



February 20, 2023

HOUSE BILL No. 1591

DIGEST OF HB 1591 (Updated February 20, 2023 2:15 pm - DI 143)

Citations Affected: IC 5-15; IC 12-7; IC 12-17.2; IC 20-18; IC 20-19; IC 20-25.7; IC 20-26; IC 20-28; IC 20-31; IC 20-35; IC 20-36; IC 20-37; IC 20-51; IC 21-13; IC 21-41.

Synopsis: Education matters. Makes certain changes to public record storage and retention requirements. Provides that an agreement for an innovation network school or participating innovation network charter school that is entered into or renewed after June 30, 2023: (1) must include the process the school board is required to follow to determine whether to renew the agreement; and (2) must specify that if an administrative fee is included in the agreement, the fee may not exceed a specified amount. Allows an innovation network team or an organizer to appeal to the state board of education if a school board fails to follow the renewal process described in an agreement. Allows an innovation network team or organizer to enter into an agreement with a school corporation to transfer the ownership of a school corporation facility to the team or organizer and provides that a transfer is not subject to provisions in the law concerning the transfer of vacant school buildings to charter schools. Specifies that a school corporation may not require an innovation network team or an organizer to contract for specific goods or services provided by the school corporation or any other entity. Requires the department of education to provide schools the same per pupil exam fee amounts for Cambridge International exams as is provided for advanced placement exams. Provides that: (1) any course of a career and technical education program of study approved by the governor's workforce cabinet in the cybersecurity, information technology operations, networking, or software development career
(Continued next page)

Effective: July 1, 2023.

Behning, Clere

January 19, 2023, read first time and referred to Committee on Education.
February 20, 2023, amended, reported — Do Pass.

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Digest Continued

pathways may be taught virtually; and (2) the virtual course is eligible for a career and technical education grant. Amends the date by which an eligible choice scholarship student must be at least five years of age and less than 22 years of age to receive a choice scholarship. Provides that the amount that an eligible choice scholarship student may receive includes any other fees associated with the enrollment or participation in any course selected by the eligible choice scholarship student (or the parent of the eligible choice scholarship student) at the eligible school that the eligible choice scholarship student (or the parent of the eligible choice scholarship student) would be obligated to pay to the eligible school. Changes the definition of "school scholarship", with regard to scholarship granting organizations. Provides that money in the science, technology, engineering, and mathematics (STEM) teacher recruitment fund (fund) may be used to provide grants to Indiana organizations that recruit STEM teachers for employment by school corporations and nonpublic schools in Indiana. (Current law provides that money in the fund may be used to provide grants to Indiana organizations that recruit STEM teachers for employment by Indiana school corporations.) Expands eligibility for the principal institute to include practicing nonpublic school principals. Amends the duties of the early learning advisory committee. Removes certain restrictions on how the office of the secretary of family and social services may award grants. Changes the prekindergarten pilot program to the prekindergarten program and removes the expiration date. Requires reporting concerning students who injure teachers. Requires information concerning the following to be presented to a school corporation's governing body: (1) Commencement of an internal investigation relating to personnel issues or alleged criminal activity. (2) Legal expenditure of more than \$5,000 in an adjudicative action. Requires special education grade 8 through 12 case conference committees to discuss decision making skills and alternatives to appointing a guardian. Requires a school corporation to expend at least 62% of the school corporation's tuition support on teacher compensation. (Current law requires a school corporation to expend at least 45%.) Provides that at-risk students who are receiving certain educational services are not counted against a school's four year graduation rate.

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February 20, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1591

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 5-15-1-1, AS AMENDED BY P.L.161-2018,
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 1. (a) Any officer, office, court, commission,
4 board, institution, department, agent, or employee of the state, county,
5 or any political subdivision being charged with the duty or authorized
6 or required by law to record, preserve, keep, maintain, or file any
7 record, document, plat, paper or instrument-in-writing, may, whenever
8 any such officer, office, court, commission, board, institution,
9 department, agent, or employee of the state, county, or any political
10 subdivision shall deem it necessary, for the purpose of recording or
11 copying same, preserving and protecting same, reducing space required
12 for storage or filing of same, or any similar purpose, have or cause to
13 have any or all such records recorded, copied, or reproduced by any
14 photostatic, photographic, micrographic, electronic, or other process
15 which correctly and accurately copies or reproduces, recreates, or

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1 forms a medium of copying or reproducing the original record,
 2 document, plat, paper, or instrument-in-writing. Any officer, office,
 3 court, commission, board, institution, department, agent, or employee
 4 of the state may have or cause to have records recorded, copied, or
 5 reproduced under this subsection by any optical imaging process that
 6 correctly and accurately copies or reproduces, recreates, or forms a
 7 medium of copying or reproducing the original record, document, plat,
 8 paper, or instrument-in-writing.

9 **(b) After retaining the original filing record for a period of five**
 10 **(5) years, the original filing record may be destroyed if:**

11 (1) the record has been copied or is capable of being reproduced
 12 or recreated under subsection (a); and

13 (2) ~~an approved retention schedule allows for the destruction. the~~
 14 **record has been stored in more than one (1) electronic format.**

15 (c) Copies, recreations, or reproductions made under subsection (a):

16 (1) shall have the same force and effect at law as the original
 17 record destroyed under subsection (b); and

18 (2) shall be received as evidence in any court where the original
 19 record could have been so introduced;

20 if the recreations, copies, or reproductions are properly certified as to
 21 authenticity and accuracy by a duly constituted official custodian of
 22 such records.

23 (d) All micrographics and imaging processes done under this
 24 chapter shall comply with the quality standards developed under
 25 IC 5-15-5.1-8.

26 (e) This section does not apply to the office of judicial
 27 administration of the supreme court.

28 **(f) Except as provided in IC 5-14-3-5.3 and notwithstanding any**
 29 **other retention schedule by a state or local commission, a public**
 30 **record stored in more than one (1) electronic format under**
 31 **subsection (b) must be retained for a period of at least twenty-five**
 32 **(25) years.**

33 SECTION 2. IC 12-7-2-91, AS AMENDED BY P.L.184-2017,
 34 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2023]: Sec. 91. "Fund" means the following:

36 (1) For purposes of IC 12-12-1-9, the fund described in
 37 IC 12-12-1-9.

38 (2) For purposes of IC 12-15-20, the meaning set forth in
 39 IC 12-15-20-1.

40 (3) For purposes of IC 12-17-12, the meaning set forth in
 41 IC 12-17-12-4.

42 **(4) For purposes of IC 12-17.2-7.2, the meaning set forth in**



- 1 **IC 12-17.2-7.2-4.7.**
- 2 ~~(4)~~ **(5)** For purposes of IC 12-17.6, the meaning set forth in
- 3 IC 12-17.6-1-3.
- 4 ~~(5)~~ **(6)** For purposes of IC 12-23-2, the meaning set forth in
- 5 IC 12-23-2-1.
- 6 ~~(6)~~ **(7)** For purposes of IC 12-23-18, the meaning set forth in
- 7 IC 12-23-18-4.
- 8 ~~(7)~~ **(8)** For purposes of IC 12-24-6, the meaning set forth in
- 9 IC 12-24-6-1.
- 10 ~~(8)~~ **(9)** For purposes of IC 12-24-14, the meaning set forth in
- 11 IC 12-24-14-1.
- 12 ~~(9)~~ **(10)** For purposes of IC 12-30-7, the meaning set forth in
- 13 IC 12-30-7-3.

14 SECTION 3. IC 12-7-2-139.3 IS REPEALED [EFFECTIVE JULY
 15 1, 2023]. ~~Sec. 139.3. "Pilot fund", for purposes of IC 12-17.2-7.2, has~~
 16 ~~the meaning set forth in IC 12-17.2-7.2-4.7.~~

17 SECTION 4. IC 12-17.2-3.8-5, AS AMENDED BY P.L.139-2022,
 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2023]: Sec. 5. (a) The early learning advisory committee is
 20 established to do the following:

- 21 (1) Establish child developmental and educational goals for
- 22 Indiana's early learning system, including the development of
- 23 standards and objectives for early education programs that receive
- 24 state or federal funds.
- 25 (2) Design and maintain an approach to measuring progress
- 26 toward the goals established under subdivision (1) that include
- 27 objective measures of academic quality.
- 28 (3) Assess the attainment of the goals established under
- 29 subdivision (1) and evaluate the efficacy of state and federal
- 30 spending on Indiana's early learning system.
- 31 (4) Assess whether the requirements for early education program
- 32 licensure:
- 33 (A) create an equitable standard for health and safety across all
- 34 early education program types;
- 35 (B) reinforce the goals established under subdivision (1); and
- 36 (C) support the sustainability of Indiana's early learning
- 37 system.
- 38 (5) Conduct periodic statewide needs assessments concerning the
- 39 quality and availability of early education programs for children
- 40 from birth to the age of school entry, including the availability of
- 41 high quality prekindergarten education for low income children
- 42 in Indiana.



- 1 (6) Identify opportunities for, and barriers to, collaboration and
 2 coordination among federally and state funded child development,
 3 child care, and early childhood education programs and services,
 4 including governmental agencies that administer the programs
 5 and services.
- 6 (7) Design early education workforce strategies, including
 7 recommendations on how to advance professional development.
- 8 (8) Assess the capacity and effectiveness of pathways to support
 9 training and recruitment of early educators.
- 10 (9) Not later than November 30 of each year, develop and make
 11 recommendations to the governor and, in an electronic format
 12 under IC 5-14-6, to the legislative council concerning the results
 13 of the committee's work under subdivisions (1) through (8).
- 14 **(10) Not later than July 1, 2024, commission a third party**
 15 **evaluation to assess existing regulations for child care**
 16 **providers and provide recommendations to:**
- 17 **(A) maintain health and safety standards;**
 18 **(B) streamline administrative burdens, program**
 19 **standards, and reporting requirements for child care**
 20 **providers;**
 21 **(C) provide flexibility for a child care provider with a**
 22 **Level 3 or Level 4 paths to QUALITY program rating to**
 23 **expand to other locations; and**
 24 **(D) assist accredited kindergarten through grade 12**
 25 **institutions in establishing and providing high quality**
 26 **onsite child care and early learning programs.**
- 27 **(11) Not later than December 31, 2023, develop**
 28 **recommendations for implementing a revised paths to**
 29 **QUALITY program that:**
- 30 **(A) maintains health and safety standards;**
 31 **(B) integrates objective measures of kindergarten**
 32 **readiness;**
 33 **(C) contemplates accredited kindergarten through grade**
 34 **12 institutions as onsite providers; and**
 35 **(D) incentivizes child care providers to increase wages for**
 36 **child care workers who complete education and training**
 37 **that result in a postsecondary degree or industry**
 38 **recognized credential.**
- 39 (b) The committee consists of the following thirteen (13) members:
 40 (1) The secretary of education or the secretary's designee.
 41 (2) The secretary of family and social services or the secretary's
 42 designee.



- 1 (3) Seven (7) members appointed by the governor as follows:
 2 (A) A representative of an organization with an interest in
 3 training the early childhood education workforce.
 4 (B) A representative of a Head Start program under 42 U.S.C.
 5 9831 et seq.
 6 (C) A member of the general public who has an interest in
 7 early childhood education.
 8 (D) A representative of an early childhood education provider.
 9 (E) A representative from a school corporation who has an
 10 interest in strengthening the transition from early childhood
 11 education to elementary education.
 12 (F) A representative of business with an interest in early
 13 childhood education.
 14 (G) A representative of the nonprofit or philanthropic
 15 community with an interest in early childhood education.
 16 (4) One (1) member who:
 17 (A) is appointed by the speaker of the house of representatives;
 18 (B) is not a member of the general assembly; and
 19 (C) shall serve as a nonvoting member.
 20 (5) One (1) member who:
 21 (A) is appointed by the president pro tempore of the senate;
 22 (B) is not a member of the general assembly; and
 23 (C) shall serve as a nonvoting member.
 24 (6) One (1) member who:
 25 (A) is appointed by the minority leader of the house of
 26 representatives;
 27 (B) is not a member of the general assembly; and
 28 (C) shall serve as a nonvoting member.
 29 (7) One (1) member who:
 30 (A) is appointed by the minority leader of the senate;
 31 (B) is not a member of the general assembly; and
 32 (C) shall serve as a nonvoting member.
 33 (c) Subject to section 5.1 of this chapter, members appointed under
 34 subsection (b)(3) through (b)(7) serve for three (3) year terms. The
 35 members of the committee serve at the pleasure of the appointing
 36 authority.
 37 (d) The governor shall appoint a member of the committee to serve
 38 as chairperson of the committee. The committee shall meet at least six
 39 (6) times each calendar year at the call of the chairperson.
 40 (e) The division shall, in consultation with the department of
 41 education, staff the committee.
 42 (f) The expenses of the committee shall be paid from the funds of



1 the division.

2 (g) Each member of the committee who is not a state employee is
 3 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).
 4 The member is also entitled to reimbursement for traveling expenses
 5 as provided under IC 4-13-1-4 and other expenses actually incurred in
 6 connection with the member's duties as provided in the state policies
 7 and procedures established by the Indiana department of administration
 8 and approved by the budget agency.

