

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 2015 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 301

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AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-19-6-7, AS ADDED BY P.L.53-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. ~~(a) This section applies after December 31, 2013.~~

~~(b)~~ **(a)** A council may develop an alternative career, technical, or vocational educational curriculum for high school students in its region in order to **do either of the following:**

**(1)** Offer those students opportunities to:

~~(1)~~ **(A)** pursue internships and apprenticeships;

~~(2)~~ **(B)** learn from qualified instructors; and

~~(3)~~ **(C)** have a goal of:

~~(A)~~ **(i)** earning an industry certification;

~~(B)~~ **(ii)** earning credits toward an associate degree; or

~~(C)~~ **(iii)** establishing a career pathway toward a high wage, high demand job that is available in the region.

**(2)** Provide a career, technical, or vocational educational curriculum that is aligned with the workforce needs and training and education requirements of the region identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

~~(c)~~ **(b)** Before an alternative curriculum developed under subsection ~~(b)~~ **(a)** may be offered, the state board shall approve the alternative



curriculum.

SECTION 2. IC 20-20-38-4, AS AMENDED BY P.L.107-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

- (1) the governor;
- (2) the general assembly;
- (3) the department of workforce development;
- (4) the commission for higher education;
- (5) the council;
- (6) the state workforce innovation council;
- (7) the board for proprietary education; and
- (8) any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

- (1) The preparation of each graduate for both employment and further education.
- (2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.
- (3) Projected employment opportunities in various career and technical education fields.
- (4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.
- (5) A study of technological and economic change affecting Indiana.
- (6) An analysis of the private career and education sector in Indiana.
- (7) Recommendations for improvement in the state career and technical education program.
- (8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.

**(d) When making any revisions to the plan, the state board shall consider the workforce needs and training and education needs**



**identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

SECTION 3. IC 20-24-8-5, AS AMENDED BY P.L.221-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 (criminal history).
- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (7) IC 20-28-10-14 (teacher freedom of association).
- (8) IC 20-28-10-17 (school counselor immunity).
- (9) For conversion charter schools only if the conversion charter school elects to collectively bargain under IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- (10) IC 20-33-2 (compulsory school attendance).
- (11) IC 20-33-3 (limitations on employment of children).
- (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (13) IC 20-33-8-16 (firearms and deadly weapons).
- (14) IC 20-34-3 (health and safety measures).
- (15) IC 20-33-9 (reporting of student violations of law).
- (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic standards, accreditation, assessment, and remediation).
- (18) IC 20-33-7 (parental access to education records).
- (19) IC 20-31 (accountability for school performance and improvement).
- (20) IC 20-30-5-19 (personal financial responsibility instruction).
- (21) IC 20-26-5-37.3, before its expiration (career and technical education reporting).**

SECTION 4. IC 20-26-5-37.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 37.3. (a) Before November 1 of each year, the department and the department of workforce**



development shall prepare a report containing the following information for each high school and each school corporation for the immediately preceding school year:

- (1) Career and technical education courses available to the students attending the high school.
- (2) The number of students enrolled in each course, by grade level.
- (3) The number of students successfully completing each course.
- (4) The number of students who:
  - (A) successfully completed a career and technical education course sequence; and
  - (B) obtained employment in the career or technical field for which the student successfully completed a course sequence.

(b) The report under subsection (a) must be submitted in the format agreed to by the department and the department of workforce development.

(c) This section expires July 1, 2020.

SECTION 5. IC 21-18-9-2, AS ADDED BY P.L.2-2007, SECTION 259, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission may:

- (1) review all programs of any state educational institution, regardless of the source of funding; and
- (2) make recommendations to the board of trustees of the state educational institution, the governor, and the general assembly concerning the funding and the disposition of the programs.

(b) The commission, in consultation with the department of workforce development, shall develop and recommend funding amounts and performance metrics that reward workforce training programs under IC 21-41-5-3(b) and that are not included in the postsecondary performance funding formula. Ivy Tech Community College shall assist the commission, and the department of workforce development shall provide the data necessary for the commission to develop these funding amounts and performance metrics. Funding amounts and performance metrics recommended under this subsection must be aligned with the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10. This subsection expires July 1, 2020.

SECTION 6. IC 21-38-3-6, AS ADDED BY P.L.2-2007, SECTION



279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. **(a)** The board of trustees of Ivy Tech Community College shall select and employ a president of the state educational institution, with qualifications set out, and other staff and professional employees as are required.

