

SENATE BILL No. 380

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19; IC 20-20; IC 20-21-3-10; IC 20-22-3-10; IC 20-23-4-18; IC 20-24-7-13; IC 20-24.2-5-1; IC 20-25.7-7-2; IC 20-26; IC 20-27-3; IC 20-28; IC 20-29; IC 20-30; IC 20-31; IC 20-32; IC 20-33; IC 20-34; IC 20-35; IC 20-35.5-7-3; IC 20-36; IC 20-42.5-2-1; IC 20-49; IC 20-51; IC 20-51.4-6-1.

Synopsis: Education policy committee. Establishes the education policy committee (committee) consisting of four legislative members, the secretary of education, and four alternate legislative members. Provides that the primary function of the committee is to serve as liaison between the legislative and executive branches of government about all matters relating to education policy of the state and the implementation of that policy by the executive branch. Provides that the committee's chair may place on the committee's meeting agenda any topic relating to education policy for discussion by the committee and for the committee to make an advisory recommendation about that topic. Requires the committee to provide an advisory recommendation about the adoption of any rule permitted or required to be adopted under IC 20 or to decline to provide an advisory recommendation about the adoption of the rule. Requires the committee's advisory recommendation or declination to give an advisory recommendation to be published with the text of the proposed rule at the time the proposed rule is published as provided in the rulemaking statute.

Effective: July 1, 2022.

Raatz

January 11, 2022, read first time and referred to Committee on Education and Career Development.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 380



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 20-19-2-8, AS AMENDED BY P.L.92-2020,
2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 8. (a) In addition to any other powers and duties
4 prescribed by law, the state board shall adopt rules under IC 4-22-2
5 concerning, but not limited to, the following matters:
6 (1) The designation and employment of the employees and
7 consultants necessary for the department. The state board shall fix
8 the compensation of employees of the department, subject to the
9 approval of the budget committee and the governor under
10 IC 4-12-2.
11 (2) The establishment and maintenance of standards and
12 guidelines for media centers, libraries, instructional materials
13 centers, or any other area or system of areas in a school where a
14 full range of information sources, associated equipment, and
15 services from professional media staff are accessible to the school
16 community. With regard to library automation systems, the state
17 board may only adopt rules that meet the standards established by



- 1 the state library board for library automation systems under
 2 IC 4-23-7.1-11(b).
- 3 (3) The establishment and maintenance of standards for student
 4 personnel and guidance services.
- 5 (4) The distribution of funds and revenues appropriated for the
 6 support of schools in the state.
- 7 (5) The establishment and enforcement of standards and
 8 guidelines concerning the safety of students participating in
 9 cheerleading activities.
- 10 (6) Subject to IC 20-28-2, the preparation and licensing of
 11 teachers.
- 12 (b) Before final adoption of any rule, the state board shall make a
 13 finding on the estimated fiscal impact that the rule will have on school
 14 corporations.
- 15 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**
- 16 SECTION 2. IC 20-19-2-12, AS AMENDED BY P.L.233-2015,
 17 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2022]: Sec. 12. (a) The state board shall, in the manner
 19 provided by IC 4-22-2, adopt rules setting forth nonbinding guidelines
 20 for the selection of school sites and the construction, alteration, and
 21 repair of school buildings, athletic facilities, and other categories of
 22 facilities related to the operation and administration of school
 23 corporations. The nonbinding guidelines must include:
- 24 (1) preferred location and building practices for school
 25 corporations, including standards for enhancing health, student
 26 safety, accessibility, energy efficiency, operating efficiency, and
 27 instructional efficacy;
- 28 (2) guidelines concerning minimum acreage, cost per square foot
 29 or cost per ADM (as defined in IC 20-18-2-2), technology
 30 infrastructure, building materials, per student square footage, and
 31 other general space requirements, including space for academics,
 32 administration and staff support, arts education and auditoriums,
 33 libraries, cafeterias, athletics and physical education,
 34 transportation facilities, and maintenance and repair facilities; and
 35 (3) additional guidelines that the state board considers necessary
 36 for efficient and cost effective construction of school facilities.
- 37 The state building commissioner, the office of management and budget,
 38 and the department of local government finance shall, upon request of
 39 the board, provide technical assistance as necessary for the
 40 development of the guidelines.
- 41 (b) The state board shall annually compile, in a document capable
 42 of easy revision, the:



1 (1) guidelines described in subsection (a); and

2 (2) rules of the:

3 (A) fire prevention and building safety commission; and

4 (B) state department of health;

5 that govern site selection and the construction, alteration, and repair of
6 school buildings.

7 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

8 SECTION 3. IC 20-19-2-14.5, AS AMENDED BY P.L.239-2015,
9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2022]: Sec. 14.5. (a) As used in this section:

11 (1) "college and career readiness educational standards" means
12 Indiana standards that a high school graduate must meet to obtain
13 the requisite knowledge and skill to transition without
14 remediation to postsecondary education or training, and
15 ultimately into a sustainable career; and

16 (2) "cut scores" means the scores that define a student's
17 performance on an assessment, including passing, failing, or
18 falling into a performance category.

19 (b) The state board shall adopt Indiana college and career readiness
20 educational standards. The educational standards must do the
21 following:

22 (1) Meet national and international benchmarks for college and
23 career readiness standards and be aligned with postsecondary
24 educational expectations.