9 (h) Each member of the committee who is a state employee but who
 10 is not a member of the general assembly is entitled to reimbursement
 11 for traveling expenses as provided under IC 4-13-1-4 and other
 12 expenses actually incurred in connection with the member's duties as
 13 provided in the state policies and procedures established by the Indiana
 14 department of administration and approved by the budget agency.

15 (i) Each member of the committee who is a member of the general
 16 assembly is entitled to receive the same per diem, mileage, and travel
 17 allowances paid to legislative members of interim study committees
 18 established by the legislative council. Per diem, mileage, and travel
 19 allowances paid under this section shall be paid from appropriations
 20 made to the legislative council or the legislative services agency.

21 (j) The affirmative votes of a majority of the voting members
 22 appointed to the committee are required for the committee to take
 23 action on any measure, including final reports.

24 SECTION 5. IC 12-17.2-7.2-2.5, AS ADDED BY P.L.268-2019,
 25 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2023]: Sec. 2.5. As used in this chapter, "limited eligibility
 27 child" refers to an individual who:

- 28 (1) is at least four (4) years of age and less than five (5) years of
 29 age on August 1 of the state fiscal year for which a grant is sought
 30 under the prekindergarten ~~pitot~~ program;
 31 (2) is a resident of Indiana or otherwise has legal settlement in
 32 Indiana, as determined under IC 20-26-11;
 33 (3) receives qualified early education services from an eligible
 34 provider, as determined by the office;
 35 (4) has a parent or guardian who agrees to ensure that the child
 36 meets the attendance requirements determined by the office;
 37 (5) has a parent or guardian who participates in a parental
 38 engagement and involvement component provided by the eligible
 39 provider;
 40 (6) is a member of a household with an annual income that does
 41 not exceed one hundred eighty-five percent (185%) of the federal
 42 poverty level;



1 (7) meets the requirements of section 7.2(b) and 7.2(c) of this
2 chapter; and

3 (8) is not an eligible child.

4 SECTION 6. IC 12-17.2-7.2-4.7, AS ADDED BY P.L.184-2017,
5 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2023]: Sec. 4.7. As used in this chapter, "~~pilot~~" fund" refers
7 to the prekindergarten ~~pilot~~ program fund established by section 13.5
8 of this chapter.

9 SECTION 7. IC 12-17.2-7.2-5, AS AMENDED BY P.L.184-2017,
10 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2023]: Sec. 5. As used in this chapter, "prekindergarten ~~pilot~~
12 program" refers to the prekindergarten ~~pilot~~ program established under
13 section 7 of this chapter.

14 SECTION 8. IC 12-17.2-7.2-7, AS AMENDED BY P.L.268-2019,
15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2023]: Sec. 7. (a) The ~~office may establish~~ a prekindergarten
17 ~~pilot~~ program **is established** to provide grants for:

18 (1) qualified early education services in a manner consistent with
19 how funds are distributed under the Child Care and Development
20 Fund (CCDF) grant program; and

21 (2) expansion plans as described in section 7.4(a)(2) of this
22 chapter.

23 (b) The office shall administer the prekindergarten ~~pilot~~ program.
24 The prekindergarten ~~pilot~~ program may include:

25 (1) eligible providers in Indiana; and

26 (2) potential eligible providers or existing eligible providers as
27 described in section 7.4 of this chapter.

28 (c) ~~Before July 1, 2017, the prekindergarten pilot program includes~~
29 ~~eligible providers in the following pilot counties:~~

30 ~~(1) Allen.~~

31 ~~(2) Jackson.~~

32 ~~(3) Lake.~~

33 ~~(4) Marion.~~

34 ~~(5) Vanderburgh.~~

35 The total number of grants the office awards to eligible children in a
36 county listed in this subsection during a state fiscal year may not be
37 less than the total number of grants the office awarded to eligible
38 children in that county during the immediately preceding state fiscal
39 year unless the office determines that there is an insufficient number of
40 eligible children or eligible providers in the county to justify the total
41 number of grants for that county. Beginning July 1, 2020, the total
42 number of grants during the immediately preceding state fiscal year



1 shall include the number of grants issued under a preschool program
2 established in March 2015 that operates in a consolidated city.

3 ~~(d)~~ After June 30, 2017, and before July 1, 2019, in addition to the
4 counties listed under subsection (c), the prekindergarten pilot program
5 includes eligible providers in fifteen (15) additional counties. In
6 determining which counties are designated as pilot counties under this
7 subsection, the office shall give preference to counties that are
8 primarily rural. The total number of grants the office awards to eligible
9 children in a county designated under this subsection during a state
10 fiscal year may not be less than the total number of grants the office
11 awarded to eligible children in that county during the immediately
12 preceding state fiscal year unless the office determines that there is an
13 insufficient number of eligible children or eligible providers in the
14 county to justify the total number of grants for that county.

15 ~~(e)~~ In addition to the counties listed in subsection (c) and counties
16 designated under subsection (d), ~~(d)~~ The prekindergarten pilot program
17 includes eligible providers in any county in Indiana.

18 ~~(f)~~ ~~(e)~~ Subject to the requirements of this chapter, the office shall
19 determine:

20 (1) the eligibility requirements, application process, and selection
21 process for awarding grants under the prekindergarten pilot
22 program;

23 (2) the administration and reporting requirements for:

24 (A) eligible providers; and

25 (B) potential eligible providers or existing eligible providers;
26 participating in the prekindergarten pilot program; and

27 (3) with the assistance of the early learning advisory committee,
28 an appropriate outcomes based accountability system for:

29 (A) eligible providers; and

30 (B) potential eligible providers or existing eligible providers.

31 ~~(g)~~ Before implementing the prekindergarten pilot program, the
32 office shall submit the provisions of the prekindergarten pilot program
33 to the state board of education for the state board of education's review
34 and comment.

35 ~~(h)~~ ~~(f)~~ The office shall, subject to the availability of funding,
36 determine the number of eligible children who will participate in the
37 prekindergarten pilot program. After December 31, 2019, the office
38 shall, subject to the availability of funding, determine the number of
39 limited eligibility children who will participate in the prekindergarten
40 pilot program.

41 SECTION 9. IC 12-17.2-7.2-7.3, AS AMENDED BY P.L.268-2019,
42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2023]: Sec. 7.3. The office shall require, for an eligible
2 provider to enroll in the prekindergarten ~~pilot~~ program, that the eligible
3 provider agree to the following:

4 (1) Comply on a continuing basis with the requirements under this
5 chapter and rules for participation established by the office.

6 (2) Maintain eligibility under this chapter throughout the
7 prekindergarten program year.

8 (3) Report immediately any changes in eligibility status to the
9 office, including the eligible provider's loss of national or regional
10 accreditation.

11 (4) Participate in any training and mandatory meetings required
12 by the office.

13 (5) Participate in all onsite visits conducted by the office,
14 including fiscal auditing activities with regard to the
15 prekindergarten ~~pilot~~ program and prekindergarten program
16 activity monitoring.

17 (6) Allow families of eligible or limited eligibility children
18 enrolled in the prekindergarten program of the eligible provider
19 to visit at any time the prekindergarten program is in operation.

20 (7) Maintain accurate online attendance records through the
21 attendance portal for eligible or limited eligibility children
22 enrolled in the prekindergarten ~~pilot~~ program and submit
23 attendance records as required by the office.

24 (8) Offer parental engagement and involvement activities in the
25 prekindergarten program of the eligible provider in alignment
26 with the family engagement framework adopted by the early
27 learning advisory committee established by IC 12-17.2-3.8-5.

28 (9) Complete, within the period established by the office, the
29 Indiana early childhood family engagement toolkit, including the
30 family engagement self-assessment, adopted by the early learning
31 advisory committee.

32 (10) Share information on the family engagement self-assessment
33 described in subdivision (9) as required by the office.

34 (11) Participate in research studies as required by the office.

35 (12) Enforce minimum attendance requirements of at least
36 eighty-five percent (85%) of the days that the prekindergarten
37 program of the eligible provider is offered to an eligible or limited
38 eligibility child.

39 (13) Inform the office that an eligible or limited eligibility child
40 has withdrawn from the prekindergarten program of the eligible
41 provider not later than five (5) days after the eligible or limited
42 eligibility child is withdrawn.



- 1 (14) That retroactive repayment to the state may be required or
- 2 future payments may be adjusted as a result of the withdrawal of
- 3 an eligible or limited eligibility child or changes in the law.
- 4 (15) Maintain records of participation by a family of an eligible
- 5 or limited eligibility child in family engagement activities and
- 6 submit records as required by the office.
- 7 (16) Promote an eligible or limited eligibility child's social,
- 8 emotional, and behavioral health and eliminate or severely limit
- 9 the use of expulsion, suspension, and other exclusionary
- 10 discipline practices.
- 11 (17) Use the exclusionary discipline practices described in
- 12 subdivision (16) only as a last resort in extraordinary
- 13 circumstances when there is a determination of a serious safety
- 14 threat that cannot otherwise be reduced or eliminated by the
- 15 provision of reasonable modifications.
- 16 (18) Inform and receive approval from the office before the
- 17 eligible provider expels, suspends, or uses other exclusionary
- 18 discipline practices.
- 19 (19) Assist a parent or guardian, upon request by the parent or
- 20 guardian, in obtaining information from, referral to, or both
- 21 information from and referral to, the public school that serves the
- 22 attendance area in which the parent or guardian resides for an
- 23 educational evaluation and determination of eligibility for special
- 24 education services if developmental delays or reasons to suspect
- 25 a disability are observed by the parent, guardian, or teacher of an
- 26 eligible or limited eligibility child during the prekindergarten
- 27 program year.
- 28 SECTION 10. IC 12-17.2-7.2-7.4, AS AMENDED BY
- 29 P.L.268-2019, SECTION 11, IS AMENDED TO READ AS
- 30 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.4. (a) To qualify as
- 31 a potential eligible provider or existing eligible provider, an applicant
- 32 must:
- 33 (1) provide an expansion plan to the office that details the
- 34 potential eligible provider's or existing eligible provider's plan to:
- 35 (A) increase the capacity of providers of qualified early
- 36 education services to serve a greater number of eligible or
- 37 limited eligibility children;
- 38 (B) increase the number of providers of qualified early
- 39 education services; or
- 40 (C) increase the capacity as described in clause (A) and
- 41 increase the number as described in clause (B);
- 42 (2) comply with the agreement with the office concerning the plan



- 1 under subdivision (1) and the use of a grant awarded under this
 2 chapter;
 3 (3) agree:
 4 (A) to operate as an eligible provider; or
 5 (B) that the applicant intends to operate as an eligible
 6 provider;
 7 (4) agree that the applicant will not use any grant funds awarded
 8 under this section for capital expenditures; and
 9 (5) comply with any other standards and procedures established
 10 under this chapter.
 11 (b) Subject to subsections (c) and (d), the office may award a grant
 12 to an applicant that meets the requirements of subsection (a).
 13 (c) The office may not use more than a total of twenty percent (20%)
 14 of the money in the ~~pilot~~ fund each state fiscal year:
 15 (1) for grants awarded under this chapter to potential eligible
 16 providers and existing eligible providers for expansion plans; and
 17 (2) to meet any state match amounts required for a federal grant
 18 described in subsection (f).
 19 (d) The office may not award grant funds under this section to an
 20 applicant for any of the following:
 21 (1) The purchase of land or a building.
 22 (2) The construction or expansion of a building.
 23 (e) If a potential eligible provider or existing eligible provider fails
 24 to:
 25 (1) use the grant funds in accordance with the expansion plan
 26 described in subsection (a); or
 27 (2) comply with the agreement entered into with the office under
 28 subsection (a);
 29 the potential eligible provider or existing eligible provider shall repay
 30 to the office the total amount of the grant awarded to the potential
 31 eligible provider or existing eligible provider under this chapter.
 32 (f) The office may use money in the ~~pilot~~ fund that is allocated for
 33 expansion plans under this section for a state fiscal year to meet any
 34 state match amounts required for a federal grant if the purpose of the
 35 federal grant is that the grant money be used for increasing:
 36 (1) the capacity;
 37 (2) the number; or
 38 (3) both the capacity and number;
 39 of providers of early education services for children four (4) years of
 40 age.
 41 SECTION 11. IC 12-17.2-7.2-7.5, AS AMENDED BY
 42 P.L.184-2017, SECTION 24, IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.5. The office may
 2 adopt rules under IC 4-22-2 concerning the implementation and the
 3 administration of the prekindergarten ~~pilot~~ program.

4 SECTION 12. IC 12-17.2-7.2-7.8, AS AMENDED BY
 5 P.L.268-2019, SECTION 12, IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.8. (a) The office shall
 7 make random onsite inspections each year, as determined necessary by
 8 the office, at the facility of:

9 (1) an eligible provider; or

10 (2) a potential eligible provider or existing eligible provider;
 11 that receives a grant under this chapter.

12 (b) The office may determine that an eligible provider or potential
 13 eligible provider or existing eligible provider is not eligible to receive
 14 a grant under the prekindergarten ~~pilot~~ program if the eligible provider
 15 or potential eligible provider or existing eligible provider:

16 (1) fails to comply with this chapter; or

17 (2) refuses to allow, during normal business hours, the office or
 18 an agent of the office to inspect the facility at which the eligible
 19 provider or potential eligible provider or existing eligible provider
 20 operates a child care program for eligible or limited eligibility
 21 children.

