ADDED BY P.L.1-2005,
37	SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38	JULY 1, 2017]: Sec. 4. (a) Each public school and nonpublic school
39	shall provide within the two (2) weeks preceding a general election for
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	all students in grades 6 through 12 five (5) full recitation periods of
41	all students in grades 6 through 12 five (5) full recitation periods of class discussion concerning:



6 1 (2) methods of voting; 2 (3) party structures; 3 (4) election laws; and 4 (5) the responsibilities of citizen participation in government and 5 in elections. 6 (b) Except as provided in IC 20-32-4-13, a student may not receive 7 a high school diploma unless the student has completed a two (2) 8 semester course in American history. 9 (c) If a public school superintendent violates this section, the state 10 superintendent shall receive and record reports of the violations. The

general assembly may examine these reports.

SECTION 11. IC 20-31-8-3, AS AMENDED BY P.L.239-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.

- (b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.
- (c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using ISTEP scores as a means of assessing school performance.
- (d) In developing metrics for the categories established under subsection (a), the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students.

SECTION 12. IC 20-31-8-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) Before July 1, 2018, the state board shall establish a definition of a high mobility school for schools with a high concentration of mobile students.



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1	(b) For each school year beginning after June 30, 2018, the
2	department shall make a report regarding the performance of high
3	mobility schools. The report must indicate for each high mobility
4	school the performance of the mobile students and the
5	performance of students who are determined not to be mobile. The
6	report shall be posted on the department's Internet web site each
7	year on a date determined by the department.
8	SECTION 13. IC 20-32-4-13 IS ADDED TO THE INDIANA
9	CODE AS A NEW SECTION TO READ AS FOLLOWS
10	[EFFECTIVE JULY 1, 2017]: Sec. 13. (a) The governing body of a
11	school corporation shall issue a diploma for a deceased student at
12	the request of a parent (as defined in IC 20-18-2-13) of the student
13	if the student:
14	(1) died while enrolled in grade 12 of a school in the school
15	corporation; and
16	(2) was academically eligible or on track to meet the
17	requirements for the diploma at the time of death.
18	(b) A student described in subsection (a) may not be considered
19	a graduate for purposes of IC 20-26-13.
20	SECTION 14. IC 20-36-2-1, AS AMENDED BY P.L.84-2007,
21	SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22	JULY 1, 2017]: Sec. 1. (a) The department shall establish a state
23	resources program using designated state resources that:
24	(1) supports school corporations in the development of local
25	programs for high ability students;
26	(2) enables educational opportunities that encourage high ability
27	students to reach the highest possible level at every stage of the
28	students' development; and
29	(3) provides state integrated services that include the following:
30	(A) Information and materials resource centers.
31	(B) Professional development plan and programs.
32	(C) Research and development services.
33	(D) Technical assistance that includes the following:
34	(i) Student assessment.
35	(ii) Program assessment.
36	(iii) Program development and implementation.
37	(E) Support for educators pursuing professional development
38	leading to endorsement or licensure in high ability education.
39	(b) In addition to the program established under subsection (a), the
40	department shall use appropriations to provide grants to school

corporations for expenditures beyond those for regular educational programs and specific to programs for high ability students under



section 2 of this chapter in an amount determined by the department that is based upon a set minimum amount increased by an additional amount for each student in the program. A school corporation's program must align with the strategic and continuous school improvement and achievement plans under IC 20-31-5-4 for the schools within the school corporation. A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:

- (1) The programs for which the grant is used.
- (2) The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.

SECTION 15. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is considered to meet the income requirements for as long as the individual is enrolled in a participating an eligible school and is a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 16. IC 20-51-4-7, AS AMENDED BY P.L.106-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The department shall administer this chapter.

- (b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.
- (c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.
- (d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.
- (e) Each year, at a minimum, the department shall accept applications for choice scholarship students from:
 - (1) March 1 through September 1 for the upcoming school year; and
 - (2) September 2 November 1 through January 15 for the spring