25 (2) Use the highest standards in the United States.

26 (3) Comply with federal standards to receive a flexibility waiver
27 under 20 U.S.C. 7861, as in effect on January 1, 2014.

28 (4) Prepare Indiana students for college and career success,
29 including the proper preparation for nationally recognized college
30 entrance examinations such as the ACT and SAT.

31 (5) Maintain Indiana sovereignty.

32 (6) Provide strict safeguards to protect the confidentiality of
33 student data.

34 (c) The state, or the state board on behalf of the state, may not enter
35 into or renew an agreement with any organization, entity, group, or
36 consortium that requires the state to cede any measure of autonomy or
37 control of education standards and assessments, including cut scores.
38 The state board may not adopt Common Core (Common Core State
39 Standards Initiative) or an assessment or test, except as provided in this
40 subsection, that is produced solely by the United States government or
41 a consortium of states. However, the state board is not prohibited from
42 incorporating as part of Indiana's statewide assessments any



1 assessment, part of an assessment, or series of questions if the
 2 assessment, part of an assessment, or series of questions is aligned to
 3 Indiana's academic standards.

4 (d) The state board may adopt emergency rules in the manner
 5 provided in IC 4-22-2-37.1 to implement this section. As provided in
 6 IC 4-22-2-37.1 for an emergency rule adopted under this section to be
 7 effective after one (1) extension period, the rule must be adopted in
 8 conformity with the procedures under IC 4-22-2-24 through
 9 IC 4-22-2-36.

10 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**

11 SECTION 4. IC 20-19-2-22, AS ADDED BY P.L.269-2019,
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2022]: Sec. 22. (a) If:

14 (1) a school is in operation; and

15 (2) the school requests a new identification number for the school;
 16 the state board may approve assigning a new identification number for
 17 the school.

18 (b) In determining whether to approve a new identification number
 19 for a school under this section, the state board may consider a school's
 20 history of student growth and performance for that particular school
 21 because:

22 (1) the school is reopening;

23 (2) the school is reconfigured; or

24 (3) the school corporation redistributes students.

25 (c) The state board shall adopt rules under IC 4-22-2 to establish
 26 criteria that a school must meet to be considered a new school under
 27 IC 20-19-3-4(d).

28 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

29 SECTION 5. IC 20-19-3-8, AS AMENDED BY P.L.233-2015,
 30 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2022]: Sec. 8. (a) The department may not approve or
 32 disapprove plans and specifications for the construction, alteration, or
 33 repair of school buildings, except as necessary under the terms of a
 34 federal grant or a federal law.

35 (b) Notwithstanding subsection (a), the department shall establish
 36 a central clearinghouse for access by school corporations that may want
 37 to use a prototype design in the construction of school facilities. The
 38 department shall compile necessary publications and may establish a
 39 computer data base to distribute information on prototype designs to
 40 school corporations. Architects and engineers registered to practice in
 41 Indiana may submit plans and specifications for a prototype design to
 42 the clearinghouse. The plans and specifications may be accessed by any



1 person. However, the following provisions apply to a prototype design
2 submitted to the clearinghouse:

3 (1) The original architect of record or engineer of record retains
4 ownership of and liability for a prototype design.

5 (2) A school corporation or other person may not use a prototype
6 design without the site-specific, written permission of the original
7 architect of record or engineer of record.

8 (3) An architect's or engineer's liability under subdivision (1) is
9 subject to the requirements of subdivision (2).

10 The state board may adopt rules under IC 4-22-2 to implement this
11 subsection.

12 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

13 SECTION 6. IC 20-19-5-1, AS ADDED BY P.L.234-2005,
14 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2022]: Sec. 1. (a) The department of education, in cooperation
16 with the department of child services, the department of correction, and
17 the division of mental health and addiction, shall:

18 (1) develop and coordinate the children's social, emotional, and
19 behavioral health plan that is to provide recommendations
20 concerning:

21 (A) comprehensive mental health services;

22 (B) early intervention; and

23 (C) treatment services;

24 for individuals from birth through twenty-two (22) years of age;

25 (2) make recommendations to the state board, which shall adopt
26 rules under IC 4-22-2 concerning the children's social, emotional,
27 and behavioral health plan; and

28 (3) conduct hearings on the implementation of the plan before
29 adopting rules under this chapter.

30 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

31 SECTION 7. IC 20-19-6.2-2, AS ADDED BY P.L.127-2013,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2022]: Sec. 2. (a) The department shall adopt rules under
34 IC 4-22-2 to implement this chapter.

35 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

36 SECTION 8. IC 20-19-9-2, AS ADDED BY P.L.211-2019,
37 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2022]: Sec. 2. (a) The state board may adopt rules under
39 IC 4-22-2 to establish requirements regarding virtual education
40 programs, including the following:

41 (1) Minimum requirements for the mandatory annual onboarding
42 process and orientation required under section 3 of this chapter.



1 (2) Requirements relating to tracking and monitoring student
2 participation and attendance.

3 (3) Ongoing student engagement and counseling policy
4 requirements.

5 (4) Employee policy requirements, including professional
6 development requirements.

7 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

8 SECTION 9. IC 20-19-11 IS ADDED TO THE INDIANA CODE
9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2022]:

11 **Chapter 11. Education Policy Committee**

12 **Sec. 1. As used in this chapter, "appointing authority" refers to**
13 **the following:**

14 (1) For the senate, the president pro tempore of the senate.