22 SECTION 13. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019,
 23 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2023]: Sec. 8. (a) The office shall determine:

25 (1) which applicants shall be awarded a grant; and

26 (2) subject to subsection (b) and to the availability of funding, the
 27 amount of each grant.

28 ~~(b) At least five percent (5%) but not more than fifty percent (50%)~~
 29 ~~of the:~~

30 ~~(1) tuition for eligible or limited eligibility children under the~~
 31 ~~prekindergarten pilot program; or~~

32 ~~(2) expansion plan described in section 7.4(a) of this chapter;~~
 33 ~~during the state fiscal year must be paid from donations, gifts, grants,~~
 34 ~~bequests, and other funds received from a private entity or person, from~~
 35 ~~the United States government, or from other sources (excluding funds~~
 36 ~~from a grant provided under this chapter and excluding other state~~
 37 ~~funding): The office may receive and administer grants on behalf of the~~
 38 ~~prekindergarten pilot program. The grants shall be distributed by the~~
 39 ~~office to fulfill the requirements of this subsection.~~

40 ~~(c) (b) The amount of a grant made under the pilot program to an~~
 41 ~~eligible or limited eligibility child:~~

42 (1) who attends a prekindergarten program full time must equal



1 at least two thousand five hundred dollars (\$2,500) during the
 2 state fiscal year; and
 3 (2) may not exceed six thousand eight hundred dollars (\$6,800)
 4 from state money provided under this chapter during the state
 5 fiscal year.

6 SECTION 14. IC 12-17.2-7.2-8.1, AS AMENDED BY
 7 P.L.216-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2023]: Sec. 8.1. (a) If funds are appropriated by
 9 the general assembly, grants to limited eligibility children may not
 10 exceed:

11 (1) twenty percent (20%) of the amount appropriated for a
 12 particular state fiscal year if families with children four (4) years
 13 of age are on the waiting list for funds available under the Child
 14 Care Development Fund; or

15 (2) forty percent (40%) of the amount appropriated for a
 16 particular state fiscal year if there is no waiting list for children
 17 four (4) years of age for funds available under the Child Care
 18 Development Fund.

19 (b) During the priority enrollment period, the office shall provide
 20 grants to eligible children in the prekindergarten ~~pilot~~ program on a
 21 first-come, first-served basis. The office shall date stamp and reserve
 22 applications for limited eligibility children received during the priority
 23 enrollment period for processing during the extended enrollment
 24 period.

25 (c) During the extended enrollment period, the office shall provide
 26 grants to eligible children and limited eligibility children in the
 27 prekindergarten ~~pilot~~ program on a first-come, first-served basis to the
 28 extent of available funding and in accordance with the limit established
 29 by subsection (a).

30 SECTION 15. IC 12-17.2-7.2-11, AS AMENDED BY
 31 P.L.165-2021, SECTION 142, IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Except as provided
 33 under IC 20-51-1-4.3(4)(E), the receipt of a grant under the ~~pilot~~
 34 **prekindergarten** program does not qualify, nor have an effect on the
 35 qualification or eligibility, of a child for a choice scholarship under
 36 IC 20-51-4.

37 SECTION 16. IC 12-17.2-7.2-12, AS AMENDED BY
 38 P.L.184-2017, SECTION 29, IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The office, **in**
 40 **cooperation with the department of education**, shall **periodically**
 41 carry out a longitudinal study of students who participate in the
 42 prekindergarten ~~pilot~~ program to determine the achievement levels of



1 those students in kindergarten and later grades.

2 (b) The longitudinal study must include a comparison of test and
3 assessment results in grade 3 of:

4 (1) the eligible children who participated in the prekindergarten
5 ~~pilot~~ program; and

6 (2) a control group determined by the office that consists of
7 children who did not participate in the prekindergarten ~~pilot~~
8 program.

9 (c) The office may, after consulting with the state board of
10 education, enter into a contract with one (1) or more persons to carry
11 out the longitudinal study under this section. The office may expend
12 not more than one million dollars (\$1,000,000) from the funds
13 appropriated under section 9 of this chapter (repealed) to carry out the
14 longitudinal study.

15 SECTION 17. IC 12-17.2-7.2-13, AS AMENDED BY
16 P.L.268-2019, SECTION 15, IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The office shall,
18 before November 1 of each year, submit a report to the governor, the
19 budget committee, the state board of education, the department of
20 education, and, in an electronic format under IC 5-14-6, the general
21 assembly regarding the prekindergarten ~~pilot~~ program.

22 (b) The report under subsection (a) must include the following:

23 (1) The total number of children who received a grant under the
24 prekindergarten ~~pilot~~ program for the immediately preceding state
25 fiscal year, disaggregated by county.

26 (2) The total amount of funds budgeted for and spent under the
27 prekindergarten ~~pilot~~ program during the immediately preceding
28 state fiscal year.

29 (3) The balance remaining in the ~~pilot~~ fund at the end of the
30 immediately preceding state fiscal year.

31 SECTION 18. IC 12-17.2-7.2-13.1, AS ADDED BY P.L.268-2019,
32 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2023]: Sec. 13.1. The office shall post monthly on the office's
34 ~~Internet web site~~ **website** the total enrollment of and number of grants
35 awarded to:

36 (1) all eligible children (before January 1, 2020); and

37 (2) after December 31, 2019, both:

38 (A) all eligible children; and

39 (B) all limited eligibility children;

40 for each county that participates in the prekindergarten ~~pilot~~ program.

41 SECTION 19. IC 12-17.2-7.2-13.5, AS AMENDED BY
42 P.L.156-2020, SECTION 60, IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.5. (a) The
2 prekindergarten ~~pilot~~ program fund is established to:

3 (1) provide grants to eligible or limited eligibility children for
4 qualified early education services under this chapter;

5 (2) carry out the longitudinal study described in section 12 of this
6 chapter;

7 (3) provide grants to potential eligible providers and existing
8 eligible providers as set forth in section 7.4 of this chapter; and

9 (4) make payments to reimburse costs incurred to provide
10 in-home early education services under IC 12-17.2-7.5.

11 (b) The fund consists of:

12 (1) money appropriated to the fund by the general assembly; and

13 (2) grants or gifts to the fund.

14 (c) The fund shall be administered by the office.

15 (d) The expenses of administering the fund shall be paid from
16 money in the fund.

17 (e) Money in the fund is continuously appropriated for the purposes
18 provided under this article.

19 (f) The treasurer of state shall invest the money in the fund not
20 currently needed to meet the obligations of the fund in the same
21 manner as other public funds may be invested.

22 SECTION 20. IC 12-17.2-7.2-14 IS REPEALED [EFFECTIVE
23 JULY 1, 2023]. ~~Sec. 14. This chapter expires July 1, 2026.~~

24 SECTION 21. IC 12-17.2-7.5-4, AS AMENDED BY P.L.165-2021,
25 SECTION 143, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) After completing the review
27 under section 3 of this chapter, the office may develop and implement
28 a reimbursement program to reimburse costs that are incurred by a
29 parent or guardian of a child to provide in-home early education
30 services to the child.

31 (b) If the office develops and implements a reimbursement program
32 under subsection (a), the office may not give preference to a child
33 located in a county that does not have a child care provider that meets
34 the standards of quality recognized by a Level 3 or Level 4 Paths to
35 QUALITY program rating located in the county.

36 (c) The office may develop reimbursement rates for the
37 reimbursement of in-home early education services.

38 (d) Reimbursement by the office under this section may be funded
39 from any of the following sources:

40 (1) Federal grants.

41 (2) State appropriations.

42 (3) Money from a political subdivision (as defined in



- 1 IC 36-1-2-13).
- 2 (4) Money from the prekindergarten ~~pilot~~ program fund
- 3 established by IC 12-17.2-7.2-13.5.
- 4 SECTION 22. IC 20-18-2-22, AS AMENDED BY P.L.165-2021,
- 5 SECTION 148, IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2023]: Sec. 22. (a) "Teacher" means a
- 7 professional person whose position in a school corporation requires
- 8 certain educational preparation and licensing and whose primary
- 9 responsibility is the instruction of students.
- 10 (b) Except as provided in subsection (d), for purposes of IC 20-28,
- 11 the term includes the following:
- 12 (1) A superintendent who holds a license under IC 20-28-5.
- 13 (2) A principal.
- 14 (3) A teacher.
- 15 (4) A librarian.
- 16 (5) A school counselor.
- 17 (6) A school psychologist.
- 18 (c) For purposes of IC 20-43-10-3.5, the term means a professional
- 19 person whose position with a:
- 20 (1) school corporation;
- 21 (2) special education cooperative established under IC 20-35-5;
- 22 (3) cooperative career and technical education program;
- 23 (4) special education program established by an interlocal
- 24 agreement under IC 36-1-7;
- 25 (5) joint program agreement established under IC 20-26-10; or
- 26 (6) charter school;
- 27 requires a license (as defined in IC 20-28-1-7) and whose primary
- 28 responsibility is the instruction of students in the classroom or virtual
- 29 classroom.
- 30 (d) "Teacher" for purposes of IC 20-28-9-26 **and** IC 20-28-9-27 **and**
- 31 ~~IC 20-28-9-28~~, means a classroom teacher licensed under IC 20-28-5
- 32 who provides instruction to students for at least fifty percent (50%) of
- 33 the teacher's work day.
- 34 **(e) For purposes of IC 20-28-9-28, the term includes an adjunct**
- 35 **teacher, school psychologist, school counselor, permanent**
- 36 **substitute teacher, school social worker, school librarian, and**
- 37 **speech-language pathologist or audiologist employed by a school**
- 38 **corporation.**
- 39 SECTION 23. IC 20-19-3-17, AS ADDED BY P.L.186-2018,
- 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2023]: Sec. 17. (a) As used in this section, "foster care" has
- 42 the meaning set forth in IC 31-9-2-46.7.



- 1 (b) As used in this section, "foster care youth" means students in
 2 foster care.
- 3 (c) As used in this section, "graduation rate" has the meaning set
 4 forth in IC 20-26-13-6.
- 5 (d) The state board shall, in collaboration with the department and
 6 the department of child services, annually prepare a report on foster
 7 care youth educational outcomes that includes the following:
- 8 (1) The annual graduation rate of foster care youth, including the
 9 following information:
- 10 (A) The graduation rate for each of the following:
- 11 (i) Foster care youth who received a graduation waiver
 12 under IC 20-32-4-4.
- 13 (ii) Foster care youth who did not receive a graduation
 14 waiver under IC 20-32-4-4.
- 15 (B) The number and percentage of foster care youth who
 16 received each type of diploma.
- 17 (2) The adjusted cohort graduation rate for foster care youth,
 18 including the adjusted cohort graduation rate for each of the
 19 following:
- 20 (A) Foster care youth who received a graduation waiver under
 21 IC 20-32-4-4.
- 22 (B) Foster care youth who did not receive a graduation waiver
 23 under IC 20-32-4-4.
- 24 (3) The number and percentage for each of the following:
- 25 (A) Foster care youth who were promoted to the next grade
 26 level at the end of the school year.
- 27 (B) Foster care youth who were retained in the same grade
 28 level for the next school year.
- 29 (C) Foster care youth who were suspended during the school
 30 year.
- 31 (D) Foster care youth who were expelled during the school
 32 year.
- 33 (E) Foster care youth who met academic standards on
 34 statewide assessment program tests (as defined in
 35 IC 20-32-2-2.3) administered during the school year.
- 36 The information reported under this subdivision must also be
 37 disaggregated by race, grade, gender, free or reduced price lunch
 38 status, and eligibility for special education.
- 39 (4) The number and percentage of eligible foster care youth who
 40 are enrolled in the prekindergarten ~~pilot~~ program under
 41 IC 12-17.2-7.2.
- 42 (5) The number and percentage of foster care youth who passed



1 the reading skills evaluation administered under IC 20-32-8.5-2.

2 (6) The number and percentage of foster care youth enrolled in
3 schools, disaggregated by the category or designation of the
4 school under IC 20-31-8-3.

5 (7) The number and percentage of foster care youth enrolled in
6 schools, disaggregated by the type of school, including public
7 schools, charter schools, and secure private facilities (as defined
8 in IC 31-9-2-115).

9 (e) Not later than June 30, 2019, the department shall:

10 (1) after consulting with the department of child services, develop
11 a remediation plan concerning foster care youth; and

12 (2) submit a copy of the remediation plan to the following:

13 (A) The state board.

14 (B) The department of child services.

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

17 (f) Before April 1, 2019, and before April 1 each year thereafter, the
18 department shall submit the report described in subsection (d) to the
19 following:

20 (1) Department of child services.

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

22 SECTION 24. IC 20-19-3-18, AS ADDED BY P.L.186-2018,
23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2023]: Sec. 18. (a) As used in this section, "graduation rate"
25 has the meaning set forth in IC 20-26-13-6.

26 (b) The state board shall, in collaboration with the department and
27 the department of child services, annually prepare a report on homeless
28 youth educational outcomes that includes the following:

29 (1) The annual graduation rate of homeless youth, including the
30 following information:

31 (A) The graduation rate for each of the following:

32 (i) Homeless youth who received a graduation waiver under
33 IC 20-32-4-4.

