

# HOUSE BILL No. 1563

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-3-27; IC 20-18; IC 20-19-2; IC 20-20; IC 20-25.7; IC 20-26; IC 20-30; IC 20-31; IC 20-32; IC 21-12-10-4; IC 21-43-8-5.

**Synopsis:** State board of education and workforce cabinet. Adds two members of the commission for higher education to the governor's workforce cabinet. Makes changes to the experience requirements for state board of education (state board) members appointed by the governor. Transfers, from the state board to the governor's workforce cabinet, duties carried out by the state board pertaining to: (1) school accountability; (2) Indiana college and career readiness educational standards; (3) modification of a high school's graduation rate; (4) the adoption of a college/technology high school curriculum model (Core 40); (5) secondary certificates of achievement; and (6) the establishment of graduation requirements. Requires the governor's workforce cabinet to approve unique commemorative diplomas designed by the state board to be issued to certain veterans. Provides that the governor's workforce cabinet is considered a state educational authority within the meaning of the federal Family Educational Rights and Privacy Act. Requires the state board to provide recommendations to the governor's workforce cabinet pertaining to: (1) Indiana college and career readiness educational standards; (2) whether to grant a high school's request to modify the high school's graduation rate; (3) the adoption of a Core 40 model; (4) the adoption of academic standards; (5) school accountability requirements; and (6) secondary certificates of achievement. Provides that the legislative services agency may prepare legislation for introduction in the 2022 regular session of the general assembly to make appropriate changes in statutes that are required by this act. Makes conforming and technical amendments.

**Effective:** July 1, 2021.

---

---

## Behning, Pressel

---

---

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

---

---



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. 1563

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 4-3-27-3, AS AMENDED BY P.L.156-2020,  
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 3. The governor's workforce cabinet is established  
4 under the applicable state and federal programs to do the following:  
5 (1) Review the services and use of funds and resources under  
6 applicable state and federal programs and advise the governor,  
7 general assembly, commission for higher education, and state  
8 board of education on methods of coordinating the services and  
9 use of funds and resources consistent with the laws and  
10 regulations governing the particular applicable state and federal  
11 programs.  
12 (2) Advise the governor, general assembly, commission for higher  
13 education, and state board of education on:  
14 (A) the development and implementation of state and local  
15 standards and measures; and  
16 (B) the coordination of the standards and measures;  
17 concerning the applicable federal programs.



- 1 (3) Perform the duties as set forth in federal law of the particular  
2 advisory bodies for applicable federal programs described in  
3 section 4 of this chapter.
- 4 (4) Identify the workforce needs in Indiana and recommend to the  
5 governor, general assembly, commission for higher education,  
6 and state board of education goals to meet the investment needs.
- 7 (5) Recommend to the governor, general assembly, commission  
8 for higher education, and state board of education goals for the  
9 development and coordination of the talent development system  
10 in Indiana.
- 11 (6) Prepare and recommend to the governor, general assembly,  
12 commission for higher education, and state board of education a  
13 strategic plan to accomplish the goals developed under  
14 subdivisions (4) and (5).
- 15 (7) Monitor and direct the implementation of and evaluate the  
16 effectiveness of the strategic plan described in subdivision (6).
- 17 (8) Advise the governor, general assembly, commission for higher  
18 education, and state board of education on the coordination of  
19 federal, state, and local education and training programs and on  
20 the allocation of state and federal funds in Indiana to promote  
21 effective services, service delivery, and innovative programs.
- 22 (9) Review and approve regional workforce development board  
23 plans, and work with regional workforce development boards to  
24 determine appropriate metrics for workforce programming at the  
25 state and local levels.
- 26 (10) Design for implementation a comprehensive career  
27 navigation and coaching system as described in section 11 of this  
28 chapter.
- 29 (11) Conduct a systematic and comprehensive review, analysis,  
30 and evaluation of workforce funding described in section 12 of  
31 this chapter.
- 32 (12) Conduct a systematic and comprehensive review, analysis,  
33 and evaluation of the college and career funding described in  
34 section 13 of this chapter.
- 35 (13) Based on the reviews in sections 12 and 13 of this chapter,  
36 direct the appropriate state agencies to implement administrative  
37 changes to the delivery of these programs that align with Indiana's  
38 workforce goals, and make recommendations to:
- 39 (A) the governor;  
40 (B) the commission for higher education;  
41 (C) the state board of education; and  
42 (D) the general assembly in an electronic format under



- 1 IC 5-14-6;  
 2 on possible legislative changes in the future.  
 3 (14) Study the advisability of establishing one (1) or more real  
 4 world career readiness programs as described in section 14 of this  
 5 chapter and report to:  
 6 (A) the governor;  
 7 (B) the commission for higher education;  
 8 (C) the state board of education; and  
 9 (D) the general assembly in an electronic format under  
 10 IC 5-14-6;  
 11 concerning the results of the study.  
 12 (15) Conduct a systematic and comprehensive review, analysis,  
 13 and evaluation of whether:  
 14 (A) Indiana's early childhood, primary, secondary, and  
 15 postsecondary education systems are aligned with employer  
 16 needs; and  
 17 (B) Indiana's students and workforce are prepared for success  
 18 in the twenty-first century economy.  
 19 (16) On or before December 1, 2020, create a comprehensive  
 20 strategic plan to ensure alignment between Indiana's early  
 21 childhood, primary, secondary, and postsecondary education  
 22 systems with Indiana's workforce training programs and employer  
 23 needs.  
 24 (17) Administer the workforce diploma reimbursement program  
 25 established by IC 22-4.1-27-7.  
 26 (18) Work with stakeholders from early learning to the workforce  
 27 to establish alignment and coordination between the early  
 28 learning advisory committee (established by IC 12-17.2-3.8-5),  
 29 state board of education, commission for higher education, and  
 30 department of workforce development.  
 31 **(19) Establish, after considering recommendations from the**  
 32 **state board of education:**  
 33 **(A) Indiana college and career readiness educational**  
 34 **standards under IC 20-19-2-14.5;**  
 35 **(B) one (1) standard Indiana diploma under IC 20-19-2-21;**  
 36 **(C) a college/technology preparation curriculum under**  
 37 **IC 20-30-10;**  
 38 **(D) academic standards under IC 20-31-3;**  
 39 **(E) requirements to measure school performance under**  
 40 **IC 20-31-8; and**  
 41 **(F) secondary certificates of achievement under**  
 42 **IC 20-32-3.**



1           **(20) Establish graduation requirements under IC 20-32-4.**

2           **(21) Approve:**

3               **(A) unique commemorative diplomas designed by the state**  
4               **board of education under IC 20-20-7; and**

5               **(B) the manner in which the state board authorizes a**  
6               **school corporation to report the percentage of graduates**  
7               **who are considered college and career ready in the school**  
8               **corporation's annual performance report under**  
9               **IC 20-20-8.**

10          **(22) Perform any other duty specified under IC 20.**

11          ~~(19)~~ **(23) Carry out other policy duties and tasks as assigned by**  
12          **the governor.**

13          SECTION 2. IC 4-3-27-5, AS AMENDED BY P.L.132-2020,  
14          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15          JULY 1, 2021]: Sec. 5. (a) The membership of the governor's  
16          workforce cabinet established under section 3 of this chapter consists  
17          of at least ~~thirty-one (31)~~ **thirty-three (33)** members as follows:

18               (1) A chairperson appointed by the governor.

19               (2) The secretary of career connections and talent, serving as a  
20               nonvoting member.

21               (3) The commissioner of the department of workforce  
22               development.

23               (4) The secretary of commerce or the secretary of commerce's  
24               designee, serving as a nonvoting member.

25               (5) The commissioner of the Indiana commission for higher  
26               education.

27               (6) The superintendent of public instruction.

28               (7) The president of Ivy Tech Community College.

29               (8) The president of Vincennes University.

30               (9) One (1) member representing a research university appointed  
31               by the governor.

32               (10) One (1) member representing a comprehensive university or  
33               an independent college appointed by the governor.

34               (11) A member appointed by the governor who is an  
35               apprenticeship coordinator of a joint labor-management  
36               apprenticeship program approved by the United States  
37               Department of Labor, Employment and Training Administration,  
38               Office of Apprenticeship.

39               (12) A member representing high school career and technical  
40               education educators or directors appointed by the governor in  
41               consultation with the Indiana Association of Career and Technical  
42               Education Districts.



- 1 (13) Either:  
 2 (A) a member representing manufacturing appointed by the  
 3 governor in consultation with the Indiana Manufacturers  
 4 Association; or  
 5 (B) an employee of the Indiana Manufacturers Association  
 6 appointed by the governor.  
 7 (14) A member representing a minority business enterprise  
 8 appointed by the governor.  
 9 (15) A member representing a women's business enterprise  
 10 appointed by the governor.  
 11 (16) A member representing a veteran owned business appointed  
 12 by the governor.  
 13 (17) A member representing the nonunion and construction trades  
 14 appointed by the governor in consultation with the Associated  
 15 Builders and Contractors, Inc., and the Indiana Builders  
 16 Association.  
 17 (18) Either:  
 18 (A) a business owner appointed by the governor in  
 19 consultation with the Indiana Chamber of Commerce; or  
 20 (B) an employee of the Indiana Chamber of Commerce  
 21 appointed by the governor.  
 22 (19) A small business owner appointed by the governor in  
 23 consultation with the National Federation of Independent  
 24 Businesses.  
 25 (20) A member of a community-based organization appointed by  
 26 the governor.  
 27 (21) Three (3) at-large business owners appointed by the  
 28 governor, one (1) of whom is a business owner who employs less  
 29 than fifty (50) employees. One (1) member appointed under this  
 30 subdivision shall be from an organization representing  
 31 technology.  
 32 (22) A school principal, appointed by the governor.  
 33 (23) A school superintendent, appointed by the governor.  
 34 **(24) Two (2) members of the commission for higher education,**  
 35 **appointed by the governor.**  
 36 ~~(24)~~ **(25)** The commissioner of the department of correction,  
 37 serving as a nonvoting member.  
 38 ~~(25)~~ **(26)** The secretary of family and social services, serving as  
 39 a nonvoting member.  
 40 ~~(26)~~ **(27)** A member of the house of representatives appointed by  
 41 the speaker of the house of representatives who serves as a  
 42 nonvoting member.



1           ~~(27)~~ **(28)** A member of the senate appointed by the president pro  
 2           tempore of the senate who serves as a nonvoting member.

3           ~~(28)~~ **(29)** Any additional members designated and appointed by  
 4           the governor.

5           (b) The members appointed under subsection (a)(13) through  
 6           (a)(21) must be geographically diverse.

