

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1629

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 5-14-3-8, AS AMENDED BY P.L.171-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) For the purposes of this section, "state agency" has the meaning set forth in IC 4-13-1-1.

(b) Except as provided in this section, a public agency may not charge any fee under this chapter for the following:

(1) To inspect a public record.

(2) This subdivision applies only to a school corporation and a charter school. This subdivision does not apply to a request for a search by an exclusive representative (as defined in IC 20-29-2-9). To search for a record that is in an electronic format, if the search does not exceed five (5) hours.

~~(3) To~~ **(3)** Subject to subdivision (2), to search for, examine, or review a record to determine whether the record may be disclosed.

~~(4)~~ **(4)** To provide an electronic copy of a public record by electronic mail. However, a public agency may charge a fee for a public record transmitted by electronic mail if the fee for the public record is authorized under:

(A) subsection (f) or (j);

(B) section 6(c) of this chapter; or

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(C) IC 36-2-7-10 or IC 36-2-7-10.1 concerning records of the county recorder.

(c) The Indiana department of administration shall establish a uniform copying fee for the copying of one (1) page of a standard-sized document by state agencies. The fee may not exceed the average cost of copying records by state agencies or ten cents (\$0.10) per page, whichever is greater. A state agency may not collect more than the uniform copying fee for providing a copy of a public record. However, a state agency shall establish and collect a reasonable fee for copying nonstandard-sized documents.

(d) This subsection applies to a public agency that is not a state agency. The fiscal body (as defined in IC 36-1-2-6) of the public agency, or the governing body, if there is no fiscal body, shall establish a fee schedule for the certification or copying of documents. The fee for certification of documents may not exceed five dollars (\$5) per document. The fee for copying documents may not exceed the greater of:

- (1) ten cents (\$0.10) per page for copies that are not color copies or twenty-five cents (\$0.25) per page for color copies; or
- (2) the actual cost to the agency of copying the document.

As used in this subsection, "actual cost" means the cost of paper and the per-page cost for use of copying or facsimile equipment and does not include labor costs or overhead costs. A fee established under this subsection must be uniform throughout the public agency and uniform to all purchasers.

(e) If:

- (1) a person is entitled to a copy of a public record under this chapter; and
- (2) the public agency which is in possession of the record has reasonable access to a machine capable of reproducing the public record;

the public agency must provide at least one (1) copy of the public record to the person. However, if a public agency does not have reasonable access to a machine capable of reproducing the record or if the person cannot reproduce the record by use of enhanced access under section 3.5 of this chapter, the person is only entitled to inspect and manually transcribe the record. A public agency may require that the payment for **search and** copying costs be made in advance.

(f) Notwithstanding subsection (b), (c), (d), (g), (h), or (i), a public agency shall collect any certification, copying, facsimile machine transmission, or search fee that is specified by statute or is ordered by a court.



(g) Except as provided by subsection (h), for providing a duplicate of a computer tape, computer disc, microfilm, law enforcement recording, or similar or analogous record system containing information owned by the public agency or entrusted to it, a public agency may charge a fee, uniform to all purchasers, that does not exceed the sum of the following:

- (1) The agency's direct cost of supplying the information in that form. However, the fee for a copy of a law enforcement recording may not exceed one hundred fifty dollars (\$150).
- (2) The standard cost for selling the same information to the public in the form of a publication if the agency has published the information and made the publication available for sale.
- (3) In the case of the legislative services agency, a reasonable percentage of the agency's direct cost of maintaining the system in which the information is stored. However, the amount charged by the legislative services agency under this subdivision may not exceed the sum of the amounts it may charge under subdivisions (1) and (2).

(h) This subsection applies to the fee charged by a public agency for providing enhanced access to a public record. A public agency may charge any reasonable fee agreed on in the contract under section 3.5 of this chapter for providing enhanced access to public records.

(i) This subsection applies to the fee charged by a public agency for permitting a governmental entity to inspect public records by means of an electronic device. A public agency may charge any reasonable fee for the inspection of public records under this subsection, or the public agency may waive any fee for the inspection.