15 (2) For the house of representatives, the speaker of the house
16 of representatives.

17 **Sec. 2. As used in this chapter, "committee" refers to the**
18 **education policy committee established by section 5 of this chapter.**

19 **Sec. 3. As used in this chapter, "legislative member" refers to a**
20 **member of the committee who is also a member of the general**
21 **assembly.**

22 **Sec. 4. As used in this chapter, "rule" refers to an**
23 **administrative rule subject to adoption under IC 4-22-2 and**
24 **permitted or required to be adopted under this title.**

25 **Sec. 5. The education policy committee is established.**

26 **Sec. 6. (a) The committee consists of the following members:**

27 (1) The president pro tempore shall appoint the following two

28 (2) members of the senate:

29 (A) The chair of the senate committee with jurisdiction
30 over education matters.

31 (B) The senator nominated by the senate minority leader.

32 (2) The speaker of the house of representatives shall appoint
33 the following two (2) members of the house of representatives:

34 (A) The chair of the house committee with jurisdiction
35 over education matters.

36 (B) The representative nominated by the house minority
37 leader.

38 (3) The secretary of education.

39 **(b) Four (4) alternate members shall be appointed as follows:**

40 (1) In addition to the members appointed under subsection

41 (a)(1), the president pro tempore of the senate shall appoint
42 two (2) members of the senate as alternate members under



1 this subdivision. One (1) of the members appointed under this
2 subdivision must be nominated by the senate minority leader.

3 (2) In addition to the members appointed under subsection
4 (a)(2), the speaker of the house of representatives shall
5 appoint two (2) members of the house of representatives as
6 alternate members under this subdivision. One (1) of the
7 members appointed under this subdivision must be nominated
8 by the house minority leader.

9 (c) The appointing authorities shall appoint the legislative
10 members and alternate committee members not later than January
11 1 of each odd-numbered year.

12 (d) A legislative member or an alternate member serves
13 beginning January 1 of each odd-numbered year until January 1
14 of the next odd-numbered year.

15 (e) Notwithstanding subsection (d), the term of a legislative
16 member or an alternate member ends whenever the following
17 occurs:

18 (1) The legislative member or alternate member ceases to be
19 a member of the general assembly.

20 (2) The legislative member or alternate member is removed
21 by the member's appointing authority. At the request of the
22 minority leader of the caucus that nominated a legislative
23 member or alternate member, the appointing authority shall
24 replace that legislative member or alternate member with
25 another member of that minority caucus who is nominated by
26 the minority leader of that caucus.

27 (f) If a vacancy occurs in the committee's legislative
28 membership, the appointing authority who appointed the member
29 whose position is vacant shall appoint a new legislative member or
30 alternate member. If the vacancy occurs in a position of a
31 legislative member nominated by the minority leader, the
32 appointing authority shall fill the vacancy with the individual
33 nominated by the minority leader.

34 (g) An alternate member is entitled to participate in committee
35 meetings in the same manner as the other legislative members,
36 except that the alternate member is entitled to vote only if the
37 legislative member from the alternate member's respective caucus
38 is not present for the vote.

39 Sec. 7. (a) During its first meeting after January 1 of each year,
40 the committee shall elect one of its legislative members to be the
41 committee's chair and another of its legislative members to be the
42 committee's vice chair.



1 **(b) The committee shall meet at least each calendar quarter and**
 2 **at the call of the chair.**

3 **(c) The committee may adopt policies and procedures**
 4 **concerning the committee's operation and organization as the**
 5 **committee considers necessary. IC 4-22-2 does not apply to policies**
 6 **and procedures adopted under this subsection.**

7 **(d) A legislative member and an alternate member of the**
 8 **committee are entitled to receive the same per diem, mileage, and**
 9 **travel allowances paid to individuals who serve as legislative**
 10 **members of interim study committees established by the legislative**
 11 **council.**

12 **(e) The department shall provide administrative support and**
 13 **staff to the committee.**

14 **Sec. 8. (a) In addition to the committee's specific powers and**
 15 **duties established in this chapter, the committee's primary function**
 16 **is to serve as liaison between the legislative and executive branches**
 17 **of government about all matters relating to education policy of the**
 18 **state and the implementation of that policy by the executive**
 19 **branch.**

20 **(b) In addition to the committee's specific powers and duties**
 21 **established in this chapter, the committee chair may place on the**
 22 **committee's meeting agenda any topic relating to education policy**
 23 **for discussion by the committee and for the committee to make an**
 24 **advisory recommendation about that topic.**

25 **Sec. 9. (a) The committee shall:**

26 **(1) provide an advisory recommendation about the adoption**
 27 **of any rule under IC 4-22-2 and this title; or**

28 **(2) decline to provide an advisory recommendation about**
 29 **adoption of the rule.**

30 **(b) A final rule may not be adopted under IC 4-22-2 and this**
 31 **title unless the committee's:**

32 **(1) advisory recommendation regarding the rule; or**

33 **(2) decision to decline to adopt an advisory recommendation**
 34 **regarding the rule;**

35 **is published with the text of the proposed rule at the time the**
 36 **proposed rule is published as provided in IC 4-22-2-24.**

37 **Sec. 10. The committee may provide an advisory**
 38 **recommendation to the secretary of education, the department, or**
 39 **the Indiana state board of education on any matter the committee**
 40 **considers appropriate.**

41 **SECTION 10. IC 20-20-7-18, AS ADDED BY P.L.1-2005,**
 42 **SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**



1 JULY 1, 2022]: Sec. 18. (a) The department and the department of
 2 veterans' affairs may adopt rules under IC 4-22-2 to implement this
 3 chapter.