7           SECTION 3. IC 4-3-27-17 IS ADDED TO THE INDIANA CODE  
 8           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 9           1, 2021]: **Sec. 17. The rules adopted by the state board of education**  
 10          **under:**

11           **(1) IC 20-30-10-2.5;**

12           **(2) IC 20-30-12-4;**

13           **(3) IC 20-31-10-1 to implement IC 20-31-3 and IC 20-31-8;**

14           **(4) IC 20-32-3-13; and**

15           **(5) IC 20-32-4-14;**

16          **before July 1, 2021, are considered after June 30, 2021, rules of the**  
 17          **governor's workforce cabinet.**

18          SECTION 4. IC 20-18-2-6.3, AS ADDED BY P.L.242-2017,  
 19          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20          JULY 1, 2021]: Sec. 6.3. (a) This section applies after June 30, 2018.

21          (b) "Graduation pathway requirement" refers to requirements  
 22          established by the ~~state board~~ **governor's workforce cabinet** under  
 23          IC 20-32-4-1.5(b)(1).

24          SECTION 5. IC 20-18-3-1, AS ADDED BY P.L.224-2015,  
 25          SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26          JULY 1, 2021]: Sec. 1. The Constitution of the State of Indiana  
 27          provides that the general assembly establishes the education policies  
 28          for the state of Indiana. The general assembly has delegated duties to  
 29          the **governor's workforce cabinet under IC 4-3-27-3 and the** state  
 30          board in IC 20-19-2-14 and other statutes and may continue to  
 31          authorize the **governor's workforce cabinet and the** state board to  
 32          establish policies and procedures in the manner set forth by statute. The  
 33          department is responsible for administering and carrying out the duties  
 34          of the department as provided by IC 20-19-3-4 and other statutes and  
 35          by the policies and procedures established by the **governor's**  
 36          **workforce cabinet or the** state board in the manner set forth in statute.

37          SECTION 6. IC 20-19-2-2.1, AS ADDED BY P.L.224-2015,  
 38          SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39          JULY 1, 2021]: Sec. 2.1. (a) This section applies beginning June 1,  
 40          2015.

41          (b) The Indiana state board of education is established.



1 (c) The state board may appoint an executive director. The  
 2 executive director may, with the approval of the state board, hire  
 3 personnel necessary to carry out the duties and responsibilities of the  
 4 state board under this title. The state board shall be funded by an  
 5 appropriation from the general assembly.

6 (d) The **governor's workforce cabinet**, the state board, and the  
 7 department are considered state educational authorities within the  
 8 meaning of the federal Family Educational Rights and Privacy Act (20  
 9 U.S.C. 1232g and 34 CFR Part 99).

10 SECTION 7. IC 20-19-2-2.2, AS AMENDED BY P.L.82-2020,  
 11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2021]: Sec. 2.2. (a) ~~Beginning June 1, 2015~~; The state board  
 13 consists of the following members:

14 (1) The state superintendent.

15 (2) Eight (8) members appointed by the governor. The following  
 16 provisions apply to members of the state board appointed under  
 17 this subdivision:

18 (A) At least ~~six (6)~~ **four (4)** members appointed under this  
 19 subdivision must have professional experience in the field of  
 20 education as provided in subsection (b).

21 (B) Members shall be appointed from different parts of  
 22 Indiana with not more than one (1) member being appointed  
 23 from a particular congressional district.

24 (C) Not more than five (5) members of the state board may be  
 25 appointed from the membership of any one (1) political party.

26 (D) Subject to subsection (h), at least one (1) member shall be  
 27 a practicing licensed special education teacher or special  
 28 education director at the time the member is appointed.

29 **(E) After June 30, 2023, at least two (2) members**  
 30 **appointed under this subdivision must have professional**  
 31 **experience in postsecondary education with at least one (1)**  
 32 **of the members to be a member of the commission for**  
 33 **higher education appointed under IC 21-18-3-1.**

34 **(F) After June 30, 2023, at least two (2) members**  
 35 **appointed under this subdivision must have experience in**  
 36 **business enterprise with at least one (1) of the members to**  
 37 **be a member of the governor's workforce cabinet**  
 38 **appointed under IC 4-3-27-5(a)(13) through**  
 39 **IC 4-3-27-5(a)(19) or IC 4-3-27-5(a)(21).**

40 (3) One (1) member, who is not a member of the general  
 41 assembly, appointed by the speaker of the house of  
 42 representatives.





- 1 (4) One (1) member, who is not a member of the general  
 2 assembly, appointed by the president pro tempore of the senate.
- 3 (b) For purposes of subsection (a), an individual is considered to  
 4 have professional experience in the field of education if the individual  
 5 has teaching or leadership experience at a postsecondary educational  
 6 institution or is currently employed as, or is retired from a position as:  
 7 (1) a teacher;  
 8 (2) a principal;  
 9 (3) an assistant superintendent; or  
 10 (4) a superintendent.
- 11 (c) A quorum consists of six (6) members of the state board. An  
 12 action of the state board is not official unless the action is authorized  
 13 by at least six (6) members.
- 14 (d) The members of the state board shall elect a chairperson and  
 15 vice chairperson annually from the members of the state board. The  
 16 vice chairperson shall act as chairperson in the absence of the  
 17 chairperson.
- 18 (e) Except as otherwise provided in subsection (f), each member  
 19 appointed under subsection (a)(2) through (a)(4) serves a four (4) year  
 20 term. The term begins on July 1.
- 21 (f) A member appointed under subsection (a)(2) through (a)(4) may  
 22 be removed from the state board by the member's appointing authority  
 23 for just cause. Vacancies in the appointments to the state board shall be  
 24 filled by the appointing authority. A member appointed under this  
 25 subsection serves for the remainder of the unexpired term.
- 26 (g) The state board shall meet at a minimum at least one (1) time  
 27 each month. The state board shall establish the date of the next monthly  
 28 meeting during the monthly meeting of the state board. In addition to  
 29 the monthly meeting required under this subsection, the state board  
 30 shall meet at the call of the chairperson.
- 31 (h) This subsection expires July 1, 2024. The governor shall appoint  
 32 a member who has the qualifications described in subsection (a)(2)(D)  
 33 for the first appointment made by the governor to fill a vacancy on the  
 34 state board after March 31, 2020.
- 35 SECTION 8. IC 20-19-2-14, AS AMENDED BY P.L.242-2017,  
 36 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2021]: Sec. 14. The state board shall do the following:  
 38 (1) Establish the educational goals of the state, developing  
 39 standards and objectives for local school corporations.  
 40 (2) Assess the attainment of the established goals.  
 41 (3) Assure compliance with established standards and objectives.  
 42 (4) Coordinate with the commission for higher education (IC



1 21-18-1) and the department of workforce development (IC  
 2 22-4.1-2) to develop entrepreneurship education programs for  
 3 elementary and secondary education, higher education, and  
 4 individuals in the work force.

5 (5) Make recommendations to the governor and general assembly  
 6 concerning the educational needs of the state, including financial  
 7 needs.

8 (6) Provide for reviews to ensure the validity and reliability of the  
 9 statewide assessment program.

10 **(7) Make recommendations to the governor's workforce**  
 11 **cabinet regarding:**

12 **(A) high school curriculum models under IC 20-30-10;**

13 **(B) school accountability standards or requirements under**  
 14 **IC 20-31-8; and**

15 **(C) secondary certificates of achievement under**  
 16 **IC 20-32-3.**

17 SECTION 9. IC 20-19-2-14.5, AS AMENDED BY P.L.239-2015,  
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2021]: Sec. 14.5. (a) As used in this section:

20 (1) "college and career readiness educational standards" means  
 21 Indiana standards that a high school graduate must meet to obtain  
 22 the requisite knowledge and skill to transition without  
 23 remediation to postsecondary education or training, and  
 24 ultimately into a sustainable career; and

25 (2) "cut scores" means the scores that define a student's  
 26 performance on an assessment, including passing, failing, or  
 27 falling into a performance category.

28 (b) **The governor's workforce cabinet, after reviewing**  
 29 **recommendations from the** state board, shall adopt Indiana college  
 30 and career readiness educational standards. The educational standards  
 31 must do the following:

32 (1) Meet national and international benchmarks for college and  
 33 career readiness standards and be aligned with postsecondary  
 34 educational expectations.

35 (2) Use the highest standards in the United States.

36 (3) Comply with federal standards to receive a flexibility waiver  
 37 under 20 U.S.C. 7861, as in effect on January 1, 2014.

38 (4) Prepare Indiana students for college and career success,  
 39 including the proper preparation for nationally recognized college  
 40 entrance examinations such as the ACT and SAT.

41 (5) Maintain Indiana sovereignty.

42 (6) Provide strict safeguards to protect the confidentiality of



1 student data.

2 (c) The state, **the governor's workforce cabinet**, or the state board  
 3 on behalf of the state, may not enter into or renew an agreement with  
 4 any organization, entity, group, or consortium that requires the state to  
 5 cede any measure of autonomy or control of education standards and  
 6 assessments, including cut scores. The ~~state board~~ **governor's**  
 7 **workforce cabinet** may not adopt Common Core (Common Core State  
 8 Standards Initiative) or an assessment or test, except as provided in this  
 9 subsection, that is produced solely by the United States government or  
 10 a consortium of states. However, the ~~state board~~ **governor's workforce**  
 11 **cabinet** is not prohibited from incorporating as part of Indiana's  
 12 statewide assessments any assessment, part of an assessment, or series  
 13 of questions if the assessment, part of an assessment, or series of  
 14 questions is aligned to Indiana's academic standards.

15 (d) The ~~state board~~ **governor's workforce cabinet** may adopt  
 16 emergency rules in the manner provided in IC 4-22-2-37.1 to  
 17 implement this section. As provided in IC 4-22-2-37.1 for an  
 18 emergency rule adopted under this section to be effective after one (1)  
 19 extension period, the rule must be adopted in conformity with the  
 20 procedures under IC 4-22-2-24 through IC 4-22-2-36.

21 SECTION 10. IC 20-19-2-21, AS ADDED BY P.L.192-2018,  
 22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2021]: Sec. 21. (a) The **governor's workforce cabinet, after**  
 24 **reviewing any recommendations from the** state board, shall establish  
 25 one (1) standard Indiana diploma for individuals who successfully  
 26 complete high school graduation requirements.

27 (b) Each Indiana diploma must include one (1) of the following  
 28 designations if an individual meets the criteria established by the state  
 29 board for the designation:

- 30 (1) General designation.
- 31 (2) Core 40 designation.
- 32 (3) Core 40 with academic honors designation.
- 33 (4) Core 40 with technical honors designation.