**(b) This subsection expires July 1, 2020. The president shall select and employ two (2) vice presidents, one (1) for each of the following, subject to confirmation by the board of trustees:**

**(1) One (1) whose focus is on programs and pathways designed to meet workforce and employer demand.**

**(2) One (1) whose focus is on academics and transferability of program and pathway credits.**

**The president shall ensure alignment between the activities managed by each vice president.**

SECTION 7. IC 21-41-5-3, AS ADDED BY P.L.2-2007, SECTION 282, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. **(a)** It is the primary purpose of Ivy Tech Community College to provide educational opportunities and appropriate workforce development, assessment, and training services to:

(1) employees of employers whose productivity and competitiveness will be enhanced by targeted employee education and training courses and programs delivered in the employer's workplace;

(2) students who require additional education before enrolling in college level courses at either a two (2) year or a four (4) year institution;

(3) individuals who have graduated from high school and are more interested in continuing their education in a general, liberal arts, occupational, or technical program at a two (2) year, nonresidential college;

(4) individuals who have graduated from high school and want to earn credits that will transfer to a four (4) year college;

(5) students who do not complete work at a four (4) year college or who are referred by a four (4) year college to Ivy Tech Community College;

(6) students who complete their work at a four (4) year college but would like to supplement that education to improve existing skills or acquire new skills; and

(7) adult workers who need and desire retraining or additional training of an occupational or technical nature for the workplace.

**(b) The board of trustees of Ivy Tech Community College shall establish an administrative structure for Ivy Tech Community**



**College that provides the support necessary for:**

- (1) workforce training programs, including programs designed for the direct entry of individuals into the workforce; and**
- (2) programs to enhance the skills of workers.**

SECTION 8. IC 21-41-5-8, AS ADDED BY P.L.169-2007, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a)** Subject to IC 21-22-6-10, the board of trustees of Ivy Tech Community College may develop and adopt the appropriate education programs to be offered and workforce services to be provided.

**(b) The board of trustees of Ivy Tech Community College shall do the following in its development and adoption of programs leading to a certificate and for workforce training programs:**

- (1) Consider findings and recommendations concerning workforce needs and training and education needs that are submitted by advisory committees under section 14 of this chapter.**
- (2) Obtain and consider comments and input from Indiana employers and employer organizations.**
- (3) Ensure that the programs are aligned with the primary purposes of Ivy Tech Community College that are specified in section 3 of this chapter.**

SECTION 9. IC 21-41-5-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. **(a)** Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report to the department of workforce development the following information for the statewide system and each region established under IC 21-22-6-1 for the immediately preceding academic year:

- (1) Certificate programs available that are linked to industry recognized third party certifications.**
- (2) The number of students enrolled in each certificate program.**
- (3) The number of students successfully completing each certificate program.**
- (4) To the extent a campus has access to the information, the number of students who:**
  - (A) successfully completed a certificate program sequence;**
  - and**
  - (B) obtained employment in the field for which the student**



successfully completed a certificate program sequence. The report under this subsection must be submitted in the format required by the department of workforce development.

(b) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report the following information to the commission for higher education, the department of workforce development, and the legislative council (in an electronic format under IC 5-14-6):

(1) A list of programs that have been identified as having either:

(A) insufficient student demand;

(B) insufficient employer demand; or

(C) insufficient graduation or transfer rates;

as determined by the commission for higher education in the review under IC 21-18-9-10.5.

(2) For each of the programs described in subdivision (1), information concerning whether the program will be eliminated, restructured, or placed on an improvement plan or whether no action will be taken regarding the program.

(3) The status of system-wide restructuring of student support services recommended by the commission under IC 21-18-9-10.5(b)(1).

(4) A target date for the development of courses and programs identified under IC 22-4.1-4-12 as being required to meet the workforce needs in one (1) or more regions designated under IC 20-19-6-3.

(5) Information concerning whether the resources available to Ivy Tech Community College are sufficient to comply with IC 21-18-9-10.5 and section 8 of this chapter.

(c) This section expires July 1, 2020.

SECTION 10. IC 21-41-5-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 13. (a) The president of Ivy Tech Community College shall, before October 1 of each year, report to the governor, the budget committee, and the legislative council (in an electronic format under IC 5-14-6) concerning progress in the efforts to align career and technical education courses and programs and certification courses and programs with the workforce needs and educational requirements within each region designated under IC 20-19-6-3.

(b) This section expires July 1, 2020.