4 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

5 SECTION 11. IC 20-20-18.5-4, AS ADDED BY P.L.185-2015,
 6 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2022]: Sec. 4. (a) The department may adopt rules under
 8 IC 4-22-2 necessary to administer this chapter.

9 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

10 SECTION 12. IC 20-20-24-6, AS ADDED BY P.L.1-2005,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 6. (a) The state board shall adopt rules under
 13 IC 4-22-2 stating the criteria upon which grants may be made under
 14 this chapter. The department may make grants to school corporations
 15 from funds made available for purposes of this chapter.

16 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

17 SECTION 13. IC 20-20-38-5, AS AMENDED BY P.L.230-2017,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2022]: Sec. 5. (a) The state board shall do the following:

- 20 (1) Prepare biennially a plan for implementing career and
 21 technical education.
 22 (2) Implement, to the best of its ability, the career and technical
 23 education plan prepared under subdivision (1).
 24 (3) Investigate the funding of career and technical education on
 25 a cost basis.
 26 (4) Establish and monitor the operation of secondary level career
 27 and technical education in Indiana in accordance with the
 28 comprehensive long range state plan developed under section 4
 29 of this chapter.
 30 (5) In consultation with the Indiana professional licensing agency,
 31 adopt rules concerning secondary level career and technical
 32 education programs, courses, and classes in the areas of
 33 cosmetology, electrology, esthetics, barbering, and manicuring.
 34 (6) To comply with this section and any federal law or regulation:
 35 (A) adopt rules under IC 4-22-2; and
 36 (B) develop policies and administrative procedures.

37 (b) The state board shall use data from the department of workforce
 38 development to carry out the state board's duties under this section.

39 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

40 SECTION 14. IC 20-20-38-15, AS ADDED BY P.L.7-2011,
 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2022]: Sec. 15. (a) The state board may adopt rules under



1 IC 4-22-2 as necessary to carry out the duties imposed by this chapter.

2 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

3 SECTION 15. IC 20-20-40-13.6, AS ADDED BY P.L.227-2017,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]: Sec. 13.6. (a) The department shall review incident
6 reports under rules established by the commission under IC 4-22-2 and
7 submit summary findings to the commission in compliance with the
8 federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g
9 and 34 CFR Part 99).

10 (b) The commission shall review summary findings submitted by
11 the department under subsection (a) and may make nonbinding
12 recommendations to the department or other entities.

13 (c) If the department receives a recommendation from the
14 commission under subsection (b), the department shall provide the
15 commission a response with regard to the commission's
16 recommendation in a manner prescribed by the department within a
17 reasonable time after the department receives the recommendation
18 from the commission.

19 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

20 SECTION 16. IC 20-20-40-16, AS AMENDED BY P.L.227-2017,
21 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2022]: Sec. 16. (a) The commission:

23 (1) shall adopt rules under IC 4-22-2; and

24 (2) may adopt emergency rules in the manner provided under
25 IC 4-22-2-37.1;

26 to carry out the purposes of this chapter.

27 (b) An emergency rule adopted under subsection (a)(2) expires on
28 the earlier of:

29 (1) November 15, 2018; or

30 (2) the effective date of a rule adopted under IC 4-22-2-22.5
31 through IC 4-22-2-36 that supersedes the emergency rule.

32 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

33 SECTION 17. IC 20-20-45-13, AS ADDED BY P.L.132-2018,
34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2022]: Sec. 13. (a) The department may adopt rules under
36 IC 4-22-2 to implement this chapter.

37 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

38 SECTION 18. IC 20-20-45-14, AS ADDED BY P.L.132-2018,
39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2022]: Sec. 14. (a) If the department does not comply with the
41 requirements of this chapter, the state board:

42 (1) shall assume the duties of the department under this chapter;



1 and

2 (2) may adopt rules under IC 4-22-2 to implement this chapter.

3 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

4 SECTION 19. IC 20-21-3-10, AS AMENDED BY P.L.99-2007,
5 SECTION 164, IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2022]: Sec. 10. (a) The board shall do the
7 following:

8 (1) Establish policies and accountability measures for the school.

9 (2) Implement this article.

10 (3) Perform the duties required by IC 5-22-4-8.

11 (4) Adopt rules under IC 4-22-2 to establish criteria for the
12 admission of children with a visual disability, including children
13 with multiple disabilities, at the school.

14 (5) Hire the executive, who serves at the pleasure of the board.

15 (6) Determine the salary and benefits of the executive.

16 (7) Adopt rules under IC 4-22-2 required by this article.

17 (b) The board shall submit the school's biennial budget to the
18 department, which shall review the proposed budget. As part of its
19 review, the department may request and shall receive from the board,
20 in a form as may reasonably be required by the department, all
21 information used by the board to develop the proposed budget. If, upon
22 review, the department determines that any part of the budget request
23 is not supported by the information provided, the department shall meet
24 with the board at the earliest date possible in order to reconcile the
25 budget request. The department shall submit the reconciled budget to
26 the budget agency and the budget committee.

