



March 11, 2021

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# ENGROSSED SENATE BILL No. 101

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DIGEST OF SB 101 (Updated March 10, 2021 9:25 am - DI 133)

**Citations Affected:** IC 20-30; IC 21-12; IC 21-18.5.

**Synopsis:** Education and higher education matters. Amends requirements regarding the development of a student's graduation plan. Provides that a student who is at least 17 years of age has full legal capacity to enter into a contract for a next generation Hoosier educators scholarship. Provides that the requirement that a postsecondary credit bearing proprietary educational institution that ceases operation submit student records to the Indiana archives and records administration applies regardless of any outstanding debts owed to the institution. Repeals a provision that requires a student to develop an initial graduation plan in grade 6.

**Effective:** July 1, 2021.

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## Raatz, Kruse

(HOUSE SPONSOR — BEHNING)

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January 5, 2021, read first time and referred to Committee on Education and Career Development.

February 11, 2021, reported favorably — Do Pass.

February 15, 2021, read second time, ordered engrossed. Engrossed.

February 16, 2021, read third time, passed. Yeas 45, nays 0.

### HOUSE ACTION

March 1, 2021, read first time and referred to Committee on Education.

March 11, 2021, reported — Do Pass.

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ES 101—LS 6594/DI 110





March 11, 2021

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.

## ENGROSSED SENATE BILL No. 101

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

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

1 SECTION 1. IC 20-30-4-1.5 IS REPEALED [EFFECTIVE JULY  
2 1, 2021]. ~~Sec. 1-5: (a) In grade 6, a student and the student's parent~~  
3 ~~shall develop an initial graduation plan. The plan must include the~~  
4 ~~following:~~

5 (1) ~~A statement of intent to graduate from high school.~~  
6 (2) ~~An acknowledgment of the importance of:~~  
7 (A) ~~good citizenship;~~  
8 (B) ~~school attendance; and~~  
9 (C) ~~diligent study habits.~~  
10 (b) ~~The plan must become part of the student's permanent school~~  
11 ~~record.~~

12 SECTION 2. IC 20-30-4-2, AS AMENDED BY P.L.143-2019,  
13 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2021]: Sec. 2. (a) In consultation with the student's school  
15 counselor, after seeking consultation with each student's parents, and  
16 not later than the date on which the student completes grade ~~9~~; **8**, each  
17 student shall ~~further develop the a graduation plan developed in grade~~

ES 101—LS 6594/DI 110



1 ~~6~~ under section ~~1.5~~ of this chapter to also that is a part of the  
 2 student's permanent school record and accessible to a parent of the  
 3 student in accordance with the Family Education Rights and  
 4 Privacy Act (20 U.S.C. 1232g et seq.).

5 (b) The graduation plan developed under subsection (a) must  
 6 include the following:

7 (1) A statement of intent to graduate from high school.

8 (2) An acknowledgment of the importance of:

9 (A) good citizenship;

10 (B) school attendance; and

11 (C) diligent study habits.

12 (3) The subject and skill areas of interest to the student.

13 ~~(2)~~ (4) The postsecondary goals of the student The postsecondary  
 14 goals of the student should indicate whether the student plans to  
 15 complete:

16 (A) a career aptitude exam;

17 (B) a work based learning course;

18 (C) a certificate, two ~~(2)~~ year, or four ~~(4)~~ or more year  
 19 postsecondary education program; or

20 (D) any combination of the exams, courses, or programs  
 21 described in clauses (A) through (C).

22 aligned with the graduation pathway requirements under  
 23 IC 20-32-4-1.5.

24 ~~(3)~~ (5) A program of study under the college/technology  
 25 preparation curriculum adopted by the state board under  
 26 IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests,  
 27 aptitude, and postsecondary goals of the student.

28 ~~(4)~~ (6) Assurances that, upon satisfactory fulfillment of the plan,  
 29 the student:

30 (A) is entitled to graduate; and

31 (B) will have taken at least the minimum variety and number  
 32 of courses necessary to gain admittance to a state educational  
 33 institution.