SECTION 11. IC 21-41-5-14 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 14. (a) The commissioner of the department of workforce development or the commissioner's designee shall be a member of each program advisory committee established by Ivy Tech Community College.**

**(b) Each program advisory committee established by Ivy Tech Community College shall do the following:**

**(1) Consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

**(2) Submit to the board of trustees of Ivy Tech Community College at a public meeting any findings or recommendations of the advisory committee concerning those workforce needs and training and education needs.**

**(c) This section expires July 1, 2020.**

SECTION 12. IC 21-41-5-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 15. Before November 1, 2016, and each November 1 thereafter, Ivy Tech Community College shall provide the budget committee the following information for each of Ivy Tech Community College's owned or operated campus locations or sites that offer ongoing academic programs and services:**

**(1) The number of students enrolled.**

**(2) The amount of square feet of each building.**

**(3) The operating or overhead costs associated with the campus location or site.**

SECTION 13. IC 22-4.1-4-9, AS ADDED BY P.L.69-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) Before December 1 of each year, the department shall provide the department of education (established by IC 20-19-3-1) with a report, to be used to determine career and technical education grant amounts in the state fiscal year beginning after the year in which the report is provided, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department shall categorize each of the career and technical education programs using the following four (4) categories:**

**(1) Programs that address employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals.**





(2) Programs that address employment demand for individuals in labor market categories that are projected to need a moderate number of individuals.

(3) Programs that address employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals.

(4) All programs not covered by the employment demand categories of subdivisions (1) through (3).

(b) Before December 1 of each year, the department shall provide the department of education with a report, to be used to determine grant amounts that will be distributed under IC 20-43-8 in the state fiscal year beginning after the year in which the report is provided, listing whether the average wage level for each generally recognized labor category for which career and technical education programs are offered is a high wage, a moderate wage, or a less than moderate wage.

(c) In preparing the labor market demand report under subsection (a) and the average wage level report under subsection (b), the department shall **do the following:**

(1) If possible, list the labor market demand and the average wage level for specific regions, counties, and municipalities.

(2) **Consider the information included in the occupational demand report prepared by the department under section 10 of this chapter.**

(d) If a new career and technical education program is created by rule of the state board of education, the department shall determine the category in which the program should be included.

SECTION 14. IC 22-4.1-4-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) The department shall prepare an occupational demand report regarding:**

(1) **the expected workforce needs of Indiana employers for a ten (10) year projection; and**

(2) **the training and education that will be required to meet those expected workforce needs.**

**The department shall categorize these workforce needs and training and education requirements by job classification or generally recognized labor categories on a statewide basis and also for each region designated under the WIOA.**

(b) **In preparing the report under subsection (a), the department shall consult with the following:**

(1) **The commission for higher education.**

(2) **Ivy Tech Community College.**



(3) Each Indiana works council established under IC 20-19-6-4.

(4) Employers and employer organizations.

(5) Labor organizations.

(c) The department shall submit the report under subsection (a) to the governor, the budget committee, the legislative council (in an electronic format under IC 5-14-6), the commission for higher education, the board of trustees of Ivy Tech Community College, the department of education, the state board of education before July 1, 2016, and each regional or campus advisory committee established by Ivy Tech Community College.

(d) This section expires July 1, 2020.

SECTION 15. IC 22-4.1-4-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. (a) The department, with the assistance of the commission for higher education, Ivy Tech Community College, and local workforce development boards, shall do the following for each region designated under the WIOA:**

(1) Use the information provided by school corporations under IC 20-26-5-37.3 and by Ivy Tech Community College under IC 21-41-5-12 to prepare an inventory of:

(A) the career and technical education courses available to the students attending high school in the region; and

(B) the certification courses provided by Ivy Tech Community College campuses in the region.

(2) Use:

(A) the information included in the occupational demand report prepared by the department under section 10 of this chapter concerning workforce needs and training and education requirements; and

(B) any other information considered appropriate by the department;

to identify any gaps or imbalances between the career and technical education courses and certification courses offered in the region and the workforce needs and training and education needs in the region.

(b) This section expires July 1, 2020.

SECTION 16. IC 22-4.1-4-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) The department, with the assistance of the commission for higher education, the department of education, Ivy Tech Community College, and local**



workforce development boards, shall annually do the following:

**(1) Use:**

**(A) the information concerning workforce needs and training and education requirements of the region identified in the occupational demand report under section 10 of this chapter; and**

**(B) the information under section 11 of this chapter concerning gaps or imbalances between the courses offered in the region and the workforce needs and training and education needs in the region;**

**to develop recommendations concerning the career and technical education courses, including dual credit courses, and courses leading to a certification that should be offered at high schools within each region designated under the WIOA.**

**(2) Report to the budget committee before January 1 of each year concerning the recommendations.**

**(3) Report the recommendations to the board of trustees, administration, and faculty of Ivy Tech Community College at a meeting scheduled by the board of trustees of Ivy Tech Community College.**

