

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.

SENATE ENROLLED ACT No. 100

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-19-2-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 10.5. (a) A national or regional accreditation agency that seeks to be recognized by the state board for purposes of awarding accreditation to nonpublic schools in Indiana shall submit to the state board a completed application for recognition form established by the state board.**

(b) The state board shall, not later than six (6) months after the date a national or regional accreditation agency submits a completed application for recognition form under this section, approve or deny recognition of the national or regional accreditation agency.

(c) If the state board denies recognition of the national or regional accreditation agency, the state board shall send a notice to the national or regional accreditation agency stating the reasons for denying recognition.

(d) The department shall post a copy of the application for recognition form as required under IC 20-19-3-21.

SECTION 2. IC 20-19-3-21 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 21. The department shall post a copy of the following on the department's website:**

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(1) The application for recognition form established by the state board under IC 20-19-2-10.5.

(2) The application for state accreditation form established by the state board under IC 20-31-4.1-2.5.

SECTION 3. IC 20-31-4.1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 2.5. (a) A school that seeks accreditation under this chapter shall submit to the state board a completed application for accreditation form established by the state board.**

(b) The state board shall, not later than six (6) months after the date a school submits a completed application for accreditation form under this section, approve or deny accreditation to the school.

(c) If the state board denies a school accreditation under this section, the state board shall send a notice to the school stating the reasons for denying accreditation of the school.

(d) The department shall post a copy of the application for accreditation form as required under IC 20-19-3-21.

SECTION 4. IC 20-31-8-5.5, AS ADDED BY P.L.211-2021, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. (a) Not later than July 1, 2024, the state board shall do the following:**

(1) Establish a compilation of longitudinal data indicating school performance success in various selected and enumerated program areas.

(2) Present the data described in subdivision (1) for each school in a manner that:

(A) can be conveniently and easily accessed from a single web page on the state board's ~~Internet web site~~; website; and

(B) is commonly known as an Internet dashboard.

(b) The dashboard must include the following:

(1) Indicators of student performance in elementary school, including schools for grades 6 through 8, and high school.

(2) The school's graduation rate, as applicable.

(3) The percentage of high school graduates who earned college credit before graduating, as applicable.

(4) The pass rate of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.

(5) The growth data of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.

(6) The attendance rate.



(7) State, national, and international comparisons for the indicators, if applicable.

(8) The school's disciplinary incident data.

(9) Data regarding the school's socioeconomic status and poverty rate.

(10) The school's proportion of fully licensed teachers.

(c) The dashboard may include any other data indicating school performance success that the state board determines is relevant.

(d) Each school shall post on a web page maintained on the school's ~~Internet web site~~ **website** the exact same data and in a similar format as the data presented for the school on the state board's ~~Internet web site~~ **website**. However, the school may include custom indicators on the web page described in this subsection.

SECTION 5. IC 20-32-8.7-5, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The student learning recovery grant program is established to provide grants to an eligible entity for the purpose of providing recovery learning and remediation to students in kindergarten through grade 12 who:

- (1) have experienced learning loss;
- (2) have fallen behind in acquiring anticipated grade level academic skills and knowledge;
- (3) have scored below academic standards or average benchmarks; or
- (4) are at risk of falling below academic standards;

due to the disruption in student education caused by the coronavirus disease (COVID-19) pandemic and insufficient instructional alternatives.

(b) The department shall administer the program.

(c) The department may award grants to eligible entities under the program in ~~state fiscal year 2021, state fiscal year 2022, and state fiscal year 2023~~, **state fiscal year 2024 and state fiscal year 2025 from funds appropriated during the 2021 regular session of the Indiana general assembly that have not been obligated.**

SECTION 6. IC 20-32-8.7-7, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) To be eligible to receive a grant under this chapter, an eligible entity must do the following:

- (1) Apply on a form and in a manner established by the department.
- (2) Apply by a date established by the department.
- (3) Develop and submit to the department a student learning



recovery plan that meets the requirements in section 8 of this chapter and any other requirements established by the department, **including a requirement that a school corporation or charter school identified in the plan provide a matching grant in an amount determined by the department.**

(4) Specify the amount requested in the student learning recovery plan submitted by the eligible entity under subdivision (3).

(b) If a school corporation or charter school is required to provide a matching grant as part of a student learning recovery plan, the matching grant may only consist of federal funds received by the school corporation or charter school.