34 ~~(5)~~ (7) An indication of assessments (other than the statewide  
 35 assessment program and the graduation examination (before July  
 36 1, 2018)) that the student plans to take voluntarily during grade 10  
 37 through grade 12 and which may include any of the following:

38 (A) The SAT Reasoning Test.

39 (B) The ACT test.

40 (C) Advanced placement exams.

41 (D) College readiness exams approved by the department.

42 (E) Workforce readiness exams approved by the department of



1 workforce development established under IC 22-4.1-2.

2 (F) Cambridge International examinations.

3 ~~(6) An indication of the graduation pathway requirement (after~~  
4 ~~June 30, 2018) that the student plans to take.~~

5 SECTION 3. IC 20-30-4-4, AS AMENDED BY P.L.143-2019,  
6 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2021]: Sec. 4. A graduation plan may be modified after initial  
8 development. However, the modifications may not interfere with the  
9 assurances described in section ~~2(4)~~ **2(b)(6)** of this chapter.

10 SECTION 4. IC 20-30-4-6, AS AMENDED BY P.L.192-2018,  
11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2021]: Sec. 6. (a) A student's school counselor shall, in  
13 consultation with the student and the student's parent, review annually  
14 a student's graduation plan that was developed ~~in grade 9~~ under section  
15 2 of this chapter to determine if the student is progressing toward  
16 fulfillment of the graduation plan.

17 (b) If a student is not progressing toward fulfillment of the  
18 graduation plan, the school counselor shall provide counseling services  
19 for the purpose of advising the student of credit recovery options and  
20 services available to help the student progress toward graduation.

21 (c) If a student is not progressing toward fulfillment of the  
22 graduation plan due to not achieving a passing score on the graduation  
23 examination (before July 1, 2022) or failing to meet a postsecondary  
24 readiness competency established by the state board under  
25 IC 20-32-4-1.5(c), the school counselor shall meet with the:

- 26 (1) teacher assigned to the student for remediation for the  
27 particular competency area;  
28 (2) parents of the student; and  
29 (3) student;

30 to discuss available remediation and to plan to meet the requirements  
31 under IC 20-32-4.

32 SECTION 5. IC 21-12-16-7.5 IS ADDED TO THE INDIANA  
33 CODE AS A NEW SECTION TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2021]: **Sec. 7.5. A student who:**

- 35 **(1) is at least seventeen (17) years of age; and**  
36 **(2) enters into a contract for a scholarship under this chapter**  
37 **to defray the expense of attending any postsecondary**  
38 **educational institution;**

39 **has full legal capacity to act in the student's own behalf in this**  
40 **transaction and is subject to any obligation that arises from the**  
41 **contract.**

42 SECTION 6. IC 21-18.5-6-10, AS AMENDED BY P.L.171-2015,



- 1 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2021]: Sec. 10. (a) A postsecondary credit bearing proprietary  
3 educational institution shall maintain at least the following records for  
4 each student:
- 5 (1) The program in which the student enrolls.
  - 6 (2) The length of the program.
  - 7 (3) The date of the student's initial enrollment in the program.
  - 8 (4) A transcript of the student's academic progress.
  - 9 (5) The amount of the student's tuition and fees.
  - 10 (6) A copy of the enrollment agreement.
- 11 (b) Upon the request of the board for proprietary education, a  
12 postsecondary credit bearing proprietary educational institution shall  
13 submit the records described in subsection (a) to the board for  
14 proprietary education.
- 15 (c) If a postsecondary credit bearing proprietary educational  
16 institution ceases operation, the postsecondary credit bearing  
17 proprietary educational institution shall submit the records described  
18 in subsection (a) to the Indiana archives and records administration not  
19 later than thirty (30) days after the institution ceases to operate,  
20 **regardless of any outstanding debts owed to the institution.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 101 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 101, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 101 as printed February 12, 2021.)

BEHNING

Committee Vote: Yeas 13, Nays 0