(j) Except as provided in subsection (k), a public agency may charge a fee, uniform to all purchasers, for providing an electronic map that is based upon a reasonable percentage of the agency's direct cost of maintaining, upgrading, and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the purchaser. If the public agency is within a political subdivision having a fiscal body, the fee is subject to the approval of the fiscal body of the political subdivision.

(k) The fee charged by a public agency under subsection (j) to cover costs for maintaining, upgrading, and enhancing an electronic map may be waived by the public agency if the electronic map for which the fee is charged will be used for a noncommercial purpose, including the following:

- (1) Public agency program support.
- (2) Nonprofit activities.



(3) Journalism.

(4) Academic research.

(l) This subsection does not apply to a state agency. A fee collected under subsection (g) for the copying of a law enforcement recording may be:

(1) retained by the public agency; and

(2) used without appropriation for one (1) or more of the following purposes:

(A) To purchase cameras and other equipment for use in connection with the agency's law enforcement recording program.

(B) For training concerning law enforcement recording.

(C) To defray the expenses of storing, producing, and copying law enforcement recordings.

Money from a fee described in this subsection does not revert to the local general fund at the end of a fiscal year.

(m) This subsection applies to a school corporation and a charter school. For purposes of this subsection, "computer processing time" means the amount of time a computer takes to process a command or script to extract or copy electronically stored data that is the subject of a public records request. A school corporation or charter school may not charge a fee for the first five (5) hours required to search for records that are in an electronic format. A school corporation or charter school may charge a search fee for any time spent searching for records that are in an electronic format that exceeds five (5) hours. If the school corporation or charter school charges a search fee, the school corporation or charter school shall charge an hourly fee that does not exceed the lesser of:

(1) the hourly rate of the person making the search; or

(2) twenty dollars (\$20) per hour.

A school corporation or charter school charging an hourly fee under this subsection for searching for records that are in an electronic format may charge only for time that the person making the search actually spends in searching for the records that are in an electronic format. A school corporation or charter school may not charge for computer processing time and may not establish a minimum fee for searching for records that are in an electronic format. A school corporation or charter school shall make a good faith effort to complete a search for records that are in an electronic format that is within a reasonable time in order to minimize the amount of a search fee. The fee must be prorated to



reflect any search time of less than one (1) hour.

SECTION 2. IC 20-18-2-4, AS ADDED BY P.L.1-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. "Elementary school" means any ~~combination of kindergarten and grades 1, 2, 3, 4, 5, 6, 7, or 8:~~ **school that provides instruction for any of the following:**

- (1) Kindergarten.**
- (2) Grade 1.**
- (3) Grade 2.**
- (4) Grade 3.**
- (5) Grade 4.**
- (6) Grade 5.**
- (7) Grade 6.**
- (8) Grade 7.**
- (9) Grade 8.**

SECTION 3. IC 20-19-2-22.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.5. (a) As used in this section, "EDR working group" refers to the education dispute resolution working group established under subsection (b).**

(b) The state board shall establish the education dispute resolution working group to collaborate and develop recommendations concerning topics described in subsection (g). The EDR working group consists of the following:

- (1) The following members appointed by the state board:**
 - (A) A representative of Indiana Disability Rights, recommended by the organization.**
 - (B) A representative of The Arc of Indiana, recommended by the organization.**
 - (C) An employee of the department, recommended by the state superintendent of public instruction.**
 - (D) A representative of the Indiana Council of Administrators of Special Education (ICASE), recommended by the organization.**
 - (E) A representative of the Indiana School Boards Association, recommended by the organization.**
 - (F) A representative of the Indiana Association of Public School Superintendents, recommended by the organization.**
 - (G) A representative of INSOURCE, recommended by the organization.**
 - (H) The member of the state board described in section**



2.2(a)(3) of this chapter.

(I) The member of the state board described in section 2.2(a)(4) of this chapter.

(2) The following two (2) members nominated by one (1) of the representatives described in subdivision (1)(A), (1)(B), (1)(C), or (1)(G) and approved by the majority of the members described in subdivision (1):

(A) A parent of a student with a disability.

(B) A parent of a student who is not receiving special education services.