34 (ii) Homeless youth who did not receive a graduation waiver
35 under IC 20-32-4-4.

36 (B) The number and percentage of homeless youth who
37 received each type of diploma.

38 (2) The adjusted cohort graduation rate for homeless youth,
39 including the adjusted cohort graduation rate for each of the
40 following:

41 (A) Homeless youth who received a graduation waiver under
42 IC 20-32-4-4.



- 1 (B) Homeless youth who did not receive a graduation waiver
 2 under IC 20-32-4-4.
- 3 (3) The number and percentage of each of the following:
- 4 (A) Homeless youth who were promoted to the next grade
 5 level at the end of the school year.
- 6 (B) Homeless youth who were retained in the same grade level
 7 for the next school year.
- 8 (C) Homeless youth who were suspended during the school
 9 year.
- 10 (D) Homeless youth who were expelled during the school year.
- 11 (E) Homeless youth who met academic standards on statewide
 12 assessment program tests (as defined in IC 20-32-2-2.3)
 13 administered during the school year.
- 14 The information reported under this subdivision must also be
 15 disaggregated by race, grade, gender, free or reduced price lunch
 16 status, and eligibility for special education.
- 17 (4) The number and percentage of eligible homeless youth who
 18 are enrolled in the prekindergarten ~~pilot~~ program under
 19 IC 12-17.2-7.2.
- 20 (5) The number and percentage of homeless youth who passed the
 21 reading skills evaluation administered under IC 20-32-8.5-2.
- 22 (6) The number and percentage of homeless youth enrolled in
 23 schools, disaggregated by the category or designation of the
 24 school under IC 20-31-8-3.
- 25 (7) The number and percentage of homeless youth enrolled in
 26 schools, disaggregated by the type of school, including public
 27 schools, charter schools, and secure private facilities (as defined
 28 in IC 31-9-2-115).
- 29 (c) Not later than August 31, 2019, the department shall:
- 30 (1) develop a remediation plan concerning homeless youth; and
- 31 (2) submit a copy of the remediation plan to the following:
- 32 (A) The state board.
- 33 (B) The Indiana housing and community development
 34 authority established by IC 5-20-1-3.
- 35 (C) The legislative council in an electronic format under
 36 IC 5-14-6.
- 37 (d) Before June 1, 2019, and before June 1 each year thereafter, the
 38 department shall submit the report described in subsection (b) to the
 39 following:
- 40 (1) The Indiana housing and community development authority.
- 41 (2) The legislative council in an electronic format under
 42 IC 5-14-6.



1 SECTION 25. IC 20-19-3-29 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2023]: **Sec. 29. The department shall**
 4 **establish and maintain on the department's website a public data**
 5 **base of information provided by each public school in accordance**
 6 **with IC 20-26-5-42 concerning employees of each public school**
 7 **who were physically injured while on the job by students of the**
 8 **public school.**

9 SECTION 26. IC 20-25.7-4-5, AS AMENDED BY P.L.269-2019,
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2023]: Sec. 5. (a) The board shall enter into an agreement
 12 with an innovation network team to establish an innovation network
 13 school or to reconstitute an eligible school as an innovation network
 14 school under section 3 or 4 of this chapter. An innovation network team
 15 may consist of or include teachers, a principal, a superintendent, or any
 16 combination of these individuals who were employed at the eligible
 17 school before the agreement is entered.

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

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

22 (2) A statement that the innovation network team authorizes the
 23 department to include the innovation network school's
 24 performance assessment results under IC 20-31-8 when
 25 calculating the school corporation's performance assessment
 26 under rules adopted by the state board.

27 (3) The amount of state and federal funding, including tuition
 28 support, and money levied as property taxes that will be
 29 distributed by the school corporation to the innovation network
 30 school.

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

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

35 (A) comply with the conditions or procedures established in
 36 the agreement;

37 (B) meet generally accepted fiscal management and
 38 government accounting principles;

39 (C) comply with applicable laws; or

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

42 **(6) For an agreement entered into or renewed after June 30,**



- 1 **2023, the process the board is required to follow in**
 2 **determining whether to renew the agreement.**
 3 (c) If an agreement is entered into under subsection (a), the board
 4 shall notify the department that an agreement has been entered into
 5 under this section within thirty (30) days after the agreement is entered
 6 into.
 7 (d) Upon receipt of the notification under subsection (c), for school
 8 years starting after the date of the agreement:
 9 (1) the department shall include the innovation network school's
 10 performance assessment results under IC 20-31-8 when
 11 calculating the school corporation's performance assessment
 12 under rules adopted by the state board;
 13 (2) the department shall treat the innovation network school in the
 14 same manner as a school operated by the school corporation when
 15 calculating the total amount of state and federal funding to be
 16 distributed to the school corporation; and
 17 (3) if requested by an innovation network school established
 18 under IC 20-25.5-4-2(a)(2) (before its repeal) or
 19 IC 20-25.7-4-4(a)(2), the department may use student growth as
 20 the state board's exclusive means to determine the innovation
 21 network school's category or designation of school improvement
 22 under 511 IAC 6.2-10-10 for a period of three (3) years.
 23 Beginning with the 2019-2020 school year, the department may
 24 not use student growth as the state board's exclusive means to
 25 determine an innovation network school's category or designation
 26 of school improvement. This subdivision expires July 1, 2023.
 27 A school corporation and an innovation network school are not entitled
 28 to any state funding in addition to the amount the school corporation
 29 and school would otherwise be eligible to receive if the innovation
 30 network school were a public school maintained by the school
 31 corporation.
 32 (e) **If the board fails to follow the renewal process described in**
 33 **subsection (b)(6), an innovation network team may appeal to the**
 34 **state board. The state board shall hear the appeal in a public**
 35 **meeting and ensure that the board follows the renewal process**
 36 **specified in the agreement. The board may not terminate an**
 37 **agreement until the board has provided evidence to the state board**
 38 **that the board has complied with the renewal process specified in**
 39 **the agreement.**
 40 (f) **If an administrative fee is included in an agreement entered**
 41 **into or renewed after June 30, 2023, under this section, the fee may**
 42 **not exceed one percent (1%) of the total amount of state tuition**



1 **support that is distributed to the school corporation based on the**
 2 **student enrollment of the innovation network school.**

3 SECTION 27. IC 20-25.7-4-6, AS ADDED BY P.L.214-2015,
 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2023]: Sec. 6. (a) For as long as an innovation network team
 6 operates an innovation network school:

7 (1) the innovation network team may use the school building, the
 8 accompanying real property, and the building's contents,
 9 equipment, and supplies, as provided in the agreement established
 10 under section 5 of this chapter; ~~and~~

11 (2) the school corporation may:

12 (A) provide transportation for students attending the
 13 innovation network school; and

14 (B) maintain and repair the buildings and grounds consistent
 15 with the maintenance and repair to the school corporation's
 16 other buildings and grounds; **and**

17 **(3) the innovation network team and the school corporation**
 18 **may enter into an agreement to transfer the ownership of a**
 19 **school corporation facility to the innovation network team.**

20 (b) If an innovation network team contracts with a school
 21 corporation for goods or services, the school corporation may not
 22 charge the innovation network team more for the goods or services than
 23 the school corporation pays for the goods or services. **A school**
 24 **corporation may not require an innovation network team to**
 25 **contract for specific goods or services provided by the school**
 26 **corporation or any other entity.**

27 (c) For as long as an innovation network team operates an
 28 innovation network school, the school corporation may distribute
 29 money levied as property taxes to the innovation network team.
 30 Property taxes distributed to an innovation network team must be used
 31 only for a purpose for which the property taxes could have been used
 32 by the school corporation. Property taxes distributed under this
 33 subsection may supplement services and property provided under
 34 subsection (a) or (b). The parties may jointly modify an agreement
 35 described in section 5 of this chapter to implement this subsection.

36 **(d) An agreement concerning the transfer of ownership of a**
 37 **school corporation facility to an innovation school network team**
 38 **described in subsection (a) is not subject to IC 20-26-7.1.**

39 SECTION 28. IC 20-25.7-5-2, AS AMENDED BY P.L.165-2021,
 40 SECTION 153, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The board may enter into an
 42 agreement with an organizer to reconstitute an eligible school as a



1 participating innovation network charter school or to establish a
 2 participating innovation network charter school at a location selected
 3 by the board within the boundary of the school corporation.
 4 Notwithstanding IC 20-26-7.1, a participating innovation network
 5 charter school may be established within a vacant school building.

6 (b) The terms of the agreement entered into between the board and
 7 an organizer must specify the following:

8 (1) A statement that the organizer authorizes the department to
 9 include the charter school's performance assessment results under
 10 IC 20-31-8 when calculating the school corporation's performance
 11 assessment under rules adopted by the state board.

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

17 (3) The performance goals and accountability metrics agreed
 18 upon for the charter school in the charter agreement between the
 19 organizer and the authorizer.

20 **(4) For an agreement entered into or renewed after June 30,**
 21 **2023, the process the board is required to follow in**
 22 **determining whether to renew the agreement.**

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

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

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

33 (2) the department shall treat the participating innovation network
 34 charter school in the same manner as a school operated by the
 35 school corporation when calculating the total amount of state
 36 funding to be distributed to the school corporation unless
 37 subsection (e) applies; and

38 (3) if requested by a participating innovation network charter
 39 school that reconstitutes an eligible school, the department may
 40 use student growth as the state board's exclusive means to
 41 determine the innovation network charter school's category or
 42 designation of school improvement under 511 IAC 6.2-10-10 for



1 a period of three (3) years. Beginning with the 2019-2020 school
 2 year, the department may not use student growth as the state
 3 board's exclusive means to determine an innovation network
 4 charter school's category or designation of school improvement.

5 This subdivision expires July 1, 2023.

6 (e) If a participating innovation network school was established
 7 before January 1, 2016, and for the current school year has a
 8 complexity index that is greater than the complexity index for the
 9 school corporation that the innovation network school has contracted
 10 with, the innovation network school shall be treated as a charter school
 11 for purposes of determining tuition support. This subsection expires
 12 June 30, 2023.

13 **(f) If the board fails to follow the process described in subsection**
 14 **(b)(4), the organizer may appeal to the state board. The state board**
 15 **shall hear the appeal in a public meeting and ensure that the board**
 16 **follows the renewal process specified in the agreement. The board**
 17 **may not terminate an agreement until the board has provided**
 18 **evidence to the state board that the board has complied with the**
 19 **renewal process specified in the agreement.**

20 **(g) If an administrative fee is included in an agreement entered**
 21 **into or renewed after June 30, 2023, under this section, the fee may**
 22 **not exceed one percent (1%) of the total amount of state tuition**
 23 **support that is distributed to the school corporation based on the**
 24 **participating innovation network charter school's student**
 25 **enrollment.**

26 SECTION 29. IC 20-25.7-5-3, AS ADDED BY P.L.214-2015,
 27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2023]: Sec. 3. (a) For as long as a charter school remains a
 29 participating innovation network charter school, the school corporation
 30 may:

31 (1) provide transportation for students attending the participating
 32 innovation network charter school; ~~and~~

33 (2) maintain and repair the buildings and grounds used by the
 34 participating innovation network charter school consistent with
 35 the maintenance and repair to the school corporation's other
 36 buildings and grounds; **and**

37 **(3) enter into an agreement to transfer the ownership of a**
 38 **school corporation facility to the organizer.**

39 (b) If an organizer contracts with a school corporation for goods or
 40 services, the school corporation may not charge the organizer more for
 41 the goods or services than the school corporation pays for the goods or
 42 services. **A school corporation may not require an organizer to**



1 **contract for specific goods or services provided by the school**
 2 **corporation or any other entity.**

3 (c) For as long as a charter school remains a participating innovation
 4 network charter school, the school corporation may distribute money
 5 levied as property taxes to the charter school. Property taxes distributed
 6 to a charter school must be used only for a purpose for which the
 7 property taxes could have been used by the school corporation.
 8 Property taxes distributed under this subsection may supplement
 9 services and property provided under subsection (a) or (b). The parties
 10 may jointly modify an agreement described in section 2 of this chapter
 11 to implement this subsection.