1	semester of the current school year.
2	(f) This chapter may not be construed in a manner that would
3	impose additional requirements for approving an application for an
4	eligible school placed in a "null" or "no letter grade" category
5	established under IC 20-31-8-3(b).
6	(g) The department shall adopt rules under IC 4-22-2 to implement
7	this chapter.
8	(h) The department may adopt emergency rules under
9	IC 4-22-2-37.1 to implement this chapter.
10	SECTION 17. IC 20-51-4-9, AS ADDED BY P.L.92-2011,
11	SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12	UPON PASSAGE]: Sec. 9. (a) Except as provided in subsection (b),
13	the department shall enforce the following consequences for an eligible
14	school that is nonpublic:
15	(1) If the school is placed in either of the lowest two (2)
16	categories or designations under IC 20-31-8-3 for two (2)
17	consecutive years, the department shall suspend choice
18	scholarship payments for one (1) year for new students who
19	would otherwise use a choice scholarship to attend the school.
20	(2) If the school is placed in either of the lowest two (2)
21	categories or designations under IC 20-31-8-3 for three (3)
22	consecutive years, the department shall suspend choice
23	scholarship payments for new students who would otherwise use
24	a choice scholarship to attend the school until the school is placed
25	in the middle category or higher category or designation, for two
26	(2) consecutive years.
27	(3) If the school is placed in the lowest category or designation
28	under IC 20-31-8-3 for three (3) consecutive years, the
29	department shall suspend choice scholarship payments for new
30	students who would otherwise use a choice scholarship to attend
31	the school until the school is placed in the middle category or
32	higher category or designation, for three (3) consecutive years.
33	(4) Students who:
34	(A) are currently enrolled at a school described in subdivision
35	(1), (2), or (3); and
36	(B) qualify for a choice scholarship for the upcoming school
37	year;
38	may continue to receive a choice scholarship at the school.
39	(b) An eligible school may submit a request to the state board to
40	waive or delay consequences imposed under subsection (a) for a
41	particular school year. The state board may grant a request to an

eligible school that requests a waiver or delay under this subsection



if the eligible school demonstrates that a majority of students in the
eligible school demonstrated academic improvement during the
preceding school year. A waiver or delay granted to an eligible
school under this subsection is for one (1) school year only. An
eligible school must make an additional request under this
subsection to the state board to receive further delay or waiver of
consequences imposed under subsection (a).

(b) (c) This section may not be construed to prevent a student enrolled in a school subject to this section from applying for a choice scholarship in the future at another participating school.

SECTION 18. IC 21-22-3-3, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The number of members of the state board of trustees must equal **fifteen (15) members.** the number of regions established by the state board of trustees. 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. The remaining members of the state board of trustees may reside in any region established by the state board of trustees and serve as at-large members. 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 board may be appointed to the state board of trustees but must then resign from the regional board.

SECTION 19. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

- (b) Before December 1, 2017, the department of workforce development shall commission the Indiana Literacy Association to do the following:
 - (1) Prepare and submit a report as described in subsection (c) to the legislative council in an electronic format under IC 5-14-6.
 - (2) Present the report required under this SECTION to the



1	state workforce innovation council.
2	(c) The report must identify reading and math literacy
3	programs (or the portion of programs) that serve adults who are
4	at least eighteen (18) years of age that exist throughout Indiana
5	and identify for each program:
6	(1) the types of services offered;
7	(2) the number of people served on an annual basis through
8	each service offered;
9	(3) the source and amount of funding;
10	(4) the number of staff;
11	(5) the estimated unmet need;
12	(6) to what extent the program tracks employment and
13	further job training and higher education outcomes; and
14	(7) the extent to which low literacy is a barrier to future
15	employment and career advancement.
16	(d) This SECTION expires December 1, 2018.
17	SECTION 20. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1384, 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 1, delete lines 1 through 13, begin a new paragraph and insert: "SECTION 1. IC 20-18-2-22, AS AMENDED BY P.L.213-2015, SECTION 151, AND AS AMENDED BY P.L.219-2015, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

- (b) For purposes of IC 20-28, the term includes the following:
 - (1) A superintendent who holds a license under IC 20-28-5.
 - (2) A principal.
 - (3) A teacher.
 - (4) A librarian.
 - (5) A school counselor.
 - (6) A school psychologist.
 - (7) A school nurse.
 - (8) A school social worker.
- (c) For purposes of IC 20-43-10-3, the term means a professional person whose position with a:
 - (1) school corporation;
 - (2) special education cooperative established under IC 20-35-5;
 - (3) cooperative career and technical education program;
 - (4) special education program established by an interlocal agreement under IC 36-1-7;
 - (5) joint program agreement established under IC 20-26-10; or
 - (6) charter school;

requires a license (as defined in IC 20-28-1-7) and whose primary responsibility is the instruction of students.