**(b) This section expires July 1, 2020.**

SECTION 17. IC 22-4.1-4-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. (a) Not later than July 1, 2016, the department, in consultation with the commission for higher education, the department of state revenue, and the Ivy Tech Community College board of trustees, shall develop a procedure for measuring the following for credential or degree completers and separately for current or previously enrolled students of Ivy Tech Community College:**

**(1) The percentage of credential or degree completers or students employed within one (1) year of graduation or separation.**

**(2) The median, minimum, and maximum starting salary of graduates or students within one (1) year of completion or separation.**

**(3) The median, minimum, and maximum starting salary of graduates or students within five (5) years of completion or separation.**

**(b) The information described in subsection (a) shall be measured separately for each academic program offered within an Ivy Tech Community College region, including associate degrees,**



certificates, and other established programs granting workforce credentials.

(c) The information described in subsection (a) shall separately consider transfer students and nontransfer students.

(d) Not later than October 1 of 2016 and every year thereafter, the department shall provide to Ivy Tech Community College any data necessary for the calculation of the measurements described in subsection (a).

(e) Not later than October 1 of 2016 and every year thereafter, the department shall provide to the commission for higher education any data necessary for the commission to establish and calculate a labor market outcomes metric for inclusion in the postsecondary performance funding formula.

(f) The providing of data under this section is not a violation of the confidentiality provisions of IC 22-4-19-6(b).

SECTION 18. IC 22-4.5-9-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The council shall do all of the following:

(1) Provide coordination to align the various participants in the state's education, job skills development, and career training system.

(2) Match the education and skills training provided by the state's education, job skills development, and career training system with the currently existing and future needs of the state's job market.

**In carrying out its duties under this subdivision, the council must consider the workforce needs and training and education requirements identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

(3) In addition to the department's annual report provided under ~~IC 22-4.5-9-4~~, **IC 22-4.1-4-8**, submit, not later than August 1, 2013, and not later than ~~November~~ **December** 1 each year thereafter, to the legislative council in an electronic format under IC 5-14-6 an inventory of current job and career training activities conducted by:

(A) state and local agencies; and

(B) whenever the information is readily available, private groups, associations, and other participants in the state's education, job skills development, and career training system.

The inventory must provide at least the information listed in



~~IC 22-4.1-9-4(a)(1)~~ **IC 22-4.1-4-8(a)(1)** through ~~IC 22-4.1-9-4(a)(5)~~ **IC 22-4.1-4-8(a)(5)** for each activity in the inventory.

(4) Submit, not later than July 1, 2014, to the legislative council in an electronic format under IC 5-14-6 a strategic plan to improve the state's education, job skills development, and career training system. The council shall submit, not later than December 1, 2013, to the legislative council in an electronic format under IC 5-14-6 a progress report concerning the development of the strategic plan. The strategic plan developed under this subdivision must include at least the following:

(A) Proposed changes, including recommended legislation and rules, to increase coordination, data sharing, and communication among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training.

(B) Proposed changes to make Indiana a leader in employment opportunities related to the fields of science, technology, engineering, and mathematics (commonly known as STEM).

(C) Proposed changes to address both:

(i) the shortage of qualified workers for current employment opportunities; and

(ii) the shortage of employment opportunities for individuals with a baccalaureate or more advanced degree.

(5) Complete, not later than August 1, 2014, a return on investment and utilization study of career and technical education programs in Indiana. The study conducted under this subdivision must include at least the following:

(A) An examination of Indiana's career and technical education programs to determine:

(i) the use of the programs; and

(ii) the impact of the programs on college and career readiness, employment, and economic opportunity.

(B) A survey of the use of secondary, college, and university facilities, equipment, and faculty by career and technical education programs.

(C) Recommendations concerning how career and technical education programs:

(i) give a preference for courses leading to employment in high wage, high demand jobs; and

(ii) add performance based funding to ensure greater competitiveness among program providers and to increase



completion of industry recognized credentials and dual credit courses that lead directly to employment or postsecondary study.

(6) Coordinate the performance of its duties under this chapter with the Indiana works councils established by IC 20-19-6-4.

(b) In performing its duties, the council shall obtain input from the following:

- (1) Indiana employers and employer organizations.
- (2) Public and private institutions of higher education.
- (3) Regional and local economic development organizations.
- (4) Indiana labor organizations.
- (5) Individuals with expertise in career and technical education.
- (6) Military and veterans organizations.
- (7) Organizations representing women, African-Americans, Latinos, and other significant minority populations and having an interest in issues of particular concern to these populations.
- (8) Individuals and organizations with expertise in the logistics industry.
- (9) Any other person or organization that a majority of the voting members of the council determines has information that is important for the council to consider.

**SECTION 19. An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

SEA 301 — CC 1