A member described in this subdivision may not be a current or retired employee of a school corporation or have another affiliation with a school other than having a child attending a school.

(c) The state board shall appoint a member described in subsection (b)(1)(H) or (b)(1)(I) to serve as chairperson for the EDR working group. The state board shall provide administrative and staffing support for the EDR working group.

(d) The first meeting of the EDR working group shall occur by August 1, 2019, and be convened by the chairperson of the EDR working group. Except for the appointment of the two (2) members described in subsection (b)(2), the affirmative votes of at least six (6) members of the EDR working group are necessary for the EDR working group to take action.

(e) All EDR working group meetings shall be open to the public.

(f) The department shall prepare an initial report for the EDR working group's consideration at its first meeting of readily obtainable information related to the cost of educational disputes, including but not limited to the cost of hearing officers serving in the capacity of hearing officers or mediators pursuant to 511 IAC 7.

(g) On or before November 1, 2019, the EDR working group shall study and make recommendations to the department, the state board, and, in an electronic format under IC 5-14-6, the general assembly regarding the following topics or other state education laws:

(1) The complaint and investigation requirements set forth in 511 IAC 7-45-1 that could reduce costs to school corporations and parents of students with disabilities.

(2) The recruitment, training, and payment of administrative law judges or hearing officers.

(3) A system of access to low cost legal advocacy regarding



educational disputes that encourages efficient resolution of disputes and does not incentivize protraction.

(4) Implications to the receipt of federal funding regarding changes made to 511 IAC 7.

(5) Information and communication strategies to parents of students with disabilities and school corporations for resolving disputes concerning special education issues.

(6) Patterns of complaints that emerge regarding special education rights and services, in order for the department to develop strategies to better resolve issues that lead to a particular pattern of complaints.

(7) Appropriateness of nondisclosure agreements in settlements involving special education and public schools.

(8) Whether the department shall establish a special education board of appeals to review administrative hearings or findings.

(9) Whether a dispute resolution ombudsman within the department would reduce costs relating to legal advocacy and facilitate more efficient resolution of disputes.

(h) In developing its recommendations under subsection (g), the EDR working group shall consider:

(1) not deterring legitimate complaints;

(2) successful approaches from other states;

(3) a process to develop a statewide or regional education dispute resolution ombudsmen concept to facilitate efficient resolution of disputes;

(4) administrative law judge (including independent hearing officer) recruitment, training, and payment; and

(5) ensuring that recommendations made by the EDR working group are consistent with cooperative federalism.

The EDR working group shall consider any opinions rendered by the United States Department of Education.

(i) This section expires December 31, 2020.

SECTION 4. IC 20-19-3-20.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20.5. (a) This section does not apply to a mediator or independent hearing officer retained by the department before July 1, 2019.

(b) Not later than January 1, 2021, the department shall ensure that all mediators, administrative law judges, hearing officers, and other appointees, employees, and contractors who:

(1) are initially retained by the department after June 30,



2019; and
(2) mediate or adjudicate disputes involving educational entities through the department;
are effectively trained and committed to serve as both mediators and adjudicators.

SECTION 5. IC 20-25-4-17, AS AMENDED BY P.L.234-2007, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) If a school city acquires title to or possession of real estate, buildings, and personal property in the school city by gift or donation, and the real estate, building, or personal property was used as an industrial or trade school for the education of youths in the trades of:

- (1) printing;
- (2) lithography;
- (3) machine making;
- (4) molding;
- (5) typesetting;
- (6) bricklaying;
- (7) tile setting;
- (8) pattern making;
- (9) pharmacy; or
- (10) other trades or occupations;

the board may, by the use of the board's school funds, maintain and operate the industrial or trade school or schools.

(b) If real estate, a building, or personal property is acquired by the school city under subsection (a), the board shall:

- (1) perform any conditions incident to the school city's acquisition of the property;
- (2) maintain and operate the trade school and real estate, building, or personal property;
- (3) employ competent instructors in the various subjects to be taught;
- (4) purchase all necessary tools, implements, supplies, and apparatus; and
- (5) establish general rules and requirements for:
 - (A) admission of pupils to the school or schools, **which includes the admission of students who attend charter schools or state accredited nonpublic schools;**
 - (B) the courses of instruction; and
 - (C) the conduct of the trade or industrial schools;

that, in the board's judgment, will produce the best results and give instruction to the largest practicable number of students.