12 **(d) An agreement concerning the transfer of ownership of a**
 13 **school corporation facility described in subsection (a) is not subject**
 14 **to IC 20-26-7.1.**

15 SECTION 30. IC 20-26-5-42 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2023]: **Sec. 42. (a) This section applies to the**
 18 **following:**

19 (1) **A public school, including a charter school.**

20 (2) **Physical injuries that occur after June 30, 2023.**

21 (b) **Each public school shall provide to the department, in a**
 22 **manner prescribed by the department, information concerning an**
 23 **employee of the public school who was physically injured while on**
 24 **the job by a student of the public school if the injury:**

25 (1) **is required to be reported to the public school's worker's**
 26 **compensation carrier;**

27 (2) **causes the employee to miss all or part of one (1) or more**
 28 **work days; or**

29 (3) **is required to be reported to the public school pursuant to**
 30 **the public school's reporting policy.**

31 (c) **A public school may not provide information under**
 32 **subsection (b) that identifies the employee or the student.**

33 (d) **Nothing in this section shall be construed to prohibit a public**
 34 **school from providing identifying information otherwise required**
 35 **by law or rule.**

36 SECTION 31. IC 20-26-5-43 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2023]: **Sec. 43. If the superintendent of a**
 39 **school corporation:**

40 (1) **becomes aware of possible criminal activity involving a**
 41 **current or former school employee or contractor that:**

42 (A) **may have occurred on school property or at a school**



1 **approved activity or event not on school property; and**
 2 **(B) may have involved a current or former student who**
 3 **was a student at the time of the possible criminal activity;**
 4 **or**
 5 **(2) initiates an investigation of a personnel matter that could**
 6 **result in a suspension or termination of a school employee;**
 7 **the superintendent shall, within five (5) business days, inform all**
 8 **members of the governing body.**
 9 SECTION 32. IC 20-26-5-44 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2023]: **Sec. 44. The superintendent of a**
 12 **school corporation shall promptly and fully inform the governing**
 13 **body of any matter or related matters involving legal expenses**
 14 **reasonably expected to exceed five thousand dollars (\$5,000).**
 15 SECTION 33. IC 20-26-13-10, AS AMENDED BY P.L.32-2021,
 16 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2023]: Sec. 10. (a) Except as provided in section 11 of this
 18 chapter, the four (4) year graduation rate for a cohort in a high school
 19 is the percentage determined under STEP FIVE of the following
 20 formula:
 21 STEP ONE: Determine the grade 9 enrollment at the beginning of
 22 the reporting year three (3) years before the reporting year for
 23 which the graduation rate is being determined.
 24 STEP TWO: Add:
 25 (A) the number determined under STEP ONE; and
 26 (B) the number of students who:
 27 (i) have enrolled in the high school after the date on which
 28 the number determined under STEP ONE was determined;
 29 and
 30 (ii) have the same expected graduation year as the cohort.
 31 STEP THREE: Subtract from the sum determined under STEP
 32 TWO the number of students who have left the cohort for any of
 33 the following reasons:
 34 (A) Transfer to another public or nonpublic school.
 35 (B) Except as provided in IC 20-33-2-28.6 and subsection (b),
 36 removal by the student's parents under IC 20-33-2-28 to
 37 provide instruction equivalent to that given in the public
 38 schools.
 39 (C) Withdrawal because of a long term medical condition or
 40 death.
 41 (D) Detention by a law enforcement agency or the department
 42 of correction.



- 1 (E) Placement by a court order or the department of child
2 services.
- 3 (F) Enrollment in a virtual school.
- 4 (G) Leaving school, if the student attended school in Indiana
5 for less than one (1) school year and the location of the student
6 cannot be determined.
- 7 (H) Leaving school, if the location of the student cannot be
8 determined and the student has been reported to the Indiana
9 clearinghouse for information on missing children and missing
10 endangered adults.
- 11 (I) Withdrawing from school before graduation, if the student
12 is a high ability student (as defined in IC 20-36-1-3) who is a
13 full-time student at an accredited institution of higher
14 education during the semester in which the cohort graduates.
- 15 (J) Withdrawing from school before graduation pursuant to
16 providing notice of withdrawal under section 17 of this
17 chapter.
- 18 (K) Participating in the high school equivalency pilot program
19 under IC 20-30-8.5, unless the student fails to successfully
20 complete the high school equivalency pilot program in the two
21 (2) year period. This clause expires June 30, 2024.
- 22 **(L) Participating in dropout recovery educational services**
23 **under IC 20-31-8-4.6.**
- 24 STEP FOUR: Determine the total number of students determined
25 under STEP TWO who have graduated during the current
26 reporting year or a previous reporting year.
- 27 STEP FIVE: Divide:
- 28 (A) the number determined under STEP FOUR; by
29 (B) the remainder determined under STEP THREE.
- 30 (b) This subsection applies to a high school in which:
31 (1) for a:
32 (A) cohort of one hundred (100) students or less, at least ten
33 percent (10%) of the students left a particular cohort for a
34 reason described in subsection (a) STEP THREE clause (B);
35 or
36 (B) cohort of more than one hundred (100) students, at least
37 five percent (5%) of the students left a particular cohort for a
38 reason described in subsection (a) STEP THREE clause (B);
39 and
40 (2) the students described in subdivision (1)(A) or (1)(B) are not
41 on track to graduate with their cohort.
- 42 A high school must submit a request to the state board in a manner



1 prescribed by the state board requesting that the students described in
 2 this subsection be included in the subsection (a) STEP THREE
 3 calculation. The state board shall review the request and may grant or
 4 deny the request. The state board shall deny the request unless the high
 5 school demonstrates good cause to justify that the students described
 6 in this subsection should be included in the subsection (a) STEP
 7 THREE calculation. If the state board denies the request the high
 8 school may not subtract the students described in this subsection under
 9 subsection (a) STEP THREE.

10 SECTION 34. IC 20-28-9-28, AS AMENDED BY P.L.132-2022,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2023]: Sec. 28. (a) For each school year in a state fiscal year
 13 beginning after June 30, ~~2021~~, **2023**, a school corporation shall expend
 14 an amount for ~~full-time~~ teacher ~~salaries~~ **compensation** that is not less
 15 than an amount equal to ~~forty-five~~ **sixty-two** percent (~~45%~~) (**62%**) of
 16 the state tuition support distributed to the school corporation during the
 17 state fiscal year. For purposes of determining whether a school
 18 corporation has complied with this requirement, the amount a school
 19 corporation expends for ~~full-time~~ teacher ~~salaries~~ **compensation** shall
 20 include the amount the school corporation expends for **adjunct**
 21 **teachers, supplemental pay for teachers, stipends, and for**
 22 **participating in a special education cooperative or a career and**
 23 **technical education cooperative an interlocal agreement or**
 24 **consortium** that is directly attributable to the ~~salaries~~ **compensation**
 25 of ~~full-time~~ teachers employed by the cooperative ~~as determined by the~~
 26 ~~department.~~ **or interlocal agreement or consortium. Teacher**
 27 **benefits include all benefit categories collected by the department**
 28 **for Form 9 purposes.**

29 (b) If a school corporation determines that the school corporation
 30 cannot comply with the requirement under subsection (a) for a
 31 particular school year, the school corporation shall apply for a waiver
 32 from the department.

33 (c) The waiver application must include an explanation of the
 34 financial challenges, with detailed data, that preclude the school
 35 corporation from meeting the requirement under subsection (a) and
 36 describe the cost saving measures taken by the school corporation in
 37 attempting to meet the requirement in subsection (a). The waiver may
 38 also include an explanation of an innovative or efficient approach in
 39 delivering instruction that is responsible for the school corporation
 40 being unable to meet the requirement under subsection (a).

41 (d) If, after review, the department determines that the school
 42 corporation has exhausted all reasonable efforts in attempting to meet



1 the requirement in subsection (a), the department may grant the school
2 corporation a one (1) year exception from the requirement.

3 (e) A school corporation that receives a waiver under this section
4 shall work with the department to develop a plan to identify additional
5 cost saving measures and any other steps that may be taken to allow the
6 school corporation to meet the requirement under subsection (a).

7 (f) A school corporation may not receive more than three (3)
8 waivers under this section.

9 (g) Before November 1, 2022, and before November 1 of each year
10 thereafter, the department shall submit a report to the legislative
11 council in an electronic format under IC 5-14-6 and the state budget
12 committee that contains information as to:

13 (1) the percent and amount that each school corporation expended
14 and the statewide total expended for ~~full-time~~ teacher ~~salaries~~
15 **compensation;**

16 (2) the percent and amount that each school corporation expended
17 and statewide total expended for ~~full-time~~ teacher benefits,
18 including health, dental, life insurance, and pension benefits;

19 (3) whether the school corporation met the requirement set forth
20 in subsection (a); and

21 (4) whether the school corporation received a waiver under
22 subsection (d).

23 SECTION 35. IC 20-31-8-4.6, AS ADDED BY P.L.217-2017,
24 SECTION 105, IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2023]: Sec. 4.6. (a) If a school corporation or
26 a charter school enters into an agreement with an eligible school (as
27 defined in IC 20-51-1-4.7) to provide dropout recovery educational
28 services for an at-risk student who is enrolled at a public school, the
29 student may not be included in the calculation of the public school's:

30 (1) category or designation of school performance; **or**

31 (2) **graduation rate calculation.**

32 (b) The state board shall adopt rules under IC 4-22-2 and any
33 guidelines necessary to carry out this section.

34 SECTION 36. IC 20-35-6-4 IS ADDED TO THE INDIANA CODE
35 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
36 1, 2023]: **Sec. 4. (a) This section applies to a case conference**
37 **committee for a student in grades 8 through 12.**

38 (b) **At a case conference committee meeting, the committee shall**
39 **start addressing decision making skills, which shall include a**
40 **discussion of supported decision making and other alternative**
41 **options or programs for the student in lieu of the appointment of**
42 **a guardian and whether these options are necessary. The case**



1 **conference committee shall include in the individualized education**
 2 **program or a plan developed under Section 504 of the federal**
 3 **Rehabilitation Act of 1973, 29 U.S.C. 794 notes relating to the**
 4 **discussion of alternative options or programs.**

5 SECTION 37. IC 20-36-6-4, AS ADDED BY P.L.216-2021,
 6 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2023]: Sec. 4. (a) The Cambridge International program is
 8 established to encourage students to pursue advanced courses.

9 (b) The program shall be administered by the department. ~~provided~~
 10 ~~Cambridge International demonstrates alignment to dual credit courses~~
 11 ~~offered in Indiana in a manner determined by the commission for~~
 12 ~~higher education.~~

13 (c) ~~After June 30, 2021,~~ The department ~~may~~ **shall** provide schools
 14 the same per pupil exam fee amounts for international baccalaureate
 15 **and** Cambridge International exams **and college level examination**
 16 ~~program (CLEP) exams~~ as the per pupil per exam funding amount for
 17 a student to take advanced placement exams.

18 SECTION 38. IC 20-37-3 IS ADDED TO THE INDIANA CODE
 19 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2023]:

21 **Chapter 3. Virtual Career and Technical Education Courses**

22 **Sec. 1. (a) Any course of a career and technical education**
 23 **program of study leading to industry recognized credentials and**
 24 **approved by the governor's workforce cabinet may be taught**
 25 **virtually. Any in-person instruction required as a result of an**
 26 **industry requirement shall be provided by the virtual provider.**

27 (b) A course described in subsection (a) that meets the
 28 requirements to receive a career and technical education grant
 29 under IC 20-43-8 is eligible for the career and technical education
 30 grant and graduation pathway requirements regardless of whether
 31 the course is taught in person or virtually.

32 SECTION 39. IC 20-51-1-4.3, AS AMENDED BY P.L.165-2021,
 33 SECTION 171, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2023]: Sec. 4.3. "Eligible choice scholarship
 35 student" refers to an individual who:

- 36 (1) has legal settlement in Indiana;
 37 (2) is at least five (5) years of age and less than twenty-two (22)
 38 years of age on the date in the school year specified in
 39 ~~IC 20-33-2-7;~~ **October 1 of the applicable school year;**
 40 (3) is a member of a household with an annual income of not
 41 more than three hundred percent (300%) of the amount required
 42 for the individual to qualify for the federal free or reduced price



- 1 lunch program; and
 2 (4) meets at least one (1) of the following conditions:
 3 (A) The individual is a student with a disability who requires
 4 special education and for whom an individualized education
 5 program has been developed under IC 20-35 or a service plan
 6 developed under 511 IAC 7-34.
 7 (B) The individual is an individual who, because of the school
 8 corporation's residency requirement, would be required to
 9 attend a specific public school within a school corporation that
 10 has been placed in the lowest category or designation of school
 11 improvement under IC 20-31-8-4 (has been assigned an "F"
 12 grade). An individual to whom this clause applies is not
 13 required to attend the public school before becoming eligible
 14 for a choice scholarship, and may not be required to return to
 15 the public school if the public school is placed in a higher
 16 category or designation under IC 20-31-8-4.
 17 (C) The individual was enrolled in kindergarten through grade
 18 12, in a public school, including a charter school, in Indiana
 19 for at least two (2) semesters immediately preceding the first
 20 semester for which the individual receives a choice
 21 scholarship under IC 20-51-4.
 22 (D) The individual or a sibling of the individual who, either
 23 received before July 1, 2013, a scholarship from a scholarship
 24 granting organization under IC 20-51-3 or a choice scholarship
 25 under IC 20-51-4 in a preceding school year, including a
 26 school year that does not immediately precede a school year in
 27 which the individual receives a scholarship from a scholarship
 28 granting organization under IC 20-51-3 or a choice scholarship
 29 under IC 20-51-4; or receives for the first time after June 30,
 30 2013, a scholarship of at least five hundred dollars (\$500)
 31 from a scholarship granting organization under IC 20-51-3 or
 32 a choice scholarship under IC 20-51-4 in a preceding school
 33 year, including a school year that does not immediately
 34 precede a school year in which the individual receives a
 35 scholarship from a scholarship granting organization under
 36 IC 20-51-3 or a choice scholarship under IC 20-51-4.
 37 (E) Subject to IC 20-51-4-2.7, the individual received an early
 38 education grant under IC 12-17.2-7.2, used the grant to attend
 39 a prekindergarten program at an eligible school, and continues
 40 to attend the eligible school at which the individual attended
 41 a prekindergarten program as described in this clause.
 42 (F) The individual is in foster care.