34 SECTION 11. IC 20-20-7-12, AS ADDED BY P.L.1-2005,  
 35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2021]: Sec. 12. Upon receipt of a verified application, the  
 37 department shall do the following:

- 38 (1) If the applicant:
  - 39 (A) expresses a preference in the application to receive a  
 40 diploma issued by the state board; or
  - 41 (B) attended a nonpublic high school before leaving high  
 42 school for military service;



1 the department shall present a diploma issued by the state board  
2 **and approved by the governor's workforce cabinet.**

3 (2) If the applicant expresses a preference for receiving a diploma  
4 from the governing body of the school corporation containing the  
5 public high school that the eligible veteran left for military  
6 service, the department shall direct the governing body of the  
7 affected school corporation to issue and present the diploma.

8 SECTION 12. IC 20-20-7-14, AS ADDED BY P.L.1-2005,  
9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2021]: Sec. 14. (a) The state board shall design a unique  
11 commemorative diploma **that is approved by the governor's**  
12 **workforce cabinet** for the board to issue to eligible veterans who:

13 (1) attended a public high school and express in the application  
14 a preference for receiving a diploma that the state board issues; or

15 (2) attended a nonpublic high school.

16 (b) The state board shall design a unique commemorative diploma  
17 **that is approved by the governor's workforce cabinet** that a  
18 governing body may choose to issue under the program.

19 SECTION 13. IC 20-20-7-15, AS ADDED BY P.L.1-2005,  
20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2021]: Sec. 15. (a) A governing body may design a unique  
22 commemorative diploma for the governing body to issue under the  
23 program.

24 (b) A governing body that issues a diploma under the program shall  
25 issue one (1) of the following types of diplomas:

26 (1) The diploma described in subsection (a).

27 (2) The diploma designed by the state board **and approved by**  
28 **the governor's workforce cabinet** under section 14(b) of this  
29 chapter.

30 (3) The same diploma that the governing body issues to current  
31 graduates.

32 SECTION 14. IC 20-20-8-3, AS AMENDED BY P.L.92-2020,  
33 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2021]: Sec. 3. (a) Not earlier than March 15 or later than  
35 March 31 of each year, the governing body of a school corporation  
36 shall publish either:

37 (1) an annual performance report of the school corporation; or

38 (2) a summary of the annual performance report with a  
39 description of how to find and view the full annual performance  
40 report on the Internet. The summary must include the following:

41 (A) Student enrollment.

42 (B) Graduation rate (as defined in IC 20-26-13-6) and the



1 graduation rate excluding students that receive a graduation  
2 waiver under IC 20-32-4-4.1 or IC 20-32-4-4.

3 (C) Attendance rate.

4 (D) All state standardized assessment scores, including the  
5 number and percentage of students meeting academic  
6 standards.

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

9 (F) The percentage of graduates considered college and career  
10 ready in a manner prescribed by the state board **with the**  
11 **approval by the governor's workforce cabinet.**

12 (G) Financial information and various school cost factors  
13 required to be provided to the office of management and  
14 budget under IC 20-42.5-3-5.

15 The report or summary must be published one (1) time annually under  
16 IC 5-3-1.

17 (b) The department shall make each school corporation's report  
18 available on the department's Internet web site. The annual  
19 performance report published on the Internet for a school corporation,  
20 including a charter school, must include any additional information  
21 submitted by the school corporation under section 6(3)(A) of this  
22 chapter. The governing body of a school corporation shall make the  
23 school corporation's report available on a prominent page of a school  
24 corporation's Internet web site.

25 (c) The governing body of a school corporation shall provide a copy  
26 of the report to a person who requests a copy. The governing body may  
27 not charge a fee for providing the copy.

28 SECTION 15. IC 20-20-8-8, AS AMENDED BY P.L.215-2018(ss),  
29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2021]: Sec. 8. (a) The report must include the following  
31 information:

32 (1) Student enrollment.

33 (2) Graduation rate (as defined in IC 20-26-13-6) and the  
34 graduation rate excluding students that receive a graduation  
35 waiver under IC 20-32-4-4 or IC 20-32-4-4.1.

36 (3) Attendance rate.

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

39 (A) All state standardized assessment scores.

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

42 (C) For a freeway school, scores on a locally adopted



- 1 assessment program, if appropriate.
- 2 (5) Average class size.
- 3 (6) The school's performance category or designation of school
- 4 improvement assigned under IC 20-31-8.
- 5 (7) The number and percentage of students in the following
- 6 groups or programs:
- 7 (A) Alternative education, if offered.
- 8 (B) Career and technical education.
- 9 (C) Special education.
- 10 (D) High ability.
- 11 (E) Limited English language proficiency.
- 12 (F) Students receiving free or reduced price lunch under the
- 13 national school lunch program.
- 14 (G) Students in foster care.
- 15 (8) Advanced placement, including the following:
- 16 (A) For advanced placement tests, the percentage of students:
- 17 (i) scoring three (3), four (4), and five (5); and
- 18 (ii) taking the test.
- 19 (B) For the Scholastic Aptitude Test:
- 20 (i) the average test scores for all students taking the test;
- 21 (ii) the average test scores for students completing the
- 22 Indiana diploma with a Core 40 with academic honors
- 23 designation program; and
- 24 (iii) the percentage of students taking the test.
- 25 (9) Course completion, including the number and percentage of
- 26 students completing the following programs:
- 27 (A) Academic honors curriculum.
- 28 (B) Core 40 curriculum.
- 29 (C) Career and technical programs.
- 30 (10) The percentage of graduates considered college and career
- 31 ready in a manner prescribed by the state board **with the**
- 32 **approval of the governor's workforce cabinet.**
- 33 (11) School safety, including:
- 34 (A) the number of students receiving suspension or expulsion
- 35 for the possession of alcohol, drugs, or weapons; and
- 36 (B) the number of incidents reported under IC 20-33-9.
- 37 (12) Financial information and various school cost factors
- 38 required to be provided to the office of management and budget
- 39 under IC 20-42.5-3-5.
- 40 (13) The number and percentage of each of the following within
- 41 the school corporation:
- 42 (A) Teachers who are certificated employees (as defined in



- 1 IC 20-29-2-4).
- 2 (B) Teachers who teach the subject area for which the teacher
- 3 is certified and holds a license.
- 4 (C) Teachers with national board certification.
- 5 (14) The percentage of grade 3 students reading at grade 3 level.
- 6 (15) The number of students expelled, including the percentage
- 7 of students expelled disaggregated by race, grade, gender, free or
- 8 reduced price lunch status, eligibility for special education, and
- 9 students in foster care.
- 10 (16) Chronic absenteeism, which includes the number of students
- 11 who have been absent from school for ten percent (10%) or more
- 12 of a school year for any reason.
- 13 (17) Habitual truancy, which includes the number of students who
- 14 have been absent ten (10) days or more from school within a
- 15 school year without being excused or without being absent under
- 16 a parental request that has been filed with the school.
- 17 (18) The number of students who have dropped out of school,
- 18 including the:
- 19 (A) reasons for dropping out; and
- 20 (B) percentage of students who have dropped out,
- 21 disaggregated by race, grade, gender, free or reduced price
- 22 lunch status, eligibility for special education, and students in
- 23 foster care.
- 24 (19) The number of out of school suspensions assigned, including
- 25 the percentage of students suspended disaggregated by race,
- 26 grade, gender, free or reduced price lunch status, eligibility for
- 27 special education, and students in foster care.
- 28 (20) The number of in school suspensions assigned, including the
- 29 percentage of students suspended disaggregated by race, grade,
- 30 gender, free or reduced price lunch status, eligibility for special
- 31 education, and students in foster care.
- 32 (21) The number of student work permits revoked.
- 33 (22) The number of students receiving an international
- 34 baccalaureate diploma.
- 35 (b) Section 3(a) of this chapter does not apply to the publication of
- 36 information required under this subsection. This subsection applies to
- 37 schools, including charter schools, located in a county having a
- 38 consolidated city, including schools located in excluded cities (as
- 39 defined in IC 36-3-1-7). A separate report including the information
- 40 reported under subsection (a) must be:
- 41 (1) disaggregated by race, grade, gender, free or reduced price
- 42 lunch status, eligibility for special education, and students in



1 foster care; and

2 (2) made available on the Internet as provided in section 3(b) of  
3 this chapter.

4 SECTION 16. IC 20-25.7-4-5, AS AMENDED BY P.L.269-2019,  
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2021]: Sec. 5. (a) The board shall enter into an agreement  
7 with an innovation network team to establish an innovation network  
8 school or to reconstitute an eligible school as an innovation network  
9 school under section 3 or 4 of this chapter. An innovation network team  
10 may consist of or include teachers, a principal, a superintendent, or any  
11 combination of these individuals who were employed at the eligible  
12 school before the agreement is entered.

13 (b) The terms of the agreement must specify the following:

14 (1) A statement that the innovation network school is considered  
15 to be part of the school corporation and not considered a separate  
16 local educational agency.

17 (2) A statement that the innovation network team authorizes the  
18 department to include the innovation network school's  
19 performance assessment results under IC 20-31-8 when  
20 calculating the school corporation's performance assessment  
21 under rules adopted by the ~~state board~~ **governor's workforce**  
22 **cabinet**.

23 (3) The amount of state and federal funding, including tuition  
24 support, and money levied as property taxes that will be  
25 distributed by the school corporation to the innovation network  
26 school.

27 (4) The performance goals and accountability metrics agreed  
28 upon for the innovation network school.

29 (5) Grounds for termination of the agreement, including the right  
30 of termination if the innovation network team fails to:

31 (A) comply with the conditions or procedures established in  
32 the agreement;

33 (B) meet generally accepted fiscal management and  
34 government accounting principles;

35 (C) comply with applicable laws; or

36 (D) meet the educational goals set forth in the agreement  
37 between the board and the innovation network team.

38 (c) If an agreement is entered into under subsection (a), the board  
39 shall notify the department that an agreement has been entered into  
40 under this section within thirty (30) days after the agreement is entered  
41 into.