The school city may also use the real estate, building, or personal property acquired under subsection (a) for other school purposes, but not for any purpose that will materially interfere with the conduct of the trade or industrial schools.

(c) The transfer tuition charge for each student who:

(1) is transferred to the school city from another school corporation in Indiana; and

(2) receives trade or industrial instruction in a trade or industrial school located on property acquired under subsection (a);

must be the actual per capita cost of operating the school the student attends. However, the costs of permanent improvements or additions, the salaries of the superintendents, or the costs of apparatus or repairing broken or damaged apparatus may not be used in computing the actual per capita cost.

(d) If the school city admits a student to a trade school acquired by means described in this section and the student is not, by law, entitled to school privileges, **or attends a charter school or state accredited nonpublic school**, the tuition charge for the student may not be greater than the per capita cost of operating the school the student attends. The cost of permanent improvements and additions may not be included in computing the cost under this subsection.

(e) A school city may admit to the school city's career and technical, trade, or industrial schools nonresidents of Indiana. A nonresident student must pay reasonable laboratory and shop fees and a tuition fee of not more than the per student cost to the school city conducting the career and technical, trade, or industrial schools. A return on capital invested in buildings, grounds, or equipment may not be included in computing the per student cost under this subsection.

SECTION 6. IC 20-26-5-39 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 39. (a) Beginning in the 2020-2021 school year, each school corporation shall provide:**

(1) each student; and

(2) a parent of each student;

of a school corporation who is in grade 12 with a notice regarding the information described in IC 21-18-6-6(b).

(b) Each school corporation may develop its own notice or use the model notice prepared by the commission for higher education under IC 21-18-6-6.

SECTION 7. IC 20-30-14-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. Each school corporation may encourage the



development of a community service ethic among high school students in ~~grade 11 or~~ **grades 9 through 12** in the school corporation by offering each ~~grade 11 or 12~~ student **in grades 9 through 12:**

- (1) as part of the corporation's elective curriculum;
- (2) in compliance with rules adopted by the state board under section 9 of this chapter; and
- (3) upon completion by the student of approved community service or other volunteer service;

the opportunity for the student to earn academic credit toward the student's minimum graduation requirements.

SECTION 8. IC 20-31-8-4, AS AMENDED BY P.L.213-2015, SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The state board shall place each school in a category or designation of school performance once annually based on the department's findings from the assessment of performance and academic growth under section 2 of this chapter.

(b) The state board may place a school in a category or designation of school performance only if:

- (1) the department has provided each school the opportunity to review, add to, or supplement the data, and to correct any errors in the data; and
- (2) the state board's staff has had an opportunity to review and analyze the school corporation, school, and student level data.

(c) Based on procedures adopted by the state board, a school corporation or school that focuses primarily on providing an academic program for students with developmental, intellectual, or behavioral challenges may petition the state board for review of the school corporation's or school's category or designation of school performance placement based on objective factors that the school corporation or school considers relevant because the annual assessment data does not accurately reflect, as applicable, school performance, growth, or multiple measures. Objective factors include:

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

After considering the petition for review, the state board may direct the department to revise the category or designation assigned to the school corporation or school, including assigning a "null" or "no letter grade" category or designation to the school corporation or school. The state board may grant the "null"



designation for multiple years.

(e) (d) The state board may obtain assistance from another entity or, with the approval of the legislative council, the legislative services agency, to ensure the validity and reliability of the performance category or designation placements calculated by the department under section 2 of this chapter. The department shall provide all the data necessary to complete those calculations to the legislative services agency or to an entity designated by the state board.

SECTION 9. IC 20-31-8-4.5, AS ADDED BY P.L.205-2013, SECTION 255, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4.5. In addition to other benchmarks, performance indicators, and accountability standards developed under this article, the state board shall develop alternative benchmarks, performance indicators, and accountability standards to be used in the assessment of schools that focus ~~exclusively~~ **primarily** on providing an academic program for students with developmental, intellectual, or behavioral challenges.