SECTION 7. IC 20-32-8.7-11, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Before ~~November 1, 2021, and before November 1, 2022,~~ **November 1, 2023**, the department shall prepare, submit in an electronic format under IC 5-16-4, and present to the interim study committee on education established by IC 2-5-1.3-4(5) a report on the grants awarded under this chapter and the progress made by eligible entities awarded grants under this chapter in meeting the metrics and proposed improvements identified in the eligible entity's plan submitted under section 8(b)(2) of this chapter.

SECTION 8. IC 20-32-8.7-13, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) Not later than ~~July 1, 2022, and~~ July 1, 2023, **and July 1, 2024**, the department shall prepare an annual report that includes the following:

- (1) A list of all of the eligible entities that participated in the program.
- (2) The amount of the grant awarded to each participating eligible entity.
- (3) The total amount of grants awarded under this chapter.

(b) The department shall submit the report described in subsection (a) to the:

- (1) governor; and
- (2) legislative council in an electronic format under IC 5-14-6.

SECTION 9. IC 20-32-8.7-15, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. There is appropriated to the fund one hundred fifty million dollars (\$150,000,000) from the state general fund for the purposes of providing grants under this chapter for the state fiscal year beginning July 1, 2020, and ending June 30, 2021. **Funds appropriated under this section do not revert to the state general**



fund and remain available to be spent for purposes of the program.

SECTION 10. IC 20-32-8.7-16, AS ADDED BY P.L.167-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2023]: Sec. 16. This chapter expires July 1, ~~2023~~: **2025**.

SECTION 11. IC 20-52-4-1, AS ADDED BY P.L.168-2022, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) After August 31, 2022, a parent of an enrichment student may establish an Indiana enrichment scholarship account for the eligible student by entering into a written agreement with the department on a form prepared by the department. The department may establish deadlines for the submission of applications. The account of an enrichment student shall be made in the name of the enrichment student. The department shall make the agreement available on the Internet web site of the department. To be eligible, a parent of an enrichment student wishing to participate in the program must agree that:

- (1) a grant deposited in the enrichment student's account under section 2 of this chapter will be used only for the enrichment student's qualified expenses;
- (2) the parent of the enrichment student will use money in the account for the enrichment student's study in the subject of reading or math;
- (3) the parent will share the enrichment student's ILEARN assessment results with the participating entity; and
- (4) services relating to qualified **enrichment services, activities, or programs** will not be provided to the enrichment student ~~during normal school hours~~: **while the enrichment student is receiving grade-level instruction in mathematics or English/Language Arts.**

(b) A parent of an enrichment student may enter into a separate agreement under subsection (a) for each child of the parent. However, not more than one (1) account may be established for each enrichment student.

(c) An agreement entered into under this section for an enrichment student terminates automatically for the enrichment student if the enrichment student no longer resides in Indiana while the enrichment student is eligible to receive grants under section 2 of this chapter.

(d) An agreement made under this section for an enrichment student may be terminated before the end of the school year if the parent of the enrichment student notifies the department in a manner specified by the department.

(e) A distribution made to an account under section 2 of this chapter



is considered tax exempt as long as the distribution is used for a qualified expense. The amount is subtracted from the definition of adjusted federal gross income under IC 6-3-1-3.5 to the extent the distribution used for the qualified expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

SECTION 12. IC 20-52-4-2, AS ADDED BY P.L.168-2022, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) An enrichment student who currently maintains an account is entitled to a ~~one (1) time~~ grant amount, **the amount of which shall be subject to available funding and determined by the department.** The department shall deposit the enrichment grant amount under this section as a ~~one (1) time deposit~~, into an enrichment student's account in a manner established by the department.

(b) Except as provided in subsection (c), at the end of the year in which an account is established, the parent of an enrichment student may roll over for use in a subsequent year the amount available in the enrichment student's account.

(c) An enrichment student's account shall terminate October 1, 2024.

SECTION 13. IC 20-52-4-3 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 3: (a) ~~Subject to section 7 of this chapter, the one (1) time enrichment grant amount under section 2 of this chapter for an enrichment student equals the greater of:~~

~~(1) five hundred dollars (\$500); or~~

~~(2) if the school corporation or school provides a matching grant to the enrichment student under this section, one thousand dollars (\$1,000).~~

~~(b) A school corporation or a school may provide a matching grant of two hundred fifty dollars (\$250) to an enrichment student under this chapter. However, the matching grant may only consist of federal funds received by the school corporation or school. If the school corporation or school provides matching grants, the school corporation or school may suggest qualified providers for particular services.~~

SECTION 14. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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