SECTION 2. IC 20-19-2-10, AS AMENDED BY P.L.65-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) It is the policy of the state that the state:

- (1) recognizes that nonpublic schools provide education to children in Indiana;
- (2) has an interest in ensuring that all Indiana children are well educated in both curricular and extracurricular programs; and
- (3) should facilitate the transferability of comparable academic



- credit between appropriate nonpublic schools and state supported educational institutions.
- (b) The state board shall implement a system of recognition of the educational programs of nonpublic schools to fulfill the policy set forth in subsection (a).
 - (c) The system of recognition described under subsection (b) must:
 - (1) be voluntary in nature with respect to the nonpublic school;
 - (2) recognize the characteristics that distinguish nonpublic schools from public schools; and
 - (3) be a recognition system that is separate from the accreditation standards required of public schools and available to nonpublic schools under section $\frac{8(a)(5)}{8(a)(4)}$ of this chapter.
- (d) This section does not prohibit a nonpublic school from seeking accreditation under section $\frac{8(a)(5)}{8(a)(4)}$ of this chapter.
- (e) The state board shall adopt rules under IC 4-22-2 to implement this section.
- (f) (e) The department shall waive accreditation standards for an accredited nonpublic alternative school that enters into a contract with a school corporation to provide alternative education services for students who have:
 - (1) dropped out of high school;
 - (2) been expelled; or
 - (3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;

to accommodate the nonpublic alternative school's program and student population. A nonpublic alternative school to which this subsection applies is not subject to being placed in a category or designation under IC 20-31-8-4. However, the nonpublic alternative school must comply with all state reporting requirements and submit a school improvement growth model on the anniversary date of the nonpublic alternative school's original accreditation.

- (f) The state board may accredit a nonpublic school under this section at the time the nonpublic school begins operation in Indiana
- (g) The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 3. IC 20-20-19-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) An individual who obtains a position as a school social worker for a school corporation must

- (1) hold a master's degree in social work. or
- (2) agree as a condition of employment to obtain a master's degree



in social work not more than five (5) years after the individual begins employment as a school social worker.

(b) Subsection (a) does not apply to an individual who obtained a position as a school social worker for a school corporation before July 1, 2001.

SECTION 4. IC 20-20-41-1, AS ADDED BY P.L.226-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. The department, with the approval of the state board, shall establish and maintain a dual language immersion pilot program to provide grants, in an amount not to exceed fifty thousand dollars (\$50,000), to school corporations and charter schools that establish dual language immersion programs in:

- (1) Chinese;
- (2) Spanish;
- (3) French; or
- (4) any other language approved by the department.

SECTION 5. IC 20-26-11-31, AS ADDED BY P.L.65-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 31. (a) This section applies to a school corporation that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(f). IC 20-19-2-10(e).

- (b) A school corporation is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:
 - (1) the amount received by the school corporation in which the student is enrolled for ADM purposes; or
 - (2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.".

Page 3, delete lines 2 through 19, begin a new paragraph and insert: "SECTION 7. IC 20-26-15-13, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) A nonpublic school may enter into a contract with the state board to become a freeway school.

- (b) The state board and the governing body of a nonpublic school must enter into a contract that complies with this chapter to designate the nonpublic school as a freeway school if the nonpublic school:
 - (1) petitions the state board for designation as a freeway school; and
 - (2) agrees to comply with this chapter.
 - (c) A nonpublic school becomes a freeway school when the contract



is signed by:

- (1) the state superintendent, acting for the state board after a majority of the members of the board have voted in a public session to enter into the contract; and
- (2) the president of the governing body of the nonpublic school, acting for the governing body of the nonpublic school after a majority of the members of the governing body have voted to enter into the contract.
- (d) The state board shall accredit a nonpublic school that:
 - (1) becomes a freeway school under this chapter; and
 - (2) complies with the terms of the contract.
- (e) The state board may accredit a nonpublic school under this section at the time the nonpublic school enters into the contract under subsection (a).

SECTION 8. IC 20-26-13-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11.5. In the case of a high school student who has not attended the same school within the school corporation for at least ninety percent (90%) of a school year, the department, in order to calculate the graduation rate under section 10 of this chapter, shall assign the applicable student to the high school at which the student was enrolled for the greatest proportion of school days during the school year.

SECTION 9. IC 20-31-8-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) Before July 1, 2018, the state board shall establish a definition of a high mobility school for schools with a high concentration of mobile students.

(b) After June 30, 2018, the state board shall, in addition to placing a school in a category or designation of school improvement under section 4 of this chapter, assign a school grade for a high mobility school. The grade shall be based on the individual student performance and growth to proficiency of students who have been enrolled at the high mobility school (including a school within the same school corporation that provides instruction for students in the grade immediately preceding the student's current grade) for at least one (1) school year. A grade calculated under this section is for informational purposes only and may not be used to calculate a school's category or designation of school improvement under this chapter.

