

SENATE BILL No. 33

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-20-8-8; IC 20-34-9.5.

Synopsis: Equity, diversity, and inclusion officers. Provides that each school corporation, charter school, and state accredited nonpublic school shall maintain at least one equity, diversity, and inclusion officer. Establishes duties for the equity, diversity, and inclusion officer. Requires the department of education (department) to provide certain information and resources for an equity, diversity, and inclusion officer. Provides that the department, with the approval of the state board of education, may assign additional duties to an equity, diversity, and inclusion officer to: (1) improve comprehensive strategy fostering equitable, diverse, and inclusive training; and (2) provide and promote education to cultivate an awareness and understanding of the various federal, state, and local laws and policies regarding nondiscrimination. Requires an equity, diversity, and inclusion officer to meet certain annual professional development requirements. Requires each school corporation, charter school, and state accredited nonpublic school to submit a report to the department. Requires that the school's annual performance report include the number of times an equity, diversity, and inclusion officer responds to referrals by the governing body or school administrative staff.

Effective: July 1, 2021.

Ford J.D.

January 4, 2021, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 33

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

- 1 SECTION 1. IC 20-20-8-8, AS AMENDED BY P.L.215-2018(ss),
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 8. (a) The report must include the following
4 information:
5 (1) Student enrollment.
6 (2) Graduation rate (as defined in IC 20-26-13-6) and the
7 graduation rate excluding students that receive a graduation
8 waiver under IC 20-32-4-4 or IC 20-32-4-4.1.
9 (3) Attendance rate.
10 (4) The following test scores, including the number and
11 percentage of students meeting academic standards:
12 (A) All state standardized assessment scores.
13 (B) Scores for assessments under IC 20-32-5-21 (before its
14 expiration on July 1, 2018), if appropriate.
15 (C) For a freeway school, scores on a locally adopted
16 assessment program, if appropriate.
17 (5) Average class size.



- 1 (6) The school's performance category or designation of school
 2 improvement assigned under IC 20-31-8.
- 3 (7) The number and percentage of students in the following
 4 groups or programs:
- 5 (A) Alternative education, if offered.
 - 6 (B) Career and technical education.
 - 7 (C) Special education.
 - 8 (D) High ability.
 - 9 (E) Limited English language proficiency.
 - 10 (F) Students receiving free or reduced price lunch under the
 11 national school lunch program.
 - 12 (G) Students in foster care.
- 13 (8) Advanced placement, including the following:
- 14 (A) For advanced placement tests, the percentage of students:
 15 (i) scoring three (3), four (4), and five (5); and
 16 (ii) taking the test.
 - 17 (B) For the Scholastic Aptitude Test:
 18 (i) the average test scores for all students taking the test;
 19 (ii) the average test scores for students completing the
 20 Indiana diploma with a Core 40 with academic honors
 21 designation program; and
 22 (iii) the percentage of students taking the test.
- 23 (9) Course completion, including the number and percentage of
 24 students completing the following programs:
- 25 (A) Academic honors curriculum.
 - 26 (B) Core 40 curriculum.
 - 27 (C) Career and technical programs.
- 28 (10) The percentage of graduates considered college and career
 29 ready in a manner prescribed by the state board.
- 30 (11) School safety, including:
- 31 (A) the number of students receiving suspension or expulsion
 32 for the possession of alcohol, drugs, or weapons; ~~and~~
 - 33 (B) the number of incidents reported under IC 20-33-9; **and**
 - 34 **(C) the number of times an equity, diversity, and inclusion**
 35 **officer provided services for referrals under**
 36 **IC 20-34-9.5-3(c)(6).**
- 37 (12) Financial information and various school cost factors
 38 required to be provided to the office of management and budget
 39 under IC 20-42.5-3-5.
- 40 (13) The number and percentage of each of the following within
 41 the school corporation:
- 42 (A) Teachers who are certificated employees (as defined in



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



1 foster care; and

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

4 SECTION 2. IC 20-34-9.5 IS ADDED TO THE INDIANA CODE
5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2021]:

7 **Chapter 9.5. Equity, Diversity, and Inclusion Officers**

8 **Sec. 1. This chapter applies to a:**

- 9 (1) school corporation;
10 (2) charter school; and
11 (3) state accredited nonpublic school.