1 SECTION 40. IC 20-51-1-8, AS ADDED BY P.L.182-2009(ss),
 2 SECTION 364, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2023]: Sec. 8. "School scholarship" refers to a
 4 grant to pay only the cost of education **or prekindergarten tuition or**
 5 **expenses** for an eligible student as determined for the school year (as
 6 defined in IC 20-18-2-17) for which the scholarship will be granted.

7 SECTION 41. IC 20-51-4-4, AS AMENDED BY P.L.165-2021,
 8 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) The amount an eligible choice
 10 scholarship student is entitled to receive under this chapter for a school
 11 year is equal to the following:

12 (1) The lesser of the following:

13 (A) The sum of:

14 (i) the tuition or transfer tuition and fees required for
 15 enrollment or attendance of the eligible choice scholarship
 16 student; **and**

17 (ii) **any other fees associated with the enrollment or**
 18 **participation in any course selected by the eligible choice**
 19 **scholarship student (or the parent of the eligible choice**
 20 **scholarship student);**

21 at the eligible school ~~selected by the eligible choice~~
 22 ~~scholarship student for a school year~~ that the eligible choice
 23 scholarship student (or the parent of the eligible choice
 24 scholarship student) would ~~otherwise~~ be obligated to pay to
 25 the eligible school.

26 (B) For the state fiscal year beginning July 1, 2021, and each
 27 state fiscal year thereafter, an amount equal to ninety percent
 28 (90%) of the state tuition support amount determined under
 29 section 5 of this chapter.

30 (2) In addition to the amount described in subdivision (1), if the
 31 eligible choice scholarship student has been identified as eligible
 32 for special education services under IC 20-35 and the eligible
 33 school provides the necessary special education or related
 34 services to the eligible choice scholarship student, any amount
 35 that a school corporation would receive under IC 20-43-7 for the
 36 eligible choice scholarship student if the eligible choice
 37 scholarship student attended the school corporation. However, if
 38 an eligible choice scholarship student changes schools during the
 39 school year after the December 1 count under IC 20-43-7-1 of
 40 eligible pupils enrolled in special education programs and the
 41 eligible choice scholarship student enrolls in a different eligible
 42 school, any choice scholarship amounts paid to the eligible choice



1 scholarship student for the remainder of the school year after the
 2 eligible choice scholarship student enrolls in the different eligible
 3 school shall not include amounts that a school corporation would
 4 receive under IC 20-43-7 for the eligible choice scholarship
 5 student if the eligible choice scholarship student attended the
 6 school corporation.

7 (b) The amount an eligible choice scholarship student is entitled to
 8 receive under this chapter if the eligible student applies for the choice
 9 scholarship under section 7(e) of this chapter shall be reduced on a
 10 prorated basis in the manner prescribed in section 6 of this chapter.

11 SECTION 42. IC 21-13-11-8, AS ADDED BY P.L.118-2016,
 12 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2023]: Sec. 8. The commission may use money in the fund to
 14 provide grants to Indiana organizations that recruit science, technology,
 15 engineering, and mathematics teachers for employment by ~~Indiana~~
 16 school corporations **or nonpublic schools in Indiana**.

17 SECTION 43. IC 21-13-11-10, AS ADDED BY P.L.118-2016,
 18 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2023]: Sec. 10. The commission shall develop an application
 20 process for grants under this chapter that identifies recruiting
 21 organizations and programs:

22 (1) that produce high student achievement and effective and
 23 highly effective teachers; and

24 (2) that match science, technology, engineering, and mathematics
 25 teachers with ~~Indiana~~ school corporations **or nonpublic schools**
 26 **in Indiana** that would otherwise encounter a shortage of qualified
 27 teachers in science, technology, engineering, and mathematics.

28 SECTION 44. IC 21-41-11-4, AS ADDED BY P.L.2-2014,
 29 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2023]: Sec. 4. The principal institute is established within the
 31 university to achieve excellence in teacher and student performance by
 32 strengthening leadership and management skills of practicing Indiana
 33 public **and nonpublic** school principals.

34 SECTION 45. IC 21-41-11-7, AS ADDED BY P.L.2-2014,
 35 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2023]: Sec. 7. (a) The director of the institute shall, with staff
 37 support, develop a plan to accomplish the goals of the institute. The
 38 plan must be approved by the advisory board and must include
 39 procedures to teach principals the following:

40 (1) How to develop the leadership skills and management
 41 techniques necessary for providing quality education in Indiana
 42 schools.



- 1 (2) How to improve teacher and student performance, including
2 how to conduct meaningful and relevant staff evaluations.
3 (3) How to strengthen communication and leadership skills
4 required for the establishment of a broad based support for public
5 education.
6 (4) Management skills for use in improving curriculum and
7 instruction.
8 (5) How to improve the school environment.
9 (b) The director of the institute shall, with staff support, and subject
10 to approval by the advisory board, develop a plan for continuing
11 education by the institute of public **and nonpublic** school principals
12 who have completed initial training at the institute.
13 SECTION 46. IC 21-41-11-8, AS ADDED BY P.L.2-2014,
14 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2023]: Sec. 8. To be eligible for admission to the institute, a
16 participant must be a practicing public **or nonpublic** school principal
17 for a public **or nonpublic** school located in Indiana. Admission
18 preference must be given to those school principals who have at least
19 three (3) years of administrative experience in Indiana public **or**
20 **nonpublic** schools and intend to continue as public **or nonpublic**
21 school principals.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1591, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-15-1-1, AS AMENDED BY P.L.161-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) Any officer, office, court, commission, board, institution, department, agent, or employee of the state, county, or any political subdivision being charged with the duty or authorized or required by law to record, preserve, keep, maintain, or file any record, document, plat, paper or instrument-in-writing, may, whenever any such officer, office, court, commission, board, institution, department, agent, or employee of the state, county, or any political subdivision shall deem it necessary, for the purpose of recording or copying same, preserving and protecting same, reducing space required for storage or filing of same, or any similar purpose, have or cause to have any or all such records recorded, copied, or reproduced by any photostatic, photographic, micrographic, electronic, or other process which correctly and accurately copies or reproduces, recreates, or forms a medium of copying or reproducing the original record, document, plat, paper, or instrument-in-writing. Any officer, office, court, commission, board, institution, department, agent, or employee of the state may have or cause to have records recorded, copied, or reproduced under this subsection by any optical imaging process that correctly and accurately copies or reproduces, recreates, or forms a medium of copying or reproducing the original record, document, plat, paper, or instrument-in-writing.

(b) **After retaining the original filing record for a period of five (5) years**, the original filing record may be destroyed if:

(1) the record has been copied or is capable of being reproduced or recreated under subsection (a); and

(2) ~~an approved retention schedule allows for the destruction.~~ **the record has been stored in more than one (1) electronic format.**

(c) Copies, recreations, or reproductions made under subsection (a):

(1) shall have the same force and effect at law as the original record destroyed under subsection (b); and

(2) shall be received as evidence in any court where the original record could have been so introduced;



if the recreations, copies, or reproductions are properly certified as to authenticity and accuracy by a duly constituted official custodian of such records.

(d) All micrographics and imaging processes done under this chapter shall comply with the quality standards developed under IC 5-15-5.1-8.

(e) This section does not apply to the office of judicial administration of the supreme court.

(f) Except as provided in IC 5-14-3-5.3 and notwithstanding any other retention schedule by a state or local commission, a public record stored in more than one (1) electronic format under subsection (b) must be retained for a period of at least twenty-five (25) years.

SECTION 2. IC 12-7-2-91, AS AMENDED BY P.L.184-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 91. "Fund" means the following:

(1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.

(2) For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.

(3) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.

(4) For purposes of IC 12-17.2-7.2, the meaning set forth in IC 12-17.2-7.2-4.7.

~~(4)~~ (5) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-3.

~~(5)~~ (6) For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.

~~(6)~~ (7) For purposes of IC 12-23-18, the meaning set forth in IC 12-23-18-4.

~~(7)~~ (8) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

~~(8)~~ (9) For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

~~(9)~~ (10) For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

SECTION 3. IC 12-7-2-139.3 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. ~~139.3~~: "Pilot fund", for purposes of IC ~~12-17.2-7.2~~, has the meaning set forth in IC ~~12-17.2-7.2-4.7~~.

SECTION 4. IC 12-17.2-3.8-5, AS AMENDED BY P.L.139-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The early learning advisory committee is



established to do the following:

- (1) Establish child developmental and educational goals for Indiana's early learning system, including the development of standards and objectives for early education programs that receive state or federal funds.
- (2) Design and maintain an approach to measuring progress toward the goals established under subdivision (1) that include objective measures of academic quality.
- (3) Assess the attainment of the goals established under subdivision (1) and evaluate the efficacy of state and federal spending on Indiana's early learning system.
- (4) Assess whether the requirements for early education program licensure:
 - (A) create an equitable standard for health and safety across all early education program types;
 - (B) reinforce the goals established under subdivision (1); and
 - (C) support the sustainability of Indiana's early learning system.
- (5) Conduct periodic statewide needs assessments concerning the quality and availability of early education programs for children from birth to the age of school entry, including the availability of high quality prekindergarten education for low income children in Indiana.
- (6) Identify opportunities for, and barriers to, collaboration and coordination among federally and state funded child development, child care, and early childhood education programs and services, including governmental agencies that administer the programs and services.
- (7) Design early education workforce strategies, including recommendations on how to advance professional development.
- (8) Assess the capacity and effectiveness of pathways to support training and recruitment of early educators.
- (9) Not later than November 30 of each year, develop and make recommendations to the governor and, in an electronic format under IC 5-14-6, to the legislative council concerning the results of the committee's work under subdivisions (1) through (8).
- (10) Not later than July 1, 2024, commission a third party evaluation to assess existing regulations for child care providers and provide recommendations to:**
 - (A) maintain health and safety standards;**
 - (B) streamline administrative burdens, program standards, and reporting requirements for child care**



providers;

(C) provide flexibility for a child care provider with a Level 3 or Level 4 paths to QUALITY program rating to expand to other locations; and

(D) assist accredited kindergarten through grade 12 institutions in establishing and providing high quality onsite child care and early learning programs.

(11) Not later than December 31, 2023, develop recommendations for implementing a revised paths to QUALITY program that:

(A) maintains health and safety standards;

(B) integrates objective measures of kindergarten readiness;

(C) contemplates accredited kindergarten through grade 12 institutions as onsite providers; and

(D) incentivizes child care providers to increase wages for child care workers who complete education and training that result in a postsecondary degree or industry recognized credential.

(b) The committee consists of the following thirteen (13) members:

(1) The secretary of education or the secretary's designee.

(2) The secretary of family and social services or the secretary's designee.

(3) Seven (7) members appointed by the governor as follows:

(A) A representative of an organization with an interest in training the early childhood education workforce.

(B) A representative of a Head Start program under 42 U.S.C. 9831 et seq.

(C) A member of the general public who has an interest in early childhood education.

(D) A representative of an early childhood education provider.

(E) A representative from a school corporation who has an interest in strengthening the transition from early childhood education to elementary education.

(F) A representative of business with an interest in early childhood education.

(G) A representative of the nonprofit or philanthropic community with an interest in early childhood education.

(4) One (1) member who:

(A) is appointed by the speaker of the house of representatives;

(B) is not a member of the general assembly; and

(C) shall serve as a nonvoting member.



(5) One (1) member who:

- (A) is appointed by the president pro tempore of the senate;
- (B) is not a member of the general assembly; and
- (C) shall serve as a nonvoting member.

(6) One (1) member who:

- (A) is appointed by the minority leader of the house of representatives;
- (B) is not a member of the general assembly; and
- (C) shall serve as a nonvoting member.

(7) One (1) member who:

- (A) is appointed by the minority leader of the senate;
- (B) is not a member of the general assembly; and
- (C) shall serve as a nonvoting member.

(c) Subject to section 5.1 of this chapter, members appointed under subsection (b)(3) through (b)(7) serve for three (3) year terms. The members of the committee serve at the pleasure of the appointing authority.

(d) The governor shall appoint a member of the committee to serve as chairperson of the committee. The committee shall meet at least six (6) times each calendar year at the call of the chairperson.

(e) The division shall, in consultation with the department of education, staff the committee.

(f) The expenses of the committee shall be paid from the funds of the division.

(g) Each member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations



made to the legislative council or the legislative services agency.

(j) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

SECTION 5. IC 12-17.2-7.2-2.5, AS ADDED BY P.L.268-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2.5. As used in this chapter, "limited eligibility child" refers to an individual who:

- (1) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the prekindergarten ~~pilot~~ program;
- (2) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;
- (3) receives qualified early education services from an eligible provider, as determined by the office;
- (4) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office;
- (5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider;
- (6) is a member of a household with an annual income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level;
- (7) meets the requirements of section 7.2(b) and 7.2(c) of this chapter; and
- (8) is not an eligible child.