42 (d) Upon receipt of the notification under subsection (c), for school





- 1 years starting after the date of the agreement:
- 2 (1) the department shall include the innovation network school's
- 3 performance assessment results under IC 20-31-8 when
- 4 calculating the school corporation's performance assessment
- 5 under rules adopted by the ~~state board~~; **governor's workforce**
- 6 **cabinet**;
- 7 (2) the department shall treat the innovation network school in the
- 8 same manner as a school operated by the school corporation when
- 9 calculating the total amount of state and federal funding to be
- 10 distributed to the school corporation; and
- 11 (3) if requested by an innovation network school established
- 12 under IC 20-25.5-4-2(a)(2) (before its repeal) or
- 13 IC 20-25.7-4-4(a)(2), the department may use student growth as
- 14 the state board's exclusive means to determine the innovation
- 15 network school's category or designation of school improvement
- 16 under 511 IAC 6.2-10-10 for a period of three (3) years.
- 17 Beginning with the 2019-2020 school year, the department may
- 18 not use student growth as the ~~state board's~~ **governor's workforce**
- 19 **cabinet's** exclusive means to determine an innovation network
- 20 school's category or designation of school improvement. This
- 21 subdivision expires July 1, 2023.
- 22 A school corporation and an innovation network school are not entitled
- 23 to any state funding in addition to the amount the school corporation
- 24 and school would otherwise be eligible to receive if the innovation
- 25 network school were a public school maintained by the school
- 26 corporation.
- 27 SECTION 17. IC 20-25.7-5-2, AS AMENDED BY P.L.156-2020,
- 28 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2021]: Sec. 2. (a) The board may enter into an agreement with
- 30 an organizer to reconstitute an eligible school as a participating
- 31 innovation network charter school or to establish a participating
- 32 innovation network charter school at a location selected by the board
- 33 within the boundary of the school corporation. Notwithstanding
- 34 IC 20-26-7.1, a participating innovation network charter school may be
- 35 established within a vacant school building.
- 36 (b) The terms of the agreement entered into between the board and
- 37 an organizer must specify the following:
- 38 (1) A statement that the organizer authorizes the department to
- 39 include the charter school's performance assessment results under
- 40 IC 20-31-8 when calculating the school corporation's performance
- 41 assessment under rules adopted by the ~~state board~~; **governor's**
- 42 **workforce cabinet**.



1 (2) The amount of state funding, including tuition support (if the  
 2 participating innovation network charter school is treated in the  
 3 same manner as a school operated by the school corporation  
 4 under subsection (d)(2)), and money levied as property taxes that  
 5 will be distributed by the school corporation to the organizer.

6 (3) The performance goals and accountability metrics agreed  
 7 upon for the charter school in the charter agreement between the  
 8 organizer and the authorizer.

9 (c) If an organizer and the board enter into an agreement under  
 10 subsection (a), the organizer and the board shall notify the department  
 11 that the agreement has been made under this section within thirty (30)  
 12 days after the agreement is entered into.

13 (d) Upon receipt of the notification under subsection (c), for school  
 14 years starting after the date of the agreement:

15 (1) the department shall include the participating innovation  
 16 network charter school's performance assessment results under  
 17 IC 20-31-8 when calculating the school corporation's performance  
 18 assessment under rules adopted by the state board;

19 (2) the department shall treat the participating innovation network  
 20 charter school in the same manner as a school operated by the  
 21 school corporation when calculating the total amount of state  
 22 funding to be distributed to the school corporation unless  
 23 subsection (e) applies; and

24 (3) if requested by a participating innovation network charter  
 25 school that reconstitutes an eligible school, the department may  
 26 use student growth as the **state board's governor's workforce**  
 27 **cabinet's** exclusive means to determine the innovation network  
 28 charter school's category or designation of school improvement  
 29 under 511 IAC 6.2-10-10 for a period of three (3) years.  
 30 Beginning with the 2019-2020 school year, the department may  
 31 not use student growth as the **state board's governor's workforce**  
 32 **cabinet's** exclusive means to determine an innovation network  
 33 charter school's category or designation of school improvement.

34 This subdivision expires July 1, 2023.

35 (e) If a participating innovation network school was established  
 36 before January 1, 2016, and for the current school year has a  
 37 complexity index that is greater than the complexity index for the  
 38 school corporation that the innovation network school has contracted  
 39 with, the innovation network school shall be treated as a charter school  
 40 for purposes of determining tuition support. This subsection expires  
 41 June 30, 2021.

42 SECTION 18. IC 20-26-3-3, AS ADDED BY P.L.1-2005,



1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2021]: Sec. 3. (a) The rule of law that a school corporation has  
3 only:

- 4 (1) powers expressly granted by statute;  
5 (2) powers necessarily or fairly implied in or incident to powers  
6 expressly granted through rules adopted by the **governor's**  
7 **workforce cabinet, the state board, or the department** under  
8 IC 4-22-2 or otherwise; and  
9 (3) powers indispensable to the declared purposes of the school  
10 corporation;

11 is abrogated.

12 (b) A school corporation has:

- 13 (1) all powers granted to the school corporation by statute or  
14 through rules adopted by the **governor's workforce cabinet, the**  
15 **state board, or the department;** and  
16 (2) all other powers necessary or desirable in the conduct of the  
17 school corporation's affairs, even if the power is not granted by  
18 statute or rule.

19 (c) The powers that school corporations have under subsection  
20 (b)(1) are listed in various statutes. However, these statutes do not list  
21 the powers that school corporations have under subsection (b)(2). The  
22 omission of a power from a list does not imply that school corporations  
23 lack that power.

24 SECTION 19. IC 20-26-3-4, AS ADDED BY P.L.1-2005,  
25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2021]: Sec. 4. A school corporation may exercise any power  
27 the school corporation possesses to the extent that the power:

- 28 (1) is not expressly denied by the Constitution of the State of  
29 Indiana, by statute, or by rule of the **governor's workforce**  
30 **cabinet, the state board, or the department;** and  
31 (2) is not expressly granted to another entity.

32 SECTION 20. IC 20-26-13-5, AS AMENDED BY P.L.192-2018,  
33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2021]: Sec. 5. (a) As used in this chapter, "graduation" means  
35 the successful completion by a student of:

- 36 (1) a sufficient number of academic credits, or the equivalent of  
37 academic credits; and  
38 (2) the graduation examination (before July 1, 2022), a  
39 postsecondary readiness competency established by the **state**  
40 **board governor's workforce cabinet** under IC 20-32-4-1.5(c), or  
41 a waiver process required under IC 20-32-3 through IC 20-32-5.1;  
42 resulting in the awarding of an Indiana diploma.



1 (b) The term does not include the granting of a general educational  
 2 development diploma under IC 20-20-6 (before its repeal) or  
 3 IC 22-4.1-18.

4 SECTION 21. IC 20-26-13-10, AS AMENDED BY THE  
 5 TECHNICAL CORRECTIONS BILL OF THE 2021 GENERAL  
 6 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2021]: Sec. 10. (a) Except as provided in section 11 of this  
 8 chapter, the four (4) year graduation rate for a cohort in a high school  
 9 is the percentage determined under STEP FIVE of the following  
 10 formula:

11 STEP ONE: Determine the grade 9 enrollment at the beginning of  
 12 the reporting year three (3) years before the reporting year for  
 13 which the graduation rate is being determined.

14 STEP TWO: Add:

15 (A) the number determined under STEP ONE; and

16 (B) the number of students who:

17 (i) have enrolled in the high school after the date on which  
 18 the number determined under STEP ONE was determined;

19 and

20 (ii) have the same expected graduation year as the cohort.

21 STEP THREE: Subtract from the sum determined under STEP  
 22 TWO the number of students who have left the cohort for any of  
 23 the following reasons:

24 (A) Transfer to another public or nonpublic school.

25 (B) Except as provided in IC 20-33-2-28.6 and subsection (b),  
 26 removal by the student's parents under IC 20-33-2-28 to  
 27 provide instruction equivalent to that given in the public  
 28 schools.

29 (C) Withdrawal because of a long term medical condition or  
 30 death.

31 (D) Detention by a law enforcement agency or the department  
 32 of correction.

33 (E) Placement by a court order or the department of child  
 34 services.

35 (F) Enrollment in a virtual school.

36 (G) Leaving school, if the student attended school in Indiana  
 37 for less than one (1) school year and the location of the student  
 38 cannot be determined.

39 (H) Leaving school, if the location of the student cannot be  
 40 determined and the student has been reported to the Indiana  
 41 clearinghouse for information on missing children and missing  
 42 endangered adults.



- 1 (I) Withdrawing from school before graduation, if the student  
 2 is a high ability student (as defined in IC 20-36-1-3) who is a  
 3 full-time student at an accredited institution of higher  
 4 education during the semester in which the cohort graduates.  
 5 (J) Withdrawing from school before graduation pursuant to  
 6 providing notice of withdrawal under section 17 of this  
 7 chapter.  
 8 (K) Participating in the high school equivalency pilot program  
 9 under IC 20-30-8.5, unless the student fails to successfully  
 10 complete the high school equivalency pilot program in the two  
 11 (2) year period. **This clause expires June 30, 2024.**
- 12 STEP FOUR: Determine the total number of students determined  
 13 under STEP TWO who have graduated during the current  
 14 reporting year or a previous reporting year.  
 15 STEP FIVE: Divide:  
 16 (A) the number determined under STEP FOUR; by  
 17 (B) the remainder determined under STEP THREE.
- 18 (b) This subsection applies to a high school in which:  
 19 (1) for a:  
 20 (A) cohort of one hundred (100) students or less, at least ten  
 21 percent (10%) of the students left a particular cohort for a  
 22 reason described in subsection (a) STEP THREE clause (B);  
 23 or  
 24 (B) cohort of more than one hundred (100) students, at least  
 25 five percent (5%) of the students left a particular cohort for a  
 26 reason described in subsection (a) STEP THREE clause (B);  
 27 and  
 28 (2) the students described in subdivision (1)(A) or (1)(B) are not  
 29 on track to graduate with their cohort.
- 30 A high school must submit a request to the state board in a manner  
 31 prescribed by the state board requesting that the students described in  
 32 this subsection be included in the subsection (a) STEP THREE  
 33 calculation. The state board shall review the request and **make**  
 34 **recommendations to the governor's workforce cabinet. The**  
 35 **governor's workforce cabinet** may grant or deny the request. The  
 36 **state board governor's workforce cabinet** shall deny the request  
 37 unless the high school demonstrates good cause to justify that the  
 38 students described in this subsection should be included in the  
 39 subsection (a) STEP THREE calculation. If the **state board governor's**  
 40 **workforce cabinet** denies the request the high school may not subtract  
 41 the students described in this subsection under subsection (a) STEP  
 42 THREE.



1 SECTION 22. IC 20-30-10-2.5, AS ADDED BY P.L.192-2018,  
 2 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2021]: Sec. 2.5. (a) In adopting Core 40 curriculum models  
 4 under this chapter, the ~~state board~~ **governor's workforce cabinet,**  
 5 **with recommendations from the state board,** shall consider math  
 6 course requirements other than Algebra II. Any math course  
 7 requirements adopted for the Core 40 curriculum models must be at a  
 8 level of difficulty that aligns with postsecondary preparation.