SECTION 10. IC 20-32-5.1-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.5. (a) The department shall make every reasonable attempt to provide the same voice-to-text, screen reader, or human reader accommodations to a particular student on every section of the statewide assessment program as provided as part of the student's:**

- (1) individualized education program;
- (2) service plan developed under 511 IAC 7-34; or
- (3) choice scholarship education plan developed under 511 IAC 7-49.

(b) **This subsection expires January 1, 2020. The state board shall provide a report to the legislative council in an electronic format under IC 5-14-6, explaining in detail the extent that:**

- (1) individualized education programs;
- (2) service plans developed under 511 IAC 7-34; or
- (3) choice scholarship education plans developed under 511 IAC 7-49

were altered to align to the statewide assessment program.

SECTION 11. IC 20-32-5.1-18.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.6. (a) On or before November 1, 2019, the state board shall review and submit a report, in an electronic format under IC 5-14-6, to the legislative council summarizing how the statewide assessment program**



measures reading comprehension. The state board shall include recommendations in the report:

- (1) as to what Indiana's definition of reading comprehension should be; and
- (2) how to ensure the statewide assessment program measures the recommended definition described in subdivision (1) for the 2020 administration of the statewide assessment program.

(b) The recommendations described in subsection (a) shall include a review of accommodations that are appropriate for measuring reading comprehension on the 2019 statewide assessment program and whether the scores on the reading comprehension portion of the 2019 statewide assessment program are valid for students with:

- (1) individualized education programs;
- (2) service plans developed under 511 IAC 7-34; or
- (3) choice scholarship education plans developed under 511 IAC 7-49.

(c) This section expires January 1, 2020.

SECTION 12. IC 20-37-2-1, AS ADDED BY P.L.1-2005, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) A governing body may establish and conduct a system of industrial or manual training and education to teach:

- (1) the major uses of tools and mechanical implements;
- (2) the elementary principles of mechanical construction;
- (3) mechanical drawing; and
- (4) printing.

(b) If a system is established, the governing body shall employ competent instructors in the various subjects and shall establish rules and regulations on student admissions designed to produce the best results and to give instruction to the largest practicable number. A governing body may provide this instruction in school buildings or in separate buildings. Each governing body may:

- (1) require students enrolling in this system to pay a reasonable tuition fee; and
- (2) differentiate between students living in the attendance unit and those living outside the attendance unit in the amount of tuition charged.

However, tuition charges by a school corporation operating under IC 20-25-3 and IC 20-25-4 are also regulated by IC 20-25-4-17.

(c) Each governing body must provide equal access to students who attend a charter school or state accredited nonpublic school



utilizing the same admittance practices that are currently in place if the charter school, state accredited nonpublic school, student, or school corporation (if the student is a dual enrollment student) provides the governing body tuition for the student, which may not be greater than the per capita cost of operating the system of industrial or manual training. However, the admission of a charter school or state accredited nonpublic school student may not result in the denial of a placement for a student enrolled in the school corporation or an entity established under IC 20-37-1-1.

SECTION 13. IC 21-16-1-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 7.5. "Eligible secondary school student" means a student, beginning with the cohort of students that is expected to graduate in the 2022-2023 school year, who:**

- (1) is enrolled in a secondary school in Indiana;**
- (2) completes and files a Free Application for Federal Student Aid; and**
- (3) meets any other criteria established by the commission.**

SECTION 14. IC 21-16-2-4, AS AMENDED BY P.L.272-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 4. An agreement entered into under this chapter must:**

- (1) provide for employment by the eligible employer of eligible students and eligible secondary school students:**
 - (A) for a minimum average of twelve (12) hours per week; and**
 - (B) a maximum average of:**
 - (i) twenty (20) hours per week, if the student is enrolled in courses at the time of employment; or**
 - (ii) forty (40) hours per week if the employment occurs during the summer term and the student is not enrolled in courses during the summer term;**
- (2) provide for the reimbursement, to the extent possible under the then current biennial appropriation, by the state to the employer of at least fifty percent (50%) of the federal minimum hourly wage for each hour worked by the student for the employer;**
- (3) provide that any work performed by a student under this chapter must not result in the displacement of employed workers or impair existing contracts for services;**
- (4) provide that any work performed by a student under this chapter shall not involve any partisan or nonpartisan political or sectarian activities;**



(5) provide that wage rates must be established by the eligible employer, but must not be less than the current federal minimum wage rate; and

(6) contain any other provisions necessary to carry out this chapter.