SECTION 6. IC 12-17.2-7.2-4.7, AS ADDED BY P.L.184-2017, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4.7. As used in this chapter, "~~pilot~~ "fund" refers to the prekindergarten ~~pilot~~ program fund established by section 13.5 of this chapter.

SECTION 7. IC 12-17.2-7.2-5, AS AMENDED BY P.L.184-2017, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. As used in this chapter, "prekindergarten ~~pilot~~ program" refers to the prekindergarten ~~pilot~~ program established under section 7 of this chapter.

SECTION 8. IC 12-17.2-7.2-7, AS AMENDED BY P.L.268-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) The ~~office may establish~~ a prekindergarten ~~pilot~~ program **is established** to provide grants for:

- (1) qualified early education services in a manner consistent with how funds are distributed under the Child Care and Development



Fund (CCDF) grant program; and

(2) expansion plans as described in section 7.4(a)(2) of this chapter.

(b) The office shall administer the prekindergarten ~~pilot~~ program. The prekindergarten ~~pilot~~ program may include:

(1) eligible providers in Indiana; and

(2) potential eligible providers or existing eligible providers as described in section 7.4 of this chapter.

(c) ~~Before July 1, 2017, the prekindergarten pilot program includes eligible providers in the following pilot counties:~~

~~(1) Allen.~~

~~(2) Jackson.~~

~~(3) Lake.~~

~~(4) Marion.~~

~~(5) Vanderburgh.~~

The total number of grants the office awards to eligible children in a county listed in this subsection during a state fiscal year may not be less than the total number of grants the office awarded to eligible children in that county during the immediately preceding state fiscal year unless the office determines that there is an insufficient number of eligible children or eligible providers in the county to justify the total number of grants for that county. Beginning July 1, 2020, the total number of grants during the immediately preceding state fiscal year shall include the number of grants issued under a preschool program established in March 2015 that operates in a consolidated city.

~~(d) After June 30, 2017, and before July 1, 2019, in addition to the counties listed under subsection (c), the prekindergarten pilot program includes eligible providers in fifteen (15) additional counties. In determining which counties are designated as pilot counties under this subsection, the office shall give preference to counties that are primarily rural. The total number of grants the office awards to eligible children in a county designated under this subsection during a state fiscal year may not be less than the total number of grants the office awarded to eligible children in that county during the immediately preceding state fiscal year unless the office determines that there is an insufficient number of eligible children or eligible providers in the county to justify the total number of grants for that county.~~

~~(e) In addition to the counties listed in subsection (c) and counties designated under subsection (d);~~ **(d)** The prekindergarten ~~pilot~~ program includes eligible providers in any county in Indiana.

~~(f)~~ **(e)** Subject to the requirements of this chapter, the office shall determine:



(1) the eligibility requirements, application process, and selection process for awarding grants under the prekindergarten ~~pilot~~ program;

(2) the administration and reporting requirements for:

(A) eligible providers; and

(B) potential eligible providers or existing eligible providers; participating in the prekindergarten ~~pilot~~ program; and

(3) with the assistance of the early learning advisory committee, an appropriate outcomes based accountability system for:

(A) eligible providers; and

(B) potential eligible providers or existing eligible providers.

~~(g) Before implementing the prekindergarten pilot program, the office shall submit the provisions of the prekindergarten pilot program to the state board of education for the state board of education's review and comment:~~

~~(h)~~ (f) The office shall, subject to the availability of funding, determine the number of eligible children who will participate in the prekindergarten ~~pilot~~ program. After December 31, 2019, the office shall, subject to the availability of funding, determine the number of limited eligibility children who will participate in the prekindergarten ~~pilot~~ program.

SECTION 9. IC 12-17.2-7.2-7.3, AS AMENDED BY P.L.268-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.3. The office shall require, for an eligible provider to enroll in the prekindergarten ~~pilot~~ program, that the eligible provider agree to the following:

(1) Comply on a continuing basis with the requirements under this chapter and rules for participation established by the office.

(2) Maintain eligibility under this chapter throughout the prekindergarten program year.

(3) Report immediately any changes in eligibility status to the office, including the eligible provider's loss of national or regional accreditation.

(4) Participate in any training and mandatory meetings required by the office.

(5) Participate in all onsite visits conducted by the office, including fiscal auditing activities with regard to the prekindergarten ~~pilot~~ program and prekindergarten program activity monitoring.

(6) Allow families of eligible or limited eligibility children enrolled in the prekindergarten program of the eligible provider to visit at any time the prekindergarten program is in operation.



- (7) Maintain accurate online attendance records through the attendance portal for eligible or limited eligibility children enrolled in the prekindergarten ~~pilot~~ program and submit attendance records as required by the office.
- (8) Offer parental engagement and involvement activities in the prekindergarten program of the eligible provider in alignment with the family engagement framework adopted by the early learning advisory committee established by IC 12-17.2-3.8-5.
- (9) Complete, within the period established by the office, the Indiana early childhood family engagement toolkit, including the family engagement self-assessment, adopted by the early learning advisory committee.
- (10) Share information on the family engagement self-assessment described in subdivision (9) as required by the office.
- (11) Participate in research studies as required by the office.
- (12) Enforce minimum attendance requirements of at least eighty-five percent (85%) of the days that the prekindergarten program of the eligible provider is offered to an eligible or limited eligibility child.
- (13) Inform the office that an eligible or limited eligibility child has withdrawn from the prekindergarten program of the eligible provider not later than five (5) days after the eligible or limited eligibility child is withdrawn.
- (14) That retroactive repayment to the state may be required or future payments may be adjusted as a result of the withdrawal of an eligible or limited eligibility child or changes in the law.
- (15) Maintain records of participation by a family of an eligible or limited eligibility child in family engagement activities and submit records as required by the office.
- (16) Promote an eligible or limited eligibility child's social, emotional, and behavioral health and eliminate or severely limit the use of expulsion, suspension, and other exclusionary discipline practices.
- (17) Use the exclusionary discipline practices described in subdivision (16) only as a last resort in extraordinary circumstances when there is a determination of a serious safety threat that cannot otherwise be reduced or eliminated by the provision of reasonable modifications.
- (18) Inform and receive approval from the office before the eligible provider expels, suspends, or uses other exclusionary discipline practices.
- (19) Assist a parent or guardian, upon request by the parent or



guardian, in obtaining information from, referral to, or both information from and referral to, the public school that serves the attendance area in which the parent or guardian resides for an educational evaluation and determination of eligibility for special education services if developmental delays or reasons to suspect a disability are observed by the parent, guardian, or teacher of an eligible or limited eligibility child during the prekindergarten program year.

SECTION 10. IC 12-17.2-7.2-7.4, AS AMENDED BY P.L.268-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.4. (a) To qualify as a potential eligible provider or existing eligible provider, an applicant must:

- (1) provide an expansion plan to the office that details the potential eligible provider's or existing eligible provider's plan to:
 - (A) increase the capacity of providers of qualified early education services to serve a greater number of eligible or limited eligibility children;
 - (B) increase the number of providers of qualified early education services; or
 - (C) increase the capacity as described in clause (A) and increase the number as described in clause (B);
- (2) comply with the agreement with the office concerning the plan under subdivision (1) and the use of a grant awarded under this chapter;
- (3) agree:
 - (A) to operate as an eligible provider; or
 - (B) that the applicant intends to operate as an eligible provider;
- (4) agree that the applicant will not use any grant funds awarded under this section for capital expenditures; and
- (5) comply with any other standards and procedures established under this chapter.

(b) Subject to subsections (c) and (d), the office may award a grant to an applicant that meets the requirements of subsection (a).

(c) The office may not use more than a total of twenty percent (20%) of the money in the ~~pilot~~ fund each state fiscal year:

- (1) for grants awarded under this chapter to potential eligible providers and existing eligible providers for expansion plans; and
- (2) to meet any state match amounts required for a federal grant described in subsection (f).

(d) The office may not award grant funds under this section to an



applicant for any of the following:

- (1) The purchase of land or a building.
- (2) The construction or expansion of a building.

(e) If a potential eligible provider or existing eligible provider fails to:

- (1) use the grant funds in accordance with the expansion plan described in subsection (a); or
- (2) comply with the agreement entered into with the office under subsection (a);

the potential eligible provider or existing eligible provider shall repay to the office the total amount of the grant awarded to the potential eligible provider or existing eligible provider under this chapter.

(f) The office may use money in the ~~pilot~~ fund that is allocated for expansion plans under this section for a state fiscal year to meet any state match amounts required for a federal grant if the purpose of the federal grant is that the grant money be used for increasing:

- (1) the capacity;
- (2) the number; or
- (3) both the capacity and number;

of providers of early education services for children four (4) years of age.

SECTION 11. IC 12-17.2-7.2-7.5, AS AMENDED BY P.L.184-2017, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.5. The office may adopt rules under IC 4-22-2 concerning the implementation and the administration of the prekindergarten ~~pilot~~ program.

SECTION 12. IC 12-17.2-7.2-7.8, AS AMENDED BY P.L.268-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.8. (a) The office shall make random onsite inspections each year, as determined necessary by the office, at the facility of:

- (1) an eligible provider; or
- (2) a potential eligible provider or existing eligible provider;

that receives a grant under this chapter.

(b) The office may determine that an eligible provider or potential eligible provider or existing eligible provider is not eligible to receive a grant under the prekindergarten ~~pilot~~ program if the eligible provider or potential eligible provider or existing eligible provider:

- (1) fails to comply with this chapter; or
- (2) refuses to allow, during normal business hours, the office or an agent of the office to inspect the facility at which the eligible provider or potential eligible provider or existing eligible provider



operates a child care program for eligible or limited eligibility children.

SECTION 13. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) The office shall determine:

- (1) which applicants shall be awarded a grant; and
- (2) subject to subsection (b) and to the availability of funding, the amount of each grant.

~~(b) At least five percent (5%) but not more than fifty percent (50%) of the:~~

~~(1) tuition for eligible or limited eligibility children under the prekindergarten pilot program; or~~

~~(2) expansion plan described in section 7.4(a) of this chapter; during the state fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person; from the United States government; or from other sources (excluding funds from a grant provided under this chapter and excluding other state funding). The office may receive and administer grants on behalf of the prekindergarten pilot program. The grants shall be distributed by the office to fulfill the requirements of this subsection.~~

~~(c) (b) The amount of a grant made under the pilot program to an eligible or limited eligibility child:~~

~~(1) who attends a prekindergarten program full time must equal at least two thousand five hundred dollars (\$2,500) during the state fiscal year; and~~

~~(2) may not exceed six thousand eight hundred dollars (\$6,800) from state money provided under this chapter during the state fiscal year.~~

SECTION 14. IC 12-17.2-7.2-8.1, AS AMENDED BY P.L.216-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8.1. (a) If funds are appropriated by the general assembly, grants to limited eligibility children may not exceed:

(1) twenty percent (20%) of the amount appropriated for a particular state fiscal year if families with children four (4) years of age are on the waiting list for funds available under the Child Care Development Fund; or

(2) forty percent (40%) of the amount appropriated for a particular state fiscal year if there is no waiting list for children four (4) years of age for funds available under the Child Care Development Fund.

(b) During the priority enrollment period, the office shall provide



grants to eligible children in the prekindergarten ~~pilot~~ program on a first-come, first-served basis. The office shall date stamp and reserve applications for limited eligibility children received during the priority enrollment period for processing during the extended enrollment period.

(c) During the extended enrollment period, the office shall provide grants to eligible children and limited eligibility children in the prekindergarten ~~pilot~~ program on a first-come, first-served basis to the extent of available funding and in accordance with the limit established by subsection (a).

SECTION 15. IC 12-17.2-7.2-11, AS AMENDED BY P.L.165-2021, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Except as provided under IC 20-51-1-4.3(4)(E), the receipt of a grant under the ~~pilot~~ **prekindergarten** program does not qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under IC 20-51-4.

SECTION 16. IC 12-17.2-7.2-12, AS AMENDED BY P.L.184-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The office, **in cooperation with the department of education**, shall **periodically** carry out a longitudinal study of students who participate in the prekindergarten ~~pilot~~ program to determine the achievement levels of those students in kindergarten and later grades.

(b) The longitudinal study must include a comparison of test and assessment results in grade 3 of:

- (1) the eligible children who participated in the prekindergarten ~~pilot~~ program; and
- (2) a control group determined by the office that consists of children who did not participate in the prekindergarten ~~pilot~~ program.

(c) The office may, after consulting with the state board of education, enter into a contract with one (1) or more persons to carry out the longitudinal study under this section. The office may expend not more than one million dollars (\$1,000,000) from the funds appropriated under section 9 of this chapter (repealed) to carry out the longitudinal study.

SECTION 17. IC 12-17.2-7.2-13, AS AMENDED BY P.L.268-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The office shall, before November 1 of each year, submit a report to the governor, the budget committee, the state board of education, the department of



education, and, in an electronic format under IC 5-14-6, the general assembly regarding the prekindergarten ~~pilot~~ program.

(b) The report under subsection (a) must include the following:

- (1) The total number of children who received a grant under the prekindergarten ~~pilot~~ program for the immediately preceding state fiscal year, disaggregated by county.
- (2) The total amount of funds budgeted for and spent under the prekindergarten ~~pilot~~ program during the immediately preceding state fiscal year.
- (3) The balance remaining in the ~~pilot~~ fund at the end of the immediately preceding state fiscal year.