9 (b) If a school offers a math course developed under subsection (a),  
 10 a parent of a student and the student who intends to enroll in the course  
 11 must provide consent to the school to enroll in the course. The consent  
 12 form used by the school, which shall be developed by the state board  
 13 in collaboration with the commission for higher education, must notify  
 14 the parent and the student that enrollment in the course may affect the  
 15 student's ability to attend a particular postsecondary educational  
 16 institution or enroll in a particular course at a particular postsecondary  
 17 educational institution because the course does not align with academic  
 18 requirements established by the postsecondary educational institution.

19 (c) The ~~state board~~ **governor's workforce cabinet** shall adopt rules  
 20 under IC 4-22-2 to establish:

- 21 (1) math course requirements; and
- 22 (2) science course requirements;

23 for the Core 40 curriculum models adopted under this chapter.

24 SECTION 23. IC 20-30-10-3, AS ADDED BY P.L.1-2005,  
 25 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2021]: Sec. 3. The college/technology preparation curriculum  
 27 models must meet the following conditions:

- 28 (1) Be performance based.
- 29 (2) Allow for dual credit, advanced study, and cooperative  
 30 agreements.
- 31 (3) Provide a student with:
  - 32 (A) the subject and skill areas required by a state educational  
 33 institution to gain admittance into the respective state  
 34 educational institution; and
  - 35 (B) the skills necessary to gain employment upon the student's  
 36 completion of formal education;
 37 upon the satisfactory fulfillment of the curriculum.
- 38 (4) Relate to a broad scope of subject areas and include all the  
 39 subject areas required to be taught under Indiana law.
- 40 (5) Be designed to satisfy the graduation requirements established  
 41 by the ~~state board~~ **governor's workforce cabinet after**  
 42 **consideration of recommendations from the state board.**



1 SECTION 24. IC 20-30-10-5, AS AMENDED BY P.L.143-2019,  
 2 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2021]: Sec. 5. (a) Notwithstanding any other law, a high  
 4 school may:

5 (1) replace high school courses on the high school transcript with  
 6 dual credit courses (as defined in IC 21-43-1-2.5), Cambridge  
 7 International courses, international baccalaureate courses, or  
 8 advanced placement courses on the same subject matter with  
 9 equal or greater rigor to the required high school course; and

10 (2) count:

11 (A) a course described in subdivision (1);

12 (B) a work based learning course, program, or experience that  
 13 is approved under subsection (c); or

14 (C) a career and technical education course, program, or  
 15 experience that is approved under subsection (c);

16 as satisfying an Indiana diploma with a Core 40 with academic  
 17 honors designation or another designation requirement.

18 (b) A course, program, or experience described in subsection  
 19 (a)(2)(B) or (a)(2)(C):

20 (1) with:

21 (A) subject matter that is similar to; and

22 (B) rigor that is equal to or greater than;

23 the subject matter and rigor of the required course; but

24 (2) that does not fully align with the required course standards;  
 25 must be augmented with instruction to include the remaining standards  
 26 of the required course.

27 (c) If a course, program, or experience provider requests that the  
 28 ~~state board~~; **governor's workforce cabinet (with recommendations**  
 29 **from the state board)**, a state educational institution (as defined in  
 30 IC 21-7-13-32), or any other entity designated by the ~~state board~~  
 31 **governor's workforce cabinet** approve a course, program, or  
 32 experience described in subsection (a)(2)(B) or (a)(2)(C), the ~~state~~  
 33 ~~board~~; **governor's workforce cabinet (with recommendations from**  
 34 **the state board)**, state educational institution, or other entity shall  
 35 approve the course, program, or experience if the provider provides the  
 36 following:

37 (1) A description of the extent to which the course, program, or  
 38 experience aligns with the required course that the provider is  
 39 replacing.

40 (2) An explanation regarding how the remaining standards of the  
 41 required course, program, or experience will be augmented.

42 (d) If the ~~state board~~; **governor's workforce cabinet (with**



1 **recommendations from the state board),** a state educational  
 2 institution, or another entity designated by the ~~state board~~ **governor's**  
 3 **workforce cabinet** approves a course, program, or experience under  
 4 subsection (c), the ~~state board,~~ **governor's workforce cabinet (with**  
 5 **recommendations from the state board),** state educational institution,  
 6 or other entity:

7 (1) shall periodically review the approved course, program, or  
 8 experience to ensure the course, program, or experience complies  
 9 with the requirements under subsection (b); and

10 (2) may revoke approval of the course, program, or experience if,  
 11 at any time more than one (1) year after the course, program, or  
 12 experience is offered, the ~~state board,~~ **governor's workforce**  
 13 **cabinet (with recommendations from the state board),** state  
 14 educational institution, or other entity determines that the course,  
 15 program, or experience does not comply with the requirements  
 16 under subsection (b).

17 (e) A dual credit course described in subsection (a)(1) must be  
 18 authorized by an eligible institution (as described in IC 21-43-4-3.5)  
 19 that is a member of a national dual credit accreditation organization, or  
 20 the eligible institution must make assurances that the final assessment  
 21 for the course given for dual credit under this section is substantially  
 22 equivalent to the final assessment given in the college course in that  
 23 subject.

24 SECTION 25. IC 20-30-12-1, AS AMENDED BY P.L.286-2013,  
 25 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2021]: Sec. 1. The department shall require all school  
 27 corporations to make available to the school corporation's high school  
 28 students the technology preparation curriculum ~~developed by the state~~  
 29 ~~board:~~ **approved by the governor's workforce cabinet.**

30 SECTION 26. IC 20-30-12-4, AS ADDED BY P.L.1-2005,  
 31 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2021]: Sec. 4. The ~~state board~~ **governor's workforce cabinet**  
 33 shall adopt rules under IC 4-22-2 to implement this chapter.

34 SECTION 27. IC 20-31-3-1, AS AMENDED BY P.L.242-2017,  
 35 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2021]: Sec. 1. (a) The ~~state board~~ **governor's workforce**  
 37 **cabinet, with recommendations from the state board,** shall adopt  
 38 clear, concise, and jargon free state academic standards that are  
 39 comparable to national and international academic standards and the  
 40 college and career readiness educational standards adopted under  
 41 IC 20-19-2-14.5. These academic standards must be adopted for each  
 42 grade level from kindergarten through grade 12 for the following





1 subjects:

- 2 (1) English/language arts.  
 3 (2) Mathematics.  
 4 (3) Social studies.  
 5 (4) Science.

6 (b) For grade levels tested under the statewide assessment program,  
 7 the academic standards must be based in part on the results of the  
 8 statewide assessment program.

9 SECTION 28. IC 20-31-8-1, AS AMENDED BY P.L.192-2018,  
 10 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2021]: Sec. 1. (a) The performance of a school's students on  
 12 the statewide assessment program test and other assessments  
 13 recommended by the department of ~~education~~ and approved by the  
 14 ~~state board~~ **governor's workforce cabinet, after considering**  
 15 **recommendations by the state board**, are the primary and majority  
 16 means of assessing a school's improvement.

17 (b) The department of ~~education~~ shall examine and make  
 18 recommendations to the state board concerning:

- 19 (1) performance indicators to be used as a secondary means of  
 20 determining school progress;  
 21 (2) expected progress levels, continuous improvement measures,  
 22 distributional performance levels, and absolute performance  
 23 levels for schools; and  
 24 (3) an orderly transition from the performance based accreditation  
 25 system to the assessment system set forth in this article.

26 (c) The department of ~~education~~ shall consider methods of  
 27 measuring improvement and progress used in other states in developing  
 28 recommendations under this section.

29 (d) The department of ~~education~~ may consider:

- 30 (1) the likelihood that a student may fail a graduation exam  
 31 (before July 1, 2022) or fail to meet a postsecondary readiness  
 32 competency established by the ~~state board~~ **governor's workforce**  
 33 **cabinet, after consideration of recommendations by the state**  
 34 **board**, under IC 20-32-4-1.5(c) and require a graduation waiver  
 35 under IC 20-32-4-4, IC 20-32-4-4.1, or IC 20-32-4-5; and  
 36 (2) remedial needs of students who are likely to require remedial  
 37 work while the students attend a postsecondary educational  
 38 institution or workforce training program;

39 when making recommendations under this section.

40 SECTION 29. IC 20-31-8-2, AS AMENDED BY P.L.242-2017,  
 41 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2021]: Sec. 2. (a) In addition to scores on the statewide



1 assessment program test and other assessments, the department shall  
 2 use the performance indicators developed by the ~~state board~~  
 3 **governor's workforce cabinet, after considering recommendations**  
 4 **by the state board**, and the benchmarks and indicators of performance  
 5 in each school corporation's annual performance report as a secondary  
 6 means of assessing the performance of each school and school  
 7 corporation.

8 (b) The department shall assess school performance in the following  
 9 manner:

10 (1) Compare the academic performance and growth of the  
 11 individual students in each school and each school corporation  
 12 with the prior academic performance and growth of the individual  
 13 students in the school or school corporation and not to the  
 14 performance of other schools or school corporations.

15 (2) Compare the results in the annual report under IC 20-20-8  
 16 with the benchmarks and indicators of performance established in  
 17 the plan for the same school.

18 (3) Compare the results for a school by comparing each student's  
 19 results for each grade with the student's prior year results, with an  
 20 adjustment for student mobility rate.

21 (4) Compare the results for a school with the state average and the  
 22 ninety-fifth percentile level for all assessments and performance  
 23 indicators.

24 SECTION 30. IC 20-31-8-3, AS AMENDED BY P.L.86-2018,  
 25 SECTION 181, IS AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The ~~state board~~ **governor's**  
 27 **workforce cabinet, after considering recommendations from the**  
 28 **state board**, shall establish a number of categories, using an "A"  
 29 through "F" grading scale, to designate performance based on the  
 30 individual student academic performance and growth to proficiency in  
 31 each school.

32 (b) The ~~state board~~, **governor's workforce cabinet, after**  
 33 **considering recommendations by the state board** in consultation  
 34 with the department, shall define "low population schools" and shall  
 35 determine the criteria for placing low population schools in categories  
 36 established under subsection (a). In setting the definition and criteria  
 37 for low population schools, the ~~state board~~ **governor's workforce**  
 38 **cabinet** shall not penalize schools based on population. An eligible  
 39 school (as defined in IC 20-51-1-4.7) may not be penalized under  
 40 IC 20-51-4-9 for the sole reason that the eligible school is considered  
 41 a low population school under this subsection. The ~~state board's~~  
 42 **governor's workforce cabinet's** definition and criteria may include



1 the placement of a school that fits the state board's definition in a "null"  
2 or "no letter grade" category.

3 (c) In developing metrics for the categories established under  
4 subsection (a), the ~~state board~~, **governor's workforce cabinet, after**  
5 **considering recommendations by the state board** in consultation  
6 with the department, to the extent not inconsistent with federal law,  
7 shall consider the severity of tested students' disabilities when using  
8 statewide assessment scores as a means of assessing school  
9 performance.