SECTION 15. IC 21-16-2-7, AS AMENDED BY P.L.272-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. An eligible employer that wishes to participate in the EARN Indiana program under this chapter must:

(1) submit to the commission, by the date specified by the commission and in the format specified by the commission, a job description for each job that the eligible employer will offer to eligible students **and eligible secondary school students** under the program;

(2) submit to the commission, by the date specified by the commission, one (1) or more statements reporting:

(A) the wages paid by the eligible employer to each eligible student **and each eligible secondary school student**; and

(B) the amount of time worked by each eligible student **and each eligible secondary school student** employed by the eligible employer; and

(3) sign an agreement agreeing to administer the program according to the published rules and program guidelines as outlined by the commission.

SECTION 16. IC 21-18-6-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) **As used in this section, "FAFSA" refers to the Free Application for Federal Student Aid.**

(b) **The commission shall prepare a model notice for schools that includes the following information for parents and students:**

(1) **A statement regarding the existence and availability of the FAFSA.**

(2) **A description that provides parents and students with an understanding of the process for and benefits of completing a FAFSA.**

(3) **The approximate annual tuition costs of each state educational institution in Indiana.**

(4) **The state scholarships, grants, or other assistance available to students in Indiana.**

(c) **The commission shall annually update the model notice to:**

(1) **reflect any changes to the approximate annual tuition costs of each state educational institution; and**



(2) amend any of the information in the model notice, as determined necessary by the commission.

(d) The commission shall post the model notice prepared under subsection (b) on the commission's Internet web site.

SECTION 17. IC 34-13-3.5-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 8. (a) For purposes of this section, "conflict of interest" is defined as being a member of the governing body for, an agent of, or otherwise having a personal pecuniary interest in a facility, school, service, or product sought as a remedy in the lawsuit or administrative proceeding identified in this section. A personal pecuniary interest does not include a family relationship other than a spouse or dependent being a member of the governing body or an agent of a facility, school, service, or product sought as a remedy in the lawsuit or administrative proceeding identified in this section.**

(b) An advocate (other than an attorney) for an individual or entity who initiates a lawsuit or administrative proceeding against a public school or a nonpublic school is prohibited from representing the individual or entity without first disclosing in writing to the:

(1) advocate's client; and

(2) court, administrative law judge, or hearing officer;

any conflict of interest described in subsection (a) the advocate (other than an attorney) has in representing the individual or entity.

(c) The written disclosure required in subsection (b) is required to be provided only once in any lawsuit or proceeding, even if there are successive tiers to the appellate or administrative process.

(d) Failure to comply with the requirement of this section shall result in the violating advocate (other than an attorney) paying not less than five percent (5%) of attorney's fees, court costs, and other reasonable expenses of litigation incurred by the public or nonpublic school.

SECTION 18. [EFFECTIVE JULY 1, 2019] (a) The use of the appropriations in HEA 1001-2019, SECTION 4, Part C (REGULATORY AND LICENSING) for Secured School Safety Grants made to the Department of Homeland Security is amended as follows:

"SECURED SCHOOL SAFETY GRANTS

Total Operating Expense 19,010,000 19,010,000

The above appropriations include funds to provide grants for the



~~provision of school based mental health services and social emotional wellness services to students in K-12 schools.~~ From the above appropriations, the department shall make \$500,000 available each fiscal year to accredited nonpublic schools that apply for grants for the purchase of security equipment or other security upgrades. The department shall prioritize grants to nonpublic schools that demonstrate a heightened risk of security threats."

(b) This SECTION expires June 30, 2021.

SECTION 19. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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