SECTION 18. IC 12-17.2-7.2-13.1, AS ADDED BY P.L.268-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.1. The office shall post monthly on the office's ~~Internet web site~~ **website** the total enrollment of and number of grants awarded to:

- (1) all eligible children (before January 1, 2020); and
- (2) after December 31, 2019, both:
 - (A) all eligible children; and
 - (B) all limited eligibility children;

for each county that participates in the prekindergarten ~~pilot~~ program.

SECTION 19. IC 12-17.2-7.2-13.5, AS AMENDED BY P.L.156-2020, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.5. (a) The prekindergarten ~~pilot~~ program fund is established to:

- (1) provide grants to eligible or limited eligibility children for qualified early education services under this chapter;
- (2) carry out the longitudinal study described in section 12 of this chapter;
- (3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter; and
- (4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5.

(b) The fund consists of:

- (1) money appropriated to the fund by the general assembly; and
- (2) grants or gifts to the fund.

(c) The fund shall be administered by the office.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) Money in the fund is continuously appropriated for the purposes provided under this article.

(f) The treasurer of state shall invest the money in the fund not

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currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

SECTION 20. IC 12-17.2-7.2-14 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 14. This chapter expires July 1, 2026.~~

SECTION 21. IC 12-17.2-7.5-4, AS AMENDED BY P.L.165-2021, SECTION 143, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) After completing the review under section 3 of this chapter, the office may develop and implement a reimbursement program to reimburse costs that are incurred by a parent or guardian of a child to provide in-home early education services to the child.

(b) If the office develops and implements a reimbursement program under subsection (a), the office may not give preference to a child located in a county that does not have a child care provider that meets the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating located in the county.

(c) The office may develop reimbursement rates for the reimbursement of in-home early education services.

(d) Reimbursement by the office under this section may be funded from any of the following sources:

- (1) Federal grants.
- (2) State appropriations.
- (3) Money from a political subdivision (as defined in IC 36-1-2-13).
- (4) Money from the prekindergarten ~~pilot~~ program fund established by IC 12-17.2-7.2-13.5.

SECTION 22. IC 20-18-2-22, AS AMENDED BY P.L.165-2021, SECTION 148, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

(b) Except as provided in subsection (d), for purposes of IC 20-28, the term includes the following:

- (1) A superintendent who holds a license under IC 20-28-5.
- (2) A principal.
- (3) A teacher.
- (4) A librarian.
- (5) A school counselor.
- (6) A school psychologist.

(c) For purposes of IC 20-43-10-3.5, the term means a professional person whose position with a:



- (1) school corporation;
- (2) special education cooperative established under IC 20-35-5;
- (3) cooperative career and technical education program;
- (4) special education program established by an interlocal agreement under IC 36-1-7;
- (5) joint program agreement established under IC 20-26-10; or
- (6) charter school;

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

(d) "Teacher" for purposes of IC 20-28-9-26 **and** IC 20-28-9-27 **and** ~~IC 20-28-9-28~~; means a classroom teacher licensed under IC 20-28-5 who provides instruction to students for at least fifty percent (50%) of the teacher's work day.

(e) For purposes of IC 20-28-9-28, the term includes an adjunct teacher, school psychologist, school counselor, permanent substitute teacher, school social worker, school librarian, and speech-language pathologist or audiologist employed by a school corporation.

SECTION 23. IC 20-19-3-17, AS ADDED BY P.L.186-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 17. (a) As used in this section, "foster care" has the meaning set forth in IC 31-9-2-46.7.

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

(c) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(d) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on foster care youth educational outcomes that includes the following:

- (1) The annual graduation rate of foster care youth, including the following information:
 - (A) The graduation rate for each of the following:
 - (i) Foster care youth who received a graduation waiver under IC 20-32-4-4.
 - (ii) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.
 - (B) The number and percentage of foster care youth who received each type of diploma.
- (2) The adjusted cohort graduation rate for foster care youth, including the adjusted cohort graduation rate for each of the following:



- (A) Foster care youth who received a graduation waiver under IC 20-32-4-4.
- (B) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.
- (3) The number and percentage for each of the following:
 - (A) Foster care youth who were promoted to the next grade level at the end of the school year.
 - (B) Foster care youth who were retained in the same grade level for the next school year.
 - (C) Foster care youth who were suspended during the school year.
 - (D) Foster care youth who were expelled during the school year.
 - (E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

- (4) The number and percentage of eligible foster care youth who are enrolled in the prekindergarten ~~pilot~~ program under IC 12-17.2-7.2.
- (5) The number and percentage of foster care youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.
- (6) The number and percentage of foster care youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.
- (7) The number and percentage of foster care youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).
- (e) Not later than June 30, 2019, the department shall:
 - (1) after consulting with the department of child services, develop a remediation plan concerning foster care youth; and
 - (2) submit a copy of the remediation plan to the following:
 - (A) The state board.
 - (B) The department of child services.
 - (C) The legislative council in an electronic format under IC 5-14-6.
- (f) Before April 1, 2019, and before April 1 each year thereafter, the department shall submit the report described in subsection (d) to the following:

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(1) Department of child services.

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

SECTION 24. IC 20-19-3-18, AS ADDED BY P.L.186-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 18. (a) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(b) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on homeless youth educational outcomes that includes the following:

(1) The annual graduation rate of homeless youth, including the following information:

(A) The graduation rate for each of the following:

(i) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of homeless youth who received each type of diploma.

(2) The adjusted cohort graduation rate for homeless youth, including the adjusted cohort graduation rate for each of the following:

(A) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage of each of the following:

(A) Homeless youth who were promoted to the next grade level at the end of the school year.

(B) Homeless youth who were retained in the same grade level for the next school year.

(C) Homeless youth who were suspended during the school year.

(D) Homeless youth who were expelled during the school year.

(E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten ~~pilot~~ program under IC 12-17.2-7.2.



(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.

(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(c) Not later than August 31, 2019, the department shall:

(1) develop a remediation plan concerning homeless youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The Indiana housing and community development authority established by IC 5-20-1-3.

(C) The legislative council in an electronic format under IC 5-14-6.

(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:

(1) The Indiana housing and community development authority.

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

SECTION 25. IC 20-19-3-29 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 29. The department shall establish and maintain on the department's website a public data base of information provided by each public school in accordance with IC 20-26-5-42 concerning employees of each public school who were physically injured while on the job by students of the public school."**

Page 6, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 28. IC 20-26-5-42 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 42. (a) This section applies to the following:**

(1) **A public school, including a charter school.**

(2) **Physical injuries that occur after June 30, 2023.**

(b) **Each public school shall provide to the department, in a manner prescribed by the department, information concerning an employee of the public school who was physically injured while on the job by a student of the public school if the injury:**



- (1) is required to be reported to the public school's worker's compensation carrier;
- (2) causes the employee to miss all or part of one (1) or more work days; or
- (3) is required to be reported to the public school pursuant to the public school's reporting policy.

(c) A public school may not provide information under subsection (b) that identifies the employee or the student.

(d) Nothing in this section shall be construed to prohibit a public school from providing identifying information otherwise required by law or rule.

SECTION 29. IC 20-26-5-43 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 43. If the superintendent of a school corporation:**

(1) becomes aware of possible criminal activity involving a current or former school employee or contractor that:

(A) may have occurred on school property or at a school approved activity or event not on school property; and

(B) may have involved a current or former student who was a student at the time of the possible criminal activity;

or

(2) initiates an investigation of a personnel matter that could result in a suspension or termination of a school employee; the superintendent shall, within five (5) business days, inform all members of the governing body.

SECTION 30. IC 20-26-5-44 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 44. The superintendent of a school corporation shall promptly and fully inform the governing body of any matter or related matters involving legal expenses reasonably expected to exceed five thousand dollars (\$5,000).**

SECTION 31. IC 20-26-13-10, AS AMENDED BY P.L.32-2021, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 10. (a) Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:**

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

STEP TWO: Add:

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- (A) the number determined under STEP ONE; and
- (B) the number of students who:
 - (i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and
 - (ii) have the same expected graduation year as the cohort.

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

- (A) Transfer to another public or nonpublic school.
- (B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.
- (C) Withdrawal because of a long term medical condition or death.
- (D) Detention by a law enforcement agency or the department of correction.
- (E) Placement by a court order or the department of child services.
- (F) Enrollment in a virtual school.
- (G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.
- (H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.
- (I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.
- (J) Withdrawing from school before graduation pursuant to providing notice of withdrawal under section 17 of this chapter.
- (K) Participating in the high school equivalency pilot program under IC 20-30-8.5, unless the student fails to successfully complete the high school equivalency pilot program in the two (2) year period. This clause expires June 30, 2024.
- (L) Participating in dropout recovery educational services under IC 20-31-8-4.6.**

STEP FOUR: Determine the total number of students determined



under STEP TWO who have graduated during the current reporting year or a previous reporting year.

STEP FIVE: Divide:

- (A) the number determined under STEP FOUR; by
 - (B) the remainder determined under STEP THREE.
- (b) This subsection applies to a high school in which:
- (1) for a:
 - (A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B);
 - or
 - (B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B);
 - and
 - (2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE.

SECTION 32. IC 20-28-9-28, AS AMENDED BY P.L.132-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 28. (a) For each school year in a state fiscal year beginning after June 30, ~~2021~~, **2023**, a school corporation shall expend an amount for ~~full-time~~ teacher ~~salaries compensation~~ that is not less than an amount equal to ~~forty-five~~ **sixty-two** percent (~~45%~~) (**62%**) of the state tuition support distributed to the school corporation during the state fiscal year. For purposes of determining whether a school corporation has complied with this requirement, the amount a school corporation expends for ~~full-time~~ teacher ~~salaries compensation~~ shall include the amount the school corporation expends for **adjunct teachers, supplemental pay for teachers, stipends, and for participating in a special education cooperative or a career and technical education cooperative an interlocal agreement or consortium** that is directly attributable to the ~~salaries compensation~~



of ~~full-time~~ teachers employed by the cooperative as determined by the department. **or interlocal agreement or consortium. Teacher benefits include all benefit categories collected by the department for Form 9 purposes.**

(b) If a school corporation determines that the school corporation cannot comply with the requirement under subsection (a) for a particular school year, the school corporation shall apply for a waiver from the department.

(c) The waiver application must include an explanation of the financial challenges, with detailed data, that preclude the school corporation from meeting the requirement under subsection (a) and describe the cost saving measures taken by the school corporation in attempting to meet the requirement in subsection (a). The waiver may also include an explanation of an innovative or efficient approach in delivering instruction that is responsible for the school corporation being unable to meet the requirement under subsection (a).

(d) If, after review, the department determines that the school corporation has exhausted all reasonable efforts in attempting to meet the requirement in subsection (a), the department may grant the school corporation a one (1) year exception from the requirement.

(e) A school corporation that receives a waiver under this section shall work with the department to develop a plan to identify additional cost saving measures and any other steps that may be taken to allow the school corporation to meet the requirement under subsection (a).

(f) A school corporation may not receive more than three (3) waivers under this section.

(g) Before November 1, 2022, and before November 1 of each year thereafter, the department shall submit a report to the legislative council in an electronic format under IC 5-14-6 and the state budget committee that contains information as to:

- (1) the percent and amount that each school corporation expended and the statewide total expended for ~~full-time~~ teacher **salaries compensation;**
- (2) the percent and amount that each school corporation expended and statewide total expended for ~~full-time~~ teacher benefits, including health, dental, life insurance, and pension benefits;
- (3) whether the school corporation met the requirement set forth in subsection (a); and
- (4) whether the school corporation received a waiver under subsection (d).

SECTION 33. IC 20-31-8-4.6, AS ADDED BY P.L.217-2017, SECTION 105, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2023]: Sec. 4.6. (a) If a school corporation or a charter school enters into an agreement with an eligible school (as defined in IC 20-51-1-4.7) to provide dropout recovery educational services for an at-risk student who is enrolled at a public school, the student may not be included in the calculation of the public school's:

- (1) category or designation of school performance; **or**
- (2) graduation rate calculation.**

(b) The state board shall adopt rules under IC 4-22-2 and any guidelines necessary to carry out this section.

SECTION 34. IC 20-35-6-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 4. (a) This section applies to a case conference committee for a student in grades 8 through 12.**

(b) At a case conference committee meeting, the committee shall start addressing decision making skills, which shall include a discussion of supported decision making and other alternative options or programs for the student in lieu of the appointment of a guardian and whether these options are necessary. The case conference committee shall include in the individualized education program or a plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794 notes relating to the discussion of alternative options or programs."

Page 7, line 10, after "study" insert "**leading to industry recognized credentials and**".

Page 7, delete line 11.

Page 7, line 12, delete "networking, or software development career pathways".

Page 7, line 13, after "." insert "**Any in-person instruction required as a result of an industry requirement shall be provided by the virtual provider.**".

Page 7, line 17, after "grant" insert "**and graduation pathway requirements**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1591 as introduced.)

BEHNING

Committee Vote: yeas 13, nays 0.

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