10 (d) In developing metrics for the categories established under  
11 subsection (a), the ~~state board~~ **governor's workforce cabinet** shall  
12 consider the mobility of high school students who are credit deficient  
13 and whether any high school should be rewarded for enrolling credit  
14 deficient students or penalized for transferring out credit deficient  
15 students.

16 SECTION 31. IC 20-31-8-4, AS AMENDED BY P.L.287-2019,  
17 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2021]: Sec. 4. (a) The ~~state board~~ **governor's workforce**  
19 **cabinet, after considering recommendations by the state board,**  
20 shall place each school in a category or designation of school  
21 performance once annually based on the department's findings from the  
22 assessment of performance and academic growth under section 2 of  
23 this chapter.

24 (b) The ~~state board~~ **governor's workforce cabinet, after**  
25 **considering recommendations by the state board,** may place a  
26 school in a category or designation of school performance only if:

27 (1) the department has provided each school the opportunity to  
28 review, add to, or supplement the data, and to correct any errors  
29 in the data; and

30 (2) the state board's staff has had an opportunity to review and  
31 analyze the school corporation, school, and student level data **and**  
32 **make recommendations to the governor's workforce cabinet.**

33 (c) Based on procedures adopted by the ~~state board~~, **governor's**  
34 **workforce cabinet, after considering recommendations by the state**  
35 **board,** a school corporation or school that focuses primarily on  
36 providing an academic program for students with developmental,  
37 intellectual, or behavioral challenges may petition the ~~state board~~  
38 **governor's workforce cabinet** for review of the school corporation's  
39 or school's category or designation of school performance placement  
40 based on objective factors that the school corporation or school  
41 considers relevant because the annual assessment data does not  
42 accurately reflect, as applicable, school performance, growth, or



1 multiple measures. Objective factors include:

- 2 (1) significant demographic changes in the student population;  
 3 (2) errors in data; or  
 4 (3) other significant issues.

5 After considering the petition for review, the ~~state board~~ **governor's**  
 6 **workforce cabinet, after considering recommendations by the state**  
 7 **board**, may direct the department to revise the category or designation  
 8 assigned to the school corporation or school, including assigning a  
 9 "null" or "no letter grade" category or designation to the school  
 10 corporation or school. The ~~state board~~ **governor's workforce cabinet**  
 11 may grant the "null" designation for multiple years.

12 (d) The ~~state board~~ **governor's workforce cabinet** may obtain  
 13 assistance from another entity or, with the approval of the legislative  
 14 council, the legislative services agency, to ensure the validity and  
 15 reliability of the performance category or designation placements  
 16 calculated by the department under section 2 of this chapter. The  
 17 department shall provide all the data necessary to complete those  
 18 calculations to the legislative services agency or to an entity designated  
 19 by the ~~state board~~ **governor's workforce cabinet**.

20 SECTION 32. IC 20-31-8-4.5, AS AMENDED BY P.L.287-2019,  
 21 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2021]: Sec. 4.5. In addition to other benchmarks, performance  
 23 indicators, and accountability standards developed under this article,  
 24 the ~~state board~~ **governor's workforce cabinet, after considering**  
 25 **recommendations from the state board**, shall develop alternative  
 26 benchmarks, performance indicators, and accountability standards to  
 27 be used in the assessment of schools that focus primarily on providing  
 28 an academic program for students with developmental, intellectual, or  
 29 behavioral challenges.

30 SECTION 33. IC 20-31-8-4.6, AS ADDED BY P.L.217-2017,  
 31 SECTION 105, IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2021]: Sec. 4.6. (a) If a school corporation or  
 33 a charter school enters into an agreement with an eligible school (as  
 34 defined in IC 20-51-1-4.7) to provide dropout recovery educational  
 35 services for an at-risk student who is enrolled at a public school, the  
 36 student may not be included in the calculation of the public school's  
 37 category or designation of school performance.

38 (b) The ~~state board~~ **governor's workforce cabinet, after**  
 39 **considering recommendations from the state board**, shall adopt  
 40 rules under IC 4-22-2 and any guidelines necessary to carry out this  
 41 section.

42 SECTION 34. IC 20-31-8-5.2, AS AMENDED BY P.L.251-2017,



1 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2021]: Sec. 5.2. (a) The ~~state board~~ **governor's workforce**  
3 **cabinet, after considering recommendations from the state board,**  
4 shall establish an alternative accountability system to assess the  
5 performance of an adult high school. The system shall:

- 6 (1) establish rigorous academic outcomes criteria;  
7 (2) measure college and career readiness outcomes for each  
8 graduate;  
9 (3) measure student accomplishments and success after  
10 graduation for a period of time as determined by the state board;  
11 and  
12 (4) require that a substantial majority of graduates who receive  
13 waiver diplomas must also be on track to receive or have already  
14 received an industry certification that aligns with career pathways  
15 as recommended by the Indiana career council established by  
16 IC 22-4.5-9-3.

17 (b) An adult high school is subject to the alternative accountability  
18 system developed by the state board under subsection (a).

19 (c) All students, regardless of age, enrolled in an adult high school  
20 (as defined in IC 20-24-1-2.3) must be included and calculated under  
21 the same requirements, metrics, and goals established under the system  
22 developed by the board under subsection (a).

23 SECTION 35. IC 20-31-8-5.4, AS ADDED BY P.L.2-2014,  
24 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2021]: Sec. 5.4. (a) ~~Not later than November 15, 2013,~~ The  
26 ~~state board~~ **governor's workforce cabinet, after considering**  
27 **recommendations from the state board,** shall establish ~~new and~~  
28 **maintain** categories or designations of school performance under the  
29 requirements of this chapter, ~~to replace 511 IAC 6.2-6. The new~~  
30 ~~standards of assessing school performance: which:~~

- 31 (1) must be based on a measurement of individual student  
32 academic performance and growth to proficiency; and  
33 (2) may not be based on a measurement of student performance  
34 or growth compared with peers.

35 ~~511 IAC 6.2-6 is void on the effective date of the emergency or final~~  
36 ~~rules adopted under this section.~~

37 (b) ~~After July 1, 2013, the state board:~~

- 38 (1) ~~shall adopt rules under IC 4-22-2; and~~  
39 (2) ~~may adopt emergency rules in the manner provided in~~  
40 ~~IC 4-22-2-37.1; The governor's workforce cabinet, after~~  
41 **considering recommendations from the state board, shall**  
42 **adopt rules under IC 4-22-2** to implement this chapter.



1 (c) An emergency rule adopted under subsection (b) expires on the  
2 earlier of:

3 (1) November 15, 2014; or

4 (2) the effective date of a rule that establishes categories or  
5 designations of school improvement described in this section and  
6 supersedes the emergency rule:

7 (d) Before beginning the rulemaking process to establish new  
8 categories or designations of school improvement, the state board shall  
9 report to the general assembly the proposed new categories or  
10 designations in an electronic format under IC 5-14-6.

11 SECTION 36. IC 20-31-8-7, AS ADDED BY P.L.35-2014,  
12 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2021]: Sec. 7. If the state board **governor's workforce  
14 cabinet, after considering recommendations from the state board,**  
15 adopts a rule to assign a category or designation of school improvement  
16 to a school corporation, the ~~state board~~ **governor's workforce cabinet,**  
17 **after considering recommendations from the state board,** shall also  
18 adopt a rule to assign a category or designation of school improvement  
19 to a charter school organizer.

20 SECTION 37. IC 20-31-8-8, AS ADDED BY P.L.251-2017,  
21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2021]: Sec. 8. (a) ~~Before July 1, 2018, the state board~~ **The  
23 governor's workforce cabinet, after considering recommendations  
24 from the state board,** shall establish a definition of a high mobility  
25 school for schools with a high concentration of mobile students.

26 (b) ~~For each school year beginning after June 30, 2018,~~ The  
27 department shall make a report regarding the performance of high  
28 mobility schools. The report shall be posted on the department's  
29 Internet web site each year on a date determined by the department.

30 SECTION 38. IC 20-31-8-9, AS ADDED BY P.L.269-2019,  
31 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2021]: Sec. 9. ~~After June 30, 2019,~~ The ~~state board~~  
33 **governor's workforce cabinet** may not use student growth as the  
34 exclusive means used in determining a school's final accountability  
35 category.

36 SECTION 39. IC 20-31-8-10, AS ADDED BY P.L.269-2019,  
37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2021]: Sec. 10. (a) Except as otherwise provided in this  
39 section, if requested by a school, the department may place the school  
40 in a "null" or "no letter grade" category for purposes of this chapter for  
41 the first three (3) consecutive years of operation of the school.

42 (b) Subject to subsection (c), an innovation network school that



1 reconfigures an existing school must apply to the ~~state board;~~  
 2 **governor's workforce cabinet**, in a manner prescribed by the ~~state~~  
 3 ~~board;~~ **governor's workforce cabinet**, to request to receive a "null" or  
 4 "no letter grade" for the reconfigured school during the school's first  
 5 three (3) consecutive years of operation by an innovation network team.

6 (c) In order to qualify for a "null" or "no letter grade" under  
 7 subsection (b), an innovation network school must clearly demonstrate:

8 (1) a significant change in educational philosophy from the  
 9 existing school and that the reconfiguration of the school is not  
 10 being made to avoid accountability; or

11 (2) any other item that the ~~state board~~ **governor's workforce**  
 12 **cabinet, after considering recommendations from the state**  
 13 **board**, finds appropriate.

14 The ~~state board~~ **governor's workforce cabinet, after considering**  
 15 **recommendations from the state board**, shall adopt rules under  
 16 IC 4-22-2 to establish criteria that the state board may consider in  
 17 determining whether to grant an innovation network school's request  
 18 under subsection (b) and this subsection.

19 (d) Subject to subsection (e), if the department used student growth  
 20 as the ~~state board's~~ **governor's workforce cabinet's** exclusive means  
 21 to determine an:

22 (1) innovation network school's category or designation of school  
 23 improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019  
 24 school year; or

25 (2) innovation network charter school's category or designation of  
 26 school improvement under IC 20-25.7-5-2(d)(3) for the  
 27 2018-2019 school year;

28 the department shall, beginning with the 2019-2020 school year and  
 29 unless an innovation network school or innovation network charter  
 30 school requests otherwise, place the innovation network school or the  
 31 innovation network charter school, whichever is applicable, in a "null"  
 32 or "no letter grade" category for purposes of this chapter for not more  
 33 than the number of school years determined for the innovation network  
 34 school or innovation network charter school under subsection (e)  
 35 consecutively. This subsection expires July 1, 2023.