27 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

28 SECTION 20. IC 20-22-3-10, AS AMENDED BY P.L.99-2007,
29 SECTION 167, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2022]: Sec. 10. (a) The board shall do the
31 following:

32 (1) Establish policies and accountability measures for the school.

33 (2) Implement this article.

34 (3) Perform the duties required by IC 5-22-4-8.

35 (4) Adopt rules under IC 4-22-2 to establish criteria for the
36 admission of children with a hearing disability, including children
37 with multiple disabilities, at the school.

38 (5) Hire the executive, who serves at the pleasure of the board.

39 (6) Determine the salary and benefits of the executive.

40 (7) Adopt rules under IC 4-22-2 required by this article.

41 (b) The board shall submit the school's biennial budget to the
42 department, which shall review the proposed budget. As part of its



1 review, the department may request and shall receive from the board,
 2 in a form as may reasonably be required by the department, all
 3 information used by the board to develop the proposed budget. If, upon
 4 review, the department determines that any part of the budget request
 5 is not supported by the information provided, the department shall meet
 6 with the board at the earliest date possible in order to reconcile the
 7 budget request. The department shall submit the reconciled budget to
 8 the budget agency and the budget committee.

9 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

10 SECTION 21. IC 20-23-4-18, AS AMENDED BY P.L.233-2015,
 11 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 18. (a) The state board shall:

13 (1) aid the county committees, as required by subsection (b), in
 14 carrying out:

15 (A) the powers conferred; and

16 (B) the duties imposed;

17 on the committees by this chapter;

18 (2) receive and examine each plan for the reorganization of a
 19 school corporation submitted to the state board by a county
 20 committee and approve each plan that meets the standards of the
 21 state board;

22 (3) adopt a set of minimum standards, in furtherance of the policy
 23 expressed in section 1 of this chapter, which all proposed
 24 community school corporations must meet, insofar as feasible;

25 (4) not later than ninety (90) days after receipt of a reorganization
 26 plan, hold a public hearing in the county to which the plan mainly
 27 applies to allow residents of the affected territory to testify;

28 (5) not later than sixty (60) days after the public hearing:

29 (A) approve or disapprove in writing all or part of the plan;
 30 and

31 (B) notify in writing the county committee concerned;

32 (6) assist any county committee whose plan does not meet
 33 minimum standards in revising the plan and permit the committee
 34 to resubmit the plan not later than ninety (90) days after receipt of
 35 notice of nonapproval; and

36 (7) adopt rules under IC 4-22-2 for:

37 (A) the conduct of its own business; and

38 (B) the guidance and direction of county committees;

39 to carry out this chapter and IC 20-23-16-1 through
 40 IC 20-23-16-5.

41 (b) The minimum standards for community school corporations
 42 proposed under this chapter or IC 20-23-16-1 through IC 20-23-16-5



1 must provide for the inclusion of all the area of a county in:

2 (1) a school corporation; or

3 (2) school corporations;

4 to furnish efficient and adequate educational opportunity for all
5 students in grades 1 through 12.

6 (c) Before the adoption of a preliminary written plan, the county
7 committee and the state board may meet to consider problems
8 encountered by the county committee in formulating a plan. Following
9 the meeting, the state board may waive in writing any specified
10 minimum standard for a designated geographic area on the ground that
11 meeting the standard is not feasible.

12 (d) The state board is not required to hold a public hearing on a plan
13 that does not meet the minimum standards required by the state board
14 unless the state board waives the attainment of a minimum standard.

15 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**

16 SECTION 22. IC 20-24-7-13, AS AMENDED BY P.L.165-2021,
17 SECTION 150, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2022]: Sec. 13. (a) After June 30, 2019, a
19 virtual charter school may only apply for authorization with any
20 statewide authorizer in accordance with the authorizer's guidelines.
21 After June 30, 2019, a virtual charter school that has a charter on June
22 30, 2019, may renew a charter only with a statewide authorizer. An
23 authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not
24 considered a statewide authorizer.

25 (b) For each state fiscal year, a virtual charter school is entitled to
26 receive funding in a month from the state in an amount equal to:

27 (1) the quotient of:

28 (A) the school's basic tuition support determined under
29 IC 20-43-6-3; divided by

30 (B) twelve (12); plus

31 (2) the total of any:

32 (A) special education grants under IC 20-43-7;

33 (B) career and technical education grants under IC 20-43-8;
34 and

35 (C) honor grants under IC 20-43-10;

36 to which the virtual charter school is entitled for the month.

37 For each state fiscal year, a virtual charter school's special education
38 grants under IC 20-43-7 shall be calculated in the same manner as
39 special education grants are calculated for other school corporations.

40 (c) The state board shall adopt rules under IC 4-22-2 to govern the
41 operation of virtual charter schools.

42 (d) Each authorizer of a virtual charter school shall establish



1 requirements or guidelines for virtual charter schools authorized by the
2 authorizer that include the following:

3 (1) Minimum requirements for the mandatory annual onboarding
4 process and orientation required under IC 20-24-5-4.5, which
5 shall include a requirement that a virtual charter school must
6 provide to a parent of a student:

7 (A) the student engagement and attendance requirements or
8 policies of the virtual charter school; and

9 (B) notice that a person who knowingly or intentionally
10 deprives a dependent of education commits a violation under
11 IC 35-46-1-4.