SECTION 10. IC 20-36-2-1, AS AMENDED BY P.L.84-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- JULY 1, 2017]: Sec. 1. (a) The department shall establish a state resources program using designated state resources that:
 - (1) supports school corporations in the development of local programs for high ability students;
 - (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and
 - (3) provides state integrated services that include the following:
 - (A) Information and materials resource centers.
 - (B) Professional development plan and programs.
 - (C) Research and development services.
 - (D) Technical assistance that includes the following:
 - (i) Student assessment.
 - (ii) Program assessment.
 - (iii) Program development and implementation.
 - (E) Support for educators pursuing professional development leading to endorsement or licensure in high ability education.
- (b) In addition to the program established under subsection (a), the department shall use appropriations to provide grants to school corporations for **expenditures beyond those for regular educational programs and specific to** programs for high ability students under section 2 of this chapter in an amount determined by the department that is based upon a set minimum amount increased by an additional amount for each student in the program. A school corporation's program must align with the strategic and continuous school improvement and achievement plans under IC 20-31-5-4 for the schools within the school corporation. A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:
 - (1) The programs for which the grant is used.
 - (2) The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.

SECTION 11. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is considered to meet the income requirements for as long as the individual is enrolled in a participating an eligible school and is a member of a household



with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 12. IC 20-51-4-9, AS ADDED BY P.L.92-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) **Except as provided in subsection (b),** the department shall enforce the following consequences for an eligible school that is nonpublic:

- (1) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for two (2) consecutive years, the department shall suspend choice scholarship payments for one (1) year for new students who would otherwise use a choice scholarship to attend the school.
- (2) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for two (2) consecutive years.
- (3) If the school is placed in the lowest category or designation under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for three (3) consecutive years.
- (4) Students who:
 - (A) are currently enrolled at a school described in subdivision
 - (1), (2), or (3); and
 - (B) qualify for a choice scholarship for the upcoming school year;

may continue to receive a choice scholarship at the school.

(b) An eligible school may submit a request to the state board to waive or delay consequences imposed under subsection (a) for a particular school year. The state board may grant a request to an eligible school that requests a waiver or delay under this subsection if the eligible school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. A waiver or delay granted to an eligible school under this subsection is for one (1) school year only. An eligible school must make an additional request under this subsection to the state board to receive further delay or waiver of



consequences imposed under subsection (a).

(b) (c) This section may not be construed to prevent a student enrolled in a school subject to this section from applying for a choice scholarship in the future at another participating school.

SECTION 13. IC 21-22-3-3, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The number of members of the state board of trustees must equal **fifteen (15) members.** the number of regions established by the state board of trustees. 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. The remaining members of the state board of trustees may reside in any region established by the state board of trustees and serve as at-large members. 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 board may be appointed to the state board of trustees but must then resign from the regional board.

SECTION 6. An emergency is declared for this act.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1384 as introduced.)

BEHNING

Committee Vote: yeas 8, nays 4.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1384 be amended to read as follows:

Page 6, between lines 3 and 4, begin a new paragraph and insert:

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"SECTION 9. IC 20-30-5-2, AS AMENDED BY P.L.286-2013, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,2017]: Sec. 2. (a) Each public and nonpublic high school shall provide a required course that is:

- (1) not less than one (1) year of school work; and
- (2) in the:
 - (A) historical;
 - (B) political;
 - (C) civic;
 - (D) sociological;
 - (E) economical; and
 - (F) philosophical;

aspects of the constitutions of Indiana and the United States.

- (b) The state board shall:
 - (1) prescribe the course described in this section and the course's appropriate outlines; and
 - (2) adopt the necessary curricular materials for uniform instruction.
- (c) Except as provided in IC 20-32-4-13, a high school student may not receive a diploma unless the student has successfully completed the interdisciplinary course described in this section.

SECTION 2. IC 20-30-5-4, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) Each public school and nonpublic school shall provide within the two (2) weeks preceding a general election for all students in grades 6 through 12 five (5) full recitation periods of class discussion concerning:

- (1) the system of government in Indiana and in the United States;
- (2) methods of voting;
- (3) party structures;
- (4) election laws; and
- (5) the responsibilities of citizen participation in government and in elections.
- (b) Except as provided in IC 20-32-4-13, a student may not receive a high school diploma unless the student has completed a two (2) semester course in American history.
- (c) If a public school superintendent violates this section, the state superintendent shall receive and record reports of the violations. The general assembly may examine these reports.".