12 **Sec. 2. (a) The department shall provide information to an
13 equity, diversity, and inclusion officer described in section 3 of this
14 chapter concerning available resources or material to assist the
15 equity, diversity, and inclusion officer to carry out the duties
16 described in section 3(c) of this chapter.**

17 **(b) The state board shall establish annual professional
18 development training requirements for equity, diversity, and
19 inclusion officers described in section 3 of this chapter. The state
20 board shall develop a training model that encourages an equity,
21 diversity, and inclusion officer's professional development training
22 to align with the particular goals or needs of the school corporation
23 that employs the equity, diversity, and inclusion officer. The school
24 corporation may pay for the required training under this
25 subsection.**

26 **(c) The department, with the approval of the state board, may
27 provide additional responsibilities for equity, diversity, and
28 inclusion officers described in section 3 of this chapter that are
29 necessary to:**

- 30 (1) improve comprehensive strategy fostering equitable,
31 diverse, and inclusive training; and
32 (2) provide and promote education to cultivate an awareness
33 and understanding of the various federal, state, and local laws
34 and policies regarding nondiscrimination.

35 **Sec. 3. (a) After June 30, 2021, each:**

- 36 (1) school corporation;
37 (2) charter school; and
38 (3) state accredited nonpublic school;

39 shall have at least one (1) employee designated as an equity,
40 diversity, and inclusion officer to carry out the duties described in
41 subsection (c) to operationalize strategic initiatives fostering
42 equitable, diverse, and inclusive cultural competency and racial



1 literacy training for all employees and students of the school
 2 corporation or school to prevent harassment and the development
 3 of a hostile environment.

4 (b) In order for an individual to qualify for the position of an
 5 equity, diversity, and inclusion officer, the individual must:

6 (1) have a clear understanding of differences among diversity,
 7 inclusion, and equity while placing an emphasis on equity
 8 when carrying out the officer's duties; and

9 (2) complete an implicit bias training course approved by the
 10 department, in consultation with one (1) or more groups that
 11 specialize in equity, diversity, and inclusion justice, within:

12 (A) one (1) year prior to the individual beginning
 13 employment as an equity, diversity, and inclusion officer;
 14 or

15 (B) ninety (90) days after beginning employment as an
 16 equity, diversity, and inclusion officer.

17 (c) The duties of the equity, diversity, and inclusion officer
 18 include:

19 (1) training:

20 (A) the governing body (or the equivalent for a charter
 21 school or state accredited nonpublic school);

22 (B) staff; and

23 (C) students;

24 on matters relating to equity, diversity, and inclusion;

25 (2) providing and promoting education to cultivate an
 26 awareness and understanding to individuals described in
 27 subdivision (1)(A) through (1)(C) of the various federal, state,
 28 and local laws and policies regarding nondiscrimination;

29 (3) collaborating with the school corporation or school to
 30 discover and develop policies that facilitate the recruitment
 31 and retention of employees from historically
 32 underrepresented groups;

33 (4) carrying out any duties required by the department, with
 34 the approval of the state board, to improve the school
 35 environment regarding compliance with local, state, and
 36 federal nondiscrimination laws;

37 (5) developing metrics to assess equity, diversity, and
 38 inclusion efforts; and

39 (6) responding to referrals by the governing body (or the
 40 equivalent for a charter school or state accredited nonpublic
 41 school) or administrator of the school to provide training or
 42 guidance.



1 **Sec. 4. (a) Not later than June 1, 2022, and each June 1**
2 **thereafter, each school corporation, charter school, and state**
3 **accredited nonpublic school shall submit a report to the**
4 **department, on a form prescribed by the department, that provides**
5 **a summary of:**

6 **(1) the accomplishments and duties performed by each equity,**
7 **diversity, and inclusion officer during the current school year;**
8 **and**

9 **(2) referrals for which services were provided by each equity,**
10 **diversity, and inclusion officer.**

11 **(b) The department and each:**

12 **(1) school corporation;**

13 **(2) charter school; and**

14 **(3) state accredited nonpublic school;**

15 **shall maintain a copy of the report on their Internet web sites.**

16 **(c) On or before November 1, 2022, and each November 1**
17 **thereafter, the department shall submit a report to the general**
18 **assembly in an electronic format under IC 5-14-6 that:**

19 **(1) summarizes the report described in subsection (a); and**

20 **(2) makes suggestions for any legislative changes necessary in**
21 **order for an equity, diversity, and inclusion officer to improve**
22 **practices to protect minority groups.**