12 (2) Requirements relating to tracking and monitoring student
13 participation and attendance.

14 (3) Ongoing student engagement and counseling policy
15 requirements.

16 (4) Employee policy requirements, including professional
17 development requirements.

18 (e) The department, with the approval of the state board, shall
19 before December 1 of each year submit an annual report to the budget
20 committee concerning the program under this section.

21 (f) Each school year, at least sixty percent (60%) of the students
22 who are enrolled in virtual charter schools under this section for the
23 first time must have been included in the state's fall count of ADM
24 conducted in the previous school year.

25 (g) Each virtual charter school shall report annually to the
26 department concerning the following, on a schedule determined by the
27 department:

28 (1) Classroom size.

29 (2) The ratio of teachers per classroom.

30 (3) The number of student-teacher meetings conducted in person
31 or by video conference.

32 (4) Any other information determined by the department.

33 The department shall provide this information annually to the state
34 board and the legislative council in an electronic format under
35 IC 5-14-6.

36 (h) A virtual charter school shall adopt a student engagement policy.
37 A student who regularly fails to participate in courses may be
38 withdrawn from enrollment under policies adopted by the virtual
39 charter school. The policies adopted by the virtual charter school must
40 ensure that:

41 (1) adequate notice of the withdrawal is provided to the parent
42 and the student; and



- 1 (2) an opportunity is provided, before the withdrawal of the
 2 student by the virtual charter school, for the student or the parent
 3 to demonstrate that failure to participate in the course is due to an
 4 event that would be considered an excused absence under
 5 IC 20-33-2.
- 6 (i) A student who is withdrawn from enrollment for failure to
 7 participate in courses pursuant to the school's student engagement
 8 policy may not reenroll in that same virtual charter school for the
 9 school year in which the student is withdrawn.
- 10 (j) An authorizer shall review and monitor whether a virtual charter
 11 school that is authorized by the authorizer complies with the
 12 requirements described in subsections (h) and (i).
- 13 **(k) IC 20-19-11-9 applies to a rule adopted under this section.**
 14 SECTION 23. IC 20-24.2-5-1, AS ADDED BY P.L.201-2013,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2022]: Sec. 1. **(a)** The state board shall adopt rules under
 17 IC 4-22-2 to implement this article.
- 18 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
 19 SECTION 24. IC 20-25.7-7-2, AS AMENDED BY P.L.86-2018,
 20 SECTION 175, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) An innovation network school
 22 may be awarded only one (1) grant under this chapter.
- 23 (b) The state board shall determine the amount of a grant based on
 24 the plan submitted by a board.
- 25 (c) The state board shall develop criteria for awarding a grant under
 26 this section, including documentation requirements that must be
 27 included with the plan.
- 28 (d) A board shall apply for a grant under this section in a manner
 29 prescribed by the state board. Grant awards are limited to an innovation
 30 network school that has not received, or is not planning to receive,
 31 grant funding as a result of, or related to, its innovation network status,
 32 from other public or private sources.
- 33 (e) An innovation network school receiving funding under this
 34 chapter shall use the funds for educational purposes.
- 35 (f) The state board may adopt rules under IC 4-22-2 or guidelines
 36 necessary to administer this section.
- 37 **(g) IC 20-19-11-9 applies to a rule adopted under this section.**
 38 SECTION 25. IC 20-26-3-3, AS ADDED BY P.L.1-2005,
 39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 3. (a) The rule of law that a school corporation has
 41 only:
 42 (1) powers expressly granted by statute;



1 (2) powers necessarily or fairly implied in or incident to powers
 2 expressly granted through rules adopted by the state board under
 3 IC 4-22-2 or otherwise; and
 4 (3) powers indispensable to the declared purposes of the school
 5 corporation;
 6 is abrogated.

7 (b) A school corporation has:
 8 (1) all powers granted to the school corporation by statute or
 9 through rules adopted by the state board; and
 10 (2) all other powers necessary or desirable in the conduct of the
 11 school corporation's affairs, even if the power is not granted by
 12 statute or rule.

13 (c) The powers that school corporations have under subsection
 14 (b)(1) are listed in various statutes. However, these statutes do not list
 15 the powers that school corporations have under subsection (b)(2). The
 16 omission of a power from a list does not imply that school corporations
 17 lack that power.

18 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**
 19 SECTION 26. IC 20-26-9-17, AS ADDED BY P.L.1-2005,
 20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2022]: Sec. 17. (a) The department shall establish guidelines
 22 to implement this chapter.

23 (b) The state board may adopt rules under IC 4-22-2 to implement
 24 this chapter.

25 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**
 26 SECTION 27. IC 20-26-11-11.5, AS AMENDED BY P.L.108-2019,
 27 SECTION 213, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2022]: Sec. 11.5. (a) The following definitions
 29 apply to this section:

- 30 (1) "ADM" means average daily membership (as defined in
 31 IC 20-18-2-2).
 32 (2) "Facility" means a secure private facility described in
 33 IC 31-9-2-115(a)(1).
 34 (3) "School corporation" means the Indiana school or charter
 35 school that is receiving state tuition support for the student at the
 36 time of the student's admission to the facility.
 37 (4) "Student" means an individual who:
 38 (A) is more than five (5) years of age and less than
 39 twenty-three (23) years of age;
 40 (B) has been admitted to a facility; and
 41 (C) was enrolled in a school corporation during the school year
 42 immediately preceding the student's admission to the facility.