Page 6, between lines 20 and 21, begin a new paragraph and insert: "SECTION 12. IC 20-32-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2017]: Sec. 13. (a) The governing body of a school corporation shall issue a diploma for a deceased student at the request of a parent (as defined in IC 20-18-2-13) of the student if the student:

- (1) died while enrolled in grade 12 of a school in the school corporation; and
- (2) was academically eligible or on track to meet the requirements for the diploma at the time of death.
- (b) A student described in subsection (a) may not be considered a graduate for purposes of IC 20-26-13.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1384 as printed February 20, 2017.)

PRYOR

HOUSE MOTION

Mr. Speaker: I move that House Bill 1384 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1384 as printed February 20, 2017.)

DELANEY

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1384, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, delete lines 22 through 42.

Page 4, delete lines 1 through 26, begin a new paragraph and insert: "SECTION 5. IC 20-26-13-11, AS AMENDED BY P.L.229-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) A student who has left school is not included in clauses (A) through (I) of STEP THREE of the formula



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established in section 10 of this chapter unless the school corporation can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through (I) of STEP THREE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

- (b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.
- (b) (c) If a school corporation cannot provide written proof that a student should be included in clauses (A) through (I) of STEP THREE of section 10 of this chapter, the student is considered a dropout.

SECTION 6. IC 20-26-13-11.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11.3. (a) A public school may not classify a student as, or apply an exit code or description to a student that indicates that the student is, leaving a cohort for the reason described in section 10 STEP THREE clause (B) of this chapter unless the public school has substantial evidence that the parent or guardian of the student initiated the student leaving the cohort.

- (b) Upon request by the department, the public school shall provide a copy of evidence described in subsection (a) for any student the school classifies, or to whom the school applies an exit code or description, as described in subsection (a).
- (c) The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 7. IC 20-26-13-12, AS AMENDED BY P.L.45-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. For each high school, the department shall calculate an estimated graduation rate that is determined by the total number of graduates for the reporting year divided by the total number of students enrolled in grade 9 at the school three (3) years before the



reporting year. For any school where the difference between the estimated graduation rate and the number determined under STEP FIVE of section 10 of this chapter is more than five percent (5%), the department shall request the data used in determining that the missing students are classified under one (1) or more of clauses (A) through (I) of STEP THREE of section 10 of this chapter."

Page 5, delete lines 10 through 18.

Page 6, between lines 15 and 16, begin a new paragraph and insert: "SECTION 11. IC 20-31-8-3, AS AMENDED BY P.L.239-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.

- (b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.
- (c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using ISTEP scores as a means of assessing school performance.
- (d) In developing metrics for the categories established under subsection (a), the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students."

Page 6, delete lines 21 through 32, begin a new paragraph and insert:

"(b) For each school year beginning after June 30, 2018, the department shall make a report regarding the performance of high mobility schools. The report must indicate for each high mobility school the performance of the mobile students and the performance of students who are determined not to be mobile. The report shall be posted on the department's Internet web site each



year on a date determined by the department.".

Page 8, between lines 7 and 8, begin a new paragraph and insert: "SECTION 16. IC 20-51-4-7, AS AMENDED BY P.L.106-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The department shall administer this chapter.

- (b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.
- (c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.
- (d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.
- (e) Each year, at a minimum, the department shall accept applications for choice scholarship students from:
 - (1) March 1 through September 1 for the upcoming school year; and
 - (2) September 2 November 1 through January 15 for the spring semester of the current school year.
- (f) This chapter may not be construed in a manner that would impose additional requirements for approving an application for an eligible school placed in a "null" or "no letter grade" category established under IC 20-31-8-3(b).
- (g) The department shall adopt rules under IC 4-22-2 to implement this chapter.
- (h) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.".

Page 9, between lines 31 and 32, begin a new paragraph and insert: "SECTION 19. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

- (b) Before December 1, 2017, the department of workforce development shall commission the Indiana Literacy Association to do the following:
 - (1) Prepare and submit a report as described in subsection (c) to the legislative council in an electronic format under IC 5-14-6.
 - (2) Present the report required under this SECTION to the state workforce innovation council.
- (c) The report must identify reading and math literacy programs (or the portion of programs) that serve adults who are



at least eighteen (18) years of age that exist throughout Indiana and identify for each program:

- (1) the types of services offered;
- (2) the number of people served on an annual basis through each service offered;
- (3) the source and amount of funding;
- (4) the number of staff;
- (5) the estimated unmet need;
- (6) to what extent the program tracks employment and further job training and higher education outcomes; and
- (7) the extent to which low literacy is a barrier to future employment and career advancement.
- (d) This SECTION expires December 1, 2018.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1384 as reprinted February 23, 2017.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 4.