36 (e) Each innovation network school described in subsection (d)(1)  
 37 and each innovation network charter school described in subsection  
 38 (d)(2) may not be placed in a "null" or "no letter grade" category under  
 39 subsection (d) for more than the number of years that equal the result  
 40 of:

41 (1) three (3) school years; minus

42 (2) the number of school years that student growth was used as



1           the ~~state board's~~ **governor's workforce cabinet's** exclusive  
 2           means to determine the category or designation of school  
 3           improvement for the innovation network school or innovation  
 4           network charter school.

5           This subsection expires July 1, 2023.

6           (f) The department shall post the proficiency and growth scores of  
 7           an innovation network school, an innovation network charter school,  
 8           or a school described in subsection (a) on the department's Internet web  
 9           site for each year the innovation network school, innovation network  
 10          charter school, or school receives a "null" or "no letter grade" under  
 11          this section.

12          SECTION 40. IC 20-31-10-1, AS ADDED BY P.L.1-2005,  
 13          SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14          JULY 1, 2021]: Sec. 1. **(a) Except as provided in subsection (b),** the  
 15          state board may adopt rules under IC 4-22-2 to implement this article.

16          **(b) The governor's workforce cabinet shall adopt rules under**  
 17          **IC 4-22-2 to implement IC 20-31-3 and IC 20-31-8.**

18          SECTION 41. IC 20-32-3-1, AS AMENDED BY P.L.140-2007,  
 19          SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20          JULY 1, 2021]: Sec. 1. As used in this chapter, "requisite proficiency"  
 21          refers to the satisfaction by a student of the standards approved by the  
 22          ~~state board~~ **governor's workforce cabinet, after considering**  
 23          **recommendations from the state board,** under section 4(a)(3) of this  
 24          chapter to receive a secondary level certificate of achievement in an  
 25          academic field.

26          SECTION 42. IC 20-32-3-2, AS AMENDED BY P.L.92-2020,  
 27          SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28          JULY 1, 2021]: Sec. 2. As used in this chapter, "student" refers to a  
 29          student who meets the following conditions:

30               (1) Is enrolled in a public school, a state accredited nonpublic  
 31               school, or a nonpublic school that has requested and received  
 32               from the ~~state board~~ **governor's workforce cabinet, after**  
 33               **considering recommendations from the state board,** specific  
 34               approval for the school's education program.

35               (2) Is in at least grade 9.

36               (3) If the student is a student with a disability (as defined in  
 37               IC 20-35-1-8), would benefit from the participation under this  
 38               chapter as determined by the individualized education program  
 39               for the student.

40          SECTION 43. IC 20-32-3-4, AS AMENDED BY P.L.140-2007,  
 41          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42          JULY 1, 2021]: Sec. 4. (a) For academic fields of study, the ~~state board~~





1 **governor's workforce cabinet, after considering recommendations**  
 2 **from the state board**, shall adopt for statewide implementation the  
 3 following:

4 (1) Different subject or skill areas in which students may be given  
 5 the opportunity to do the following:

6 (A) Demonstrate the requisite proficiency.

7 (B) Be awarded a secondary level certificate of achievement.

8 (2) The instrument or assessment by which a student is given the  
 9 opportunity to demonstrate the requisite proficiency.

10 (3) The standards required for each subject or skill area necessary  
 11 to acquire a particular secondary level certificate of achievement.

12 (b) Regarding the academic field of study, a student may elect to  
 13 earn academic certificates of achievement in areas designated by the  
 14 **state board governor's workforce cabinet, after considering**  
 15 **recommendations from the state board**, through the advanced  
 16 placement program (as defined in IC 20-36-3-3) or another appropriate  
 17 assessment designated by the state board.

18 (c) The **state board governor's workforce cabinet, after**  
 19 **considering recommendations from the state board**, may adopt rules  
 20 to implement this chapter relating to the certificates of achievement for  
 21 academic fields of study.

22 SECTION 44. IC 20-32-3-5, AS AMENDED BY P.L.140-2007,  
 23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2021]: Sec. 5. In making adoptions under section 4 of this  
 25 chapter, the **state board governor's workforce cabinet** shall consider  
 26 the following factors:

27 (1) The overall value of the particular subject or skill area to a  
 28 broad range of students and the workforce.

29 (2) The transferability of the particular subject or skill area to  
 30 other subject or skill areas.

31 (3) Any other factor that the **state board governor's workforce**  
 32 **cabinet, after considering recommendations from the state**  
 33 **board**, considers significant.

34 SECTION 45. IC 20-32-3-12, AS ADDED BY P.L.1-2005,  
 35 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2021]: Sec. 12. The **state board governor's workforce**  
 37 **cabinet, after considering recommendations from the state board**,  
 38 shall do the following:

39 (1) Make the academically related secondary level certificate of  
 40 achievement assessment instruments available to the department  
 41 of workforce development for the department of workforce  
 42 development's use in offering adult learners the opportunity to



- 1 demonstrate the requisite proficiency in the particular subject and  
 2 skill areas.
- 3 (2) Authorize the department of workforce development to award  
 4 the particular certificates of achievement to those individuals who  
 5 demonstrate the requisite proficiency.
- 6 SECTION 46. IC 20-32-3-13, AS AMENDED BY P.L.234-2007,  
 7 SECTION 116, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2021]: Sec. 13. The ~~state board~~ **governor's**  
 9 **workforce cabinet, after considering recommendations from the**  
 10 **state board**, shall, in cooperation with the Indiana commission for  
 11 career and technical education within the department of workforce  
 12 development, adopt rules under IC 4-22-2 to implement this chapter,  
 13 including rules concerning the administration of the secondary level  
 14 certificates of achievement by the department of workforce  
 15 development.
- 16 SECTION 47. IC 20-32-4-1.5, AS AMENDED BY P.L.92-2020,  
 17 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2021]: Sec. 1.5. (a) This subsection expires July 1, 2022.  
 19 Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10  
 20 of this chapter, each student is required to meet:
- 21 (1) the academic standards tested in the graduation examination;  
 22 (2) the Core 40 course and credit requirements adopted by the  
 23 ~~state board~~ **governor's workforce cabinet, after considering**  
 24 **recommendations by the state board**, under IC 20-30-10; and  
 25 (3) any additional requirements established by the governing  
 26 body;  
 27 to be eligible to graduate.
- 28 (b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7,  
 29 8, 9, and 10 of this chapter, beginning with the class of students who  
 30 expect to graduate during the 2022-2023 school year, each student  
 31 shall:
- 32 (1) demonstrate college or career readiness through a pathway  
 33 established by the ~~state board~~, **governor's workforce cabinet** in  
 34 consultation with the **state board**, department of workforce  
 35 development, and the commission for higher education;  
 36 (2) meet the Core 40 course and credit requirements adopted by  
 37 the ~~state board~~ **governor's workforce cabinet, after considering**  
 38 **recommendations by the state board**, under IC 20-30-10; and  
 39 (3) meet any additional requirements established by the governing  
 40 body;  
 41 to be eligible to graduate.
- 42 (c) The ~~state board~~ **governor's workforce cabinet** shall establish



1 graduation pathway requirements under subsection (b)(1) in  
 2 consultation with the **state board**, the department of workforce  
 3 development, and the commission for higher education. A graduation  
 4 pathway requirement may include the following postsecondary  
 5 readiness competencies approved by the ~~state board~~: **governor's**  
 6 **workforce cabinet**:

- 7 (1) International baccalaureate exams.
- 8 (2) Nationally recognized college entrance assessments.
- 9 (3) Advanced placement exams.
- 10 (4) Assessments necessary to receive college credit for dual credit
- 11 courses.
- 12 (5) Industry recognized certificates.
- 13 (6) The Armed Services Vocational Aptitude Battery.
- 14 (7) Cambridge International exams.
- 15 (8) Any other competency approved by the state board.

16 (d) If the ~~state board~~ **governor's workforce cabinet**, after  
 17 **considering recommendations by the state board**, establishes a  
 18 nationally recognized college entrance exam as a graduation pathway  
 19 requirement, the nationally recognized college entrance exam must be  
 20 offered to a student at the school in which the student is enrolled and  
 21 during the normal school day.

22 (e) When an apprenticeship is established as a graduation pathway  
 23 requirement, the ~~state board~~ **governor's workforce cabinet** shall  
 24 establish as an apprenticeship only an apprenticeship program  
 25 registered under the federal National Apprenticeship Act (29 U.S.C. 50  
 26 et seq.) or another federal apprenticeship program administered by the  
 27 United States Department of Labor.

28 (f) Notwithstanding subsection (a), a school corporation, charter  
 29 school, or state accredited nonpublic school may voluntarily elect to  
 30 use graduation pathways described in subsection (b) in lieu of the  
 31 graduation examination requirements specified in subsection (a) prior  
 32 to July 1, 2022.

33 (g) The ~~state board~~, **governor's workforce cabinet**, in consultation  
 34 with the **state board**, department of workforce development, and the  
 35 commission for higher education, shall approve college and career  
 36 pathways relating to career and technical education, including  
 37 sequences of courses leading to student concentrators.

38 SECTION 48. IC 20-32-4-4, AS AMENDED BY P.L.192-2018,  
 39 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2021]: Sec. 4. (a) A student who does not achieve a passing  
 41 score on the graduation examination and who does not meet the  
 42 requirements of section 1.5(a) of this chapter may be eligible to



- 1 graduate if the student does all the following:
- 2 (1) Takes the graduation examination in each subject area in
- 3 which the student did not achieve a passing score at least one (1)
- 4 time every school year after the school year in which the student
- 5 first takes the graduation examination.
- 6 (2) Completes remediation opportunities provided to the student
- 7 by the student's school.
- 8 (3) Maintains a school attendance rate of at least ninety-five
- 9 percent (95%) with excused absences not counting against the
- 10 student's attendance.
- 11 (4) Maintains at least a "C" average or the equivalent in the
- 12 courses comprising the credits specifically required for graduation
- 13 by rule of the ~~state board~~ **governor's workforce cabinet, after**
- 14 **considering recommendations by the state board.**
- 15 (5) Otherwise satisfies all state and local graduation requirements.
- 16 (6) Either:
- 17 (A) completes:
- 18 (i) the course and credit requirements for a general diploma,
- 19 including the career academic sequence;
- 20 (ii) a workforce readiness assessment; and
- 21 (iii) at least one (1) industry certification that appears on the
- 22 ~~state board's~~ **governor's workforce cabinet's** approved
- 23 industry certification list, which must be updated annually
- 24 with recommendations from the **state board and the**
- 25 department of workforce development established by
- 26 IC 22-4.1-2-1; or
- 27 (B) obtains a written recommendation from a teacher of the
- 28 student in each subject area in which the student has not
- 29 achieved a passing score on the graduation examination. The
- 30 written recommendation must be aligned with the governing
- 31 body's relevant policy and must be concurred in by the
- 32 principal of the student's school and be supported by
- 33 documentation that the student has attained the academic
- 34 standard in the subject area based on:
- 35 (i) tests other than the graduation examination; or
- 36 (ii) classroom work.
- 37 (b) This section expires June 30, 2022.
- 38 SECTION 49. IC 20-32-4-4.1, AS AMENDED BY P.L.92-2020,
- 39 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2021]: Sec. 4.1. (a) Subject to subsection (b), a student may
- 41 receive a waiver from the postsecondary readiness competency
- 42 requirements established under section 1.5(c) of this chapter:



- 1 (1) if:
- 2 (A) the student was unsuccessful in completing a
- 3 postsecondary readiness competency requirement established
- 4 by the **state board governor's workforce cabinet** under
- 5 section 1.5(c) of this chapter by the conclusion of the student's
- 6 senior year, including a student who was in the process of
- 7 completing a competency at one (1) school that was not
- 8 offered by the school to which the student transferred; and
- 9 (B) the student attempted to achieve at least three (3) separate
- 10 postsecondary readiness competencies established by the **state**
- 11 **board governor's workforce cabinet** under section 1.5(c) of
- 12 this chapter; or
- 13 (2) if a student transfers to a school subject to the requirements of
- 14 this chapter during the student's senior year from a nonaccredited
- 15 nonpublic school that has less than one (1) employee or a school
- 16 out of state and the student:
- 17 (A) attempted to achieve at least one (1) postsecondary
- 18 readiness competency requirement established by the **state**
- 19 **board governor's workforce cabinet** under section 1.5(c) of
- 20 this chapter; and
- 21 (B) was unsuccessful in completing the attempted
- 22 postsecondary readiness competency described in clause (A).
- 23 (b) For a student to receive a waiver described in subsection (a), the
- 24 student must:
- 25 (1) maintain at least a "C" average, or its equivalent, throughout
- 26 the student's high school career in courses comprising credits
- 27 required for the student to graduate;
- 28 (2) maintain a school attendance rate of at least ninety-five
- 29 percent (95%) with excused absences not counting against the
- 30 student's attendance;
- 31 (3) satisfy all other state and local graduation requirements
- 32 beyond the postsecondary readiness competency requirements
- 33 established by the **state board governor's workforce cabinet**
- 34 under section 1.5(c) of this chapter; and
- 35 (4) demonstrate postsecondary planning, including:
- 36 (A) college acceptance;
- 37 (B) acceptance in an occupational training program;
- 38 (C) workforce entry; or
- 39 (D) military enlistment;
- 40 that is approved by the principal of the student's school.
- 41 SECTION 50. IC 20-32-4-5, AS AMENDED BY P.L.192-2018,
- 42 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2021]: Sec. 5. (a) This section applies to a student who is a  
2 student with a disability (as defined in IC 20-35-1-8).

3 (b) If the student does not achieve a passing score on the graduation  
4 examination (before July 1, 2022) or fails to meet a postsecondary  
5 readiness competency requirement established by the **state board**  
6 **governor's workforce cabinet** under section 1.5(c) of this chapter, the  
7 student's case conference committee may determine that the student is  
8 eligible to graduate if the case conference committee finds the  
9 following:

10 (1) The student's teacher of record, in consultation with a teacher  
11 of the student in each subject area in which the student has not  
12 achieved a passing score on the graduation exam (before July 1,  
13 2022) or successfully completed a postsecondary readiness  
14 competency established by the **state board governor's workforce**  
15 **cabinet** under section 1.5(c) of this chapter, makes a written  
16 recommendation to the case conference committee. The  
17 recommendation must:

18 (A) be aligned with the governing body's relevant policy;

19 (B) be concurred in by the principal of the student's school;  
20 and

21 (C) be supported by documentation that the student has  
22 attained the academic standard in the subject area based on:

23 (i) tests or competencies other than the graduation  
24 examination (before July 1, 2022) or postsecondary  
25 readiness competencies established by the **state board**  
26 **governor's workforce cabinet** under section 1.5(c) of this  
27 chapter; or

28 (ii) classroom work.

29 (2) The student meets all the following requirements:

30 (A) Retakes the graduation examination in each subject area  
31 in which the student did not achieve a passing score as often  
32 as required by the student's individualized education program.  
33 This clause expires July 1, 2022.

34 (B) Completes remediation opportunities provided to the  
35 student by the student's school to the extent required by the  
36 student's individualized education program.

37 (C) Maintains a school attendance rate of at least ninety-five  
38 percent (95%) to the extent required by the student's  
39 individualized education program with excused absences not  
40 counting against the student's attendance.

41 (D) Maintains at least a "C" average or the equivalent in the  
42 courses comprising the credits specifically required for



1 graduation by rule of the ~~state board~~. **governor's workforce**  
 2 **cabinet**.

3 (E) Otherwise satisfies all state and local graduation  
 4 requirements.

5 SECTION 51. IC 20-32-4-9, AS AMENDED BY P.L.192-2018,  
 6 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2021]: Sec. 9. This section applies to a student who receives  
 8 a score on the graduation examination (before July 1, 2022) or an exam  
 9 used to satisfy a postsecondary readiness competency established by  
 10 the ~~state board~~ **governor's workforce cabinet** under section 1.5(c) of  
 11 this chapter that is in the twenty-fifth percentile or lower when the  
 12 student takes the graduation examination (before July 1, 2022) or an  
 13 exam used to satisfy a postsecondary readiness competency established  
 14 by the ~~state board~~ **governor's workforce cabinet** under section 1.5(c)  
 15 of this chapter for the first time. Except as provided in section 10 of  
 16 this chapter, the student's parent and the student's counselor (or another  
 17 staff member who assists students in course selection) shall meet to  
 18 discuss the student's progress. Following the meeting, the student's  
 19 parent shall determine whether the student will achieve greater  
 20 educational benefits by:

- 21 (1) continuing in the Core 40 curriculum; or  
 22 (2) completing the general curriculum.

23 SECTION 52. IC 20-32-4-14, AS ADDED BY P.L.192-2018,  
 24 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2021]: Sec. 14. (a) The ~~state board~~ **governor's workforce**  
 26 **cabinet, after considering recommendations from the state board,**  
 27 shall create an alternate diploma for students with significant cognitive  
 28 disabilities. The diploma must be:

- 29 (1) standards-based; and  
 30 (2) aligned with Indiana's requirements for an Indiana diploma.  
 31 (b) Not more than one percent (1%) of students of a cohort may  
 32 receive the alternate diploma established by the ~~state board~~ **governor's**  
 33 **workforce cabinet** under subsection (a).  
 34 (c) The alternate diploma must comply with the federal Every  
 35 Student Succeeds Act (ESSA) (20 U.S.C. 6311).

36 (d) The ~~state board~~ **governor's workforce cabinet** shall adopt rules  
 37 under IC 4-22-2 that are necessary to carry out this section.

38 SECTION 53. IC 20-32-8-4, AS AMENDED BY P.L.10-2019,  
 39 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2021]: Sec. 4. The remediation grant program is established  
 41 to provide grants to school corporations for the following:

- 42 (1) Remediation of students who score below academic standards.



- 1 (2) Preventive remediation for students who are at risk of falling
- 2 below academic standards.
- 3 (3) For students in a freeway school or freeway school corporation
- 4 who are assessed under a locally adopted assessment program
- 5 under IC 20-26-15-6(4):
- 6 (A) remediation of students who score below academic
- 7 standards under the locally adopted assessment program; and
- 8 (B) preventive remediation for students who are at risk of
- 9 falling below academic standards under the locally adopted
- 10 assessment program.
- 11 (4) Targeted instruction of students to:
- 12 (A) reduce the likelihood that a student may fail a graduation
- 13 exam (before July 1, 2022) or fail to meet a postsecondary
- 14 readiness competency established by the ~~state board~~
- 15 **governor's workforce cabinet, after considering**
- 16 **recommendations by the state board,** under
- 17 IC 20-32-4-1.5(c) and require a graduation waiver under
- 18 IC 20-32-4-4, IC 20-32-4-4.1, or IC 20-32-4-5; or
- 19 (B) minimize the necessity of remedial work of students while
- 20 the students attend postsecondary educational institutions or
- 21 workforce training programs.
- 22 SECTION 54. IC 21-12-10-4, AS AMENDED BY P.L.192-2018,
- 23 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2021]: Sec. 4. Graduation from a nonstandard course and
- 25 curriculum program or a program for high ability students that has been
- 26 granted a waiver by the ~~Indiana state board of education~~ **governor's**
- 27 **workforce cabinet, after considering recommendations by the state**
- 28 **board,** shall be treated as meeting the minimum requirements set by
- 29 the ~~state board of education~~ **governor's workforce cabinet, after**
- 30 **considering recommendations by the Indiana state board of**
- 31 **education,** for granting an Indiana diploma.
- 32 SECTION 55. IC 21-43-8-5, AS ADDED BY P.L.2-2007,
- 33 SECTION 284, IS AMENDED TO READ AS FOLLOWS
- 34 [EFFECTIVE JULY 1, 2021]: Sec. 5. The state educational institution
- 35 shall notify the ~~Indiana state board of education~~ **governor's workforce**
- 36 **cabinet** that an individual has successfully completed the requirements
- 37 of a program. Upon receiving the notification, the ~~Indiana state board~~
- 38 ~~of education~~ **governor's workforce cabinet** shall:
- 39 (1) grant to the individual a high school diploma that states the
- 40 name of the state educational institution at which the individual
- 41 earned the high school diploma; and
- 42 (2) provide the diploma to the state educational institution to





1           award to the individual.  
2           SECTION 56. [EFFECTIVE JULY 1, 2021] (a) **The definitions**  
3 **used in IC 20 apply throughout this SECTION.**  
4           (b) **Notwithstanding IC 20-19-2-2.2(a)(2)(E) and**  
5 **IC 20-19-2-2.2(a)(2)(F), as added by this act, the governor shall**  
6 **appoint members to replace state board members whose terms**  
7 **expire after June 30, 2021, and before July 1, 2023, with state**  
8 **board members with the experience necessary to meet the**  
9 **requirements in IC 20-19-2-2.2(a)(2)(E) and**  
10 **IC 20-19-2-2.2(a)(2)(F), as added by this act.**  
11           (c) **This SECTION expires January 1, 2024.**  
12           SECTION 57. [EFFECTIVE JULY 1, 2021] (a) **The legislative**  
13 **services agency may prepare legislation for introduction in the**  
14 **2022 regular session of the general assembly to make appropriate**  
15 **changes in statutes that are required by this act.**  
16           (b) **This SECTION expires December 31, 2023.**