- 1 (b) This section applies to a student if:
2 (1) the student is placed in a facility under the written order of a
3 physician licensed under IC 25-22.5;
4 (2) the written order of the physician licensed under IC 25-22.5
5 is based on medical necessity, as determined by a physician
6 licensed under IC 25-22.5; and
7 (3) the student receives educational services provided by the
8 facility.
- 9 (c) A facility shall provide written notice to the school corporation
10 not later than five (5) business days (excluding weekends and holidays)
11 after a student described in subsection (b) is admitted to the facility.
12 The written notice must include the following:
13 (1) The student's name, address, and date of birth.
14 (2) The date on which the student was admitted to the facility.
15 (3) A copy of the physician's written order.
16 (4) A statement that the student has opted out of attending school
17 under IC 20-26-11-8.
18 (5) A statement that the facility will provide all educational
19 services to the student during the student's admission in the
20 facility.
- 21 (d) The school corporation shall pay the facility a daily per diem as
22 determined under subsection (e) for the educational services provided
23 by the facility to the student during the student's admission in the
24 facility. The school corporation may not be required to pay for any
25 educational services provided to the student by the facility exceeding
26 one hundred eighty (180) instructional days or an amount exceeding
27 the student's proportionate share of state distributions paid to the school
28 corporation, as determined under subsection (e).
- 29 (e) A school corporation shall pay to the facility an amount, prorated
30 according to the number of instructional days for which the student
31 receives the educational services, equal to:
32 (1) the student's proportionate share (as compared to the school
33 corporation's total ADM) of basic tuition support (as determined
34 under IC 20-43-6-3) distributions that are made to the school
35 corporation for the school year; and
36 (2) any special education grants received by the school
37 corporation for the student under IC 20-43-7.
- 38 Upon request of a facility, the department shall verify the amounts
39 described in this subsection for a student admitted to the facility.
- 40 (f) A school corporation responsible for making a per diem payment
41 under this section shall pay the facility not later than sixty (60) days
42 after receiving an invoice from the facility. The school corporation and



1 the facility are entitled to the same remedies for disagreements over
 2 amounts or nonpayment of an amount due as are provided under the
 3 laws governing transfer tuition.

4 (g) For each student admitted to a facility, the facility shall provide
 5 the following in accordance with rules adopted by the state board:

6 (1) An educational opportunity, including special education and
 7 related services, that is comparable to that of a student attending
 8 a school in the school corporation.

9 (2) A level of educational services from the facility that is
 10 comparable to that of a student attending a school in the school
 11 corporation.

12 (3) Unless otherwise provided in a student's individualized
 13 education program (as defined in IC 20-18-2-9), educational
 14 services that include at least the following:

15 (A) An instructional day that meets the requirements of
 16 IC 20-30-2-2.

17 (B) A school year with at least one hundred eighty (180)
 18 student instructional days as provided under IC 20-30-2-3.

19 (C) Educationally appropriate textbooks and other materials.

20 (D) Educational services provided by licensed teachers.

21 (h) The state board shall adopt a rule that addresses the
 22 responsibilities of the school corporation and the facility with regard to
 23 a student with an individualized education program.

24 (i) This section does not limit a student's right to attend a school as
 25 provided in IC 20-26-11-8.

26 (j) The state board shall adopt rules under IC 4-22-2 as necessary to
 27 implement this section.

28 (k) The state board may adopt emergency rules in the manner
 29 provided in IC 4-22-2-37.1 to implement this section.

30 **(l) IC 20-19-11-9 applies to a rule adopted under this section.**

31 SECTION 28. IC 20-26-19-8, AS ADDED BY P.L.38-2020,
 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2022]: Sec. 8. (a) The state board:

34 (1) shall adopt rules under IC 4-22-2 regarding the documentation
 35 required under section 5(2)(B) of this chapter; and

36 (2) may adopt rules under IC 4-22-2 to otherwise implement this
 37 chapter.

38 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

39 SECTION 29. IC 20-27-3-4, AS AMENDED BY P.L.127-2016,
 40 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2022]: Sec. 4. (a) The committee has the following powers:

42 (1) The committee may adopt rules under IC 4-22-2 establishing



- 1 standards for the construction of school buses and special purpose
 2 buses, including minimum standards for the construction of
 3 school buses and special purpose buses necessary to be issued a:
 4 (A) valid certificate of inspection decal; and
 5 (B) temporary certificate of inspection decal described in
 6 IC 20-27-7-10.
- 7 (2) The committee may adopt rules under IC 4-22-2 establishing
 8 standards for the equipment of school buses and special purpose
 9 buses, including minimum standards for the equipment of school
 10 buses and special purpose buses necessary to be issued a:
 11 (A) valid certificate of inspection decal; and
 12 (B) temporary certificate of inspection decal described in
 13 IC 20-27-7-10.
- 14 (3) The committee may adopt rules under IC 4-22-2 specifying
 15 the minimum standards that must be met to avoid the issuance of
 16 an out-of-service certificate of inspection decal.
- 17 (4) The committee may provide for the inspection of all school
 18 buses and special purpose buses, new or old, that are offered for
 19 sale, lease, or contract.
- 20 (5) The committee may provide for the annual inspection of all
 21 school buses and special purpose buses and the issuance of
 22 certificate of inspection decals.
- 23 (6) The committee may maintain an approved list of school buses
 24 and special purpose buses that have passed inspection tests under
 25 subdivision (4) or (5).
- 26 (7) The committee may, subject to approval by the state board of
 27 accounts, prescribe standard forms for school bus driver contracts.
- 28 (8) The committee may hear appeals brought under IC 20-27-7-15
 29 and IC 20-27-8-15.
- 30 (b) The committee shall adopt rules under IC 4-22-2 to set
 31 performance standards and measurements for determining the physical
 32 ability necessary for an individual to be a school bus driver.
- 33 (c) The certificate of inspection decals shall be issued to correspond
 34 with each school year. Each certificate of inspection decal expires on
 35 September 30 following the school year in which the certificate of
 36 inspection decal is effective. However, for buses that are described in
 37 IC 20-27-7-7, the certificate of inspection decal expires on a date that
 38 is not later than seven (7) months after the date of the first inspection
 39 for the particular school year.
- 40 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**
 41 SECTION 30. IC 20-27-3-5, AS AMENDED BY P.L.213-2015,
 42 SECTION 168, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2022]: Sec. 5. (a) The committee shall adopt
 2 and enforce rules under IC 4-22-2 to require that each new school bus
 3 operated by or on behalf of a school corporation bear the name of the
 4 school district on the back of the school bus in black letters.

5 (b) The committee shall adopt and enforce rules under IC 4-22-2 to
 6 require that each school bus placed into service for the first time by a
 7 school corporation or nonpublic school bear an indication on the back
 8 of the school bus that the school bus is required to stop at all railroad
 9 crossings.

10 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

11 SECTION 31. IC 20-27-3-6, AS ADDED BY P.L.1-2005,
 12 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2022]: Sec. 6. (a) The committee shall adopt and enforce rules
 14 under IC 4-22-2 that allow the display of the United States flag on a
 15 school bus operated by or on behalf of a school corporation. The rules
 16 must provide that a flag displayed on a school bus may not be placed
 17 in a manner that:

- 18 (1) obstructs the school bus driver's vision through the windshield
 19 or any other window;
 20 (2) impedes the school bus driver's operation of any equipment;
 21 or
 22 (3) distracts the attention of other motorists from the school bus's
 23 warning lamps or stop signal arm when the school bus is loading
 24 or unloading students.

25 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

26 SECTION 32. IC 20-27-3-6.5, AS ADDED BY P.L.192-2013,
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2022]: Sec. 6.5. (a) The committee shall adopt and enforce
 29 rules under IC 4-22-2 to require that a school bus driver operating a
 30 school bus do the following at least one (1) time each semester:

- 31 (1) If the school bus is equipped with safety belts meeting the
 32 standards set forth in IC 9-19-10-2, provide instruction to the
 33 passengers on the school bus on the proper fastening of the safety
 34 belt about the passenger's body.
 35 (2) Conduct a school bus passenger evacuation drill.

36 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

37 SECTION 33. IC 20-28-2-6, AS AMENDED BY P.L.20-2017,
 38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2022]: Sec. 6. (a) Subject to subsection (c) and in addition to
 40 the powers and duties set forth in this article, the state board may adopt
 41 rules under IC 4-22-2 to do the following:

- 42 (1) Set standards for teacher licensing and for the administration



- 1 of a professional licensing and certification process by the
 2 department.
- 3 (2) Approve or disapprove teacher preparation programs.
- 4 (3) Set fees to be charged in connection with teacher licensing.
- 5 (4) Suspend, revoke, or reinstate teacher licenses.
- 6 (5) Enter into agreements with other states to acquire reciprocal
 7 approval of teacher preparation programs.
- 8 (6) Set standards for teacher licensing concerning new subjects of
 9 study.
- 10 (7) Evaluate work experience and military service concerning
 11 postsecondary education and experience equivalency.
- 12 (8) Perform any other action that:
- 13 (A) relates to the improvement of instruction in the public
 14 schools through teacher education and professional
 15 development through continuing education; and
- 16 (B) attracts qualified candidates for teacher education from
 17 among the high school graduates of Indiana.
- 18 (9) Set standards for endorsement of school psychologists as
 19 independent practice school psychologists under IC 20-28-12.
- 20 (10) Before July 1, 2011, set standards for sign language
 21 interpreters who provide services to children with disabilities in
 22 an educational setting and an enforcement mechanism for the
 23 interpreter standards.
- 24 (b) Notwithstanding subsection (a)(1), an individual is entitled to
 25 one (1) year of occupational experience for purposes of obtaining an
 26 occupational specialist certificate under this article for each year the
 27 individual holds a license under IC 25-8-6.
- 28 (c) The state board shall adopt rules under IC 4-22-2, including
 29 emergency rules under IC 4-22-2-37.1, to establish procedures to
 30 expedite the issuance, renewal, or reinstatement under this article of a
 31 license or certificate of a person whose spouse serves on active duty (as
 32 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.
- 33 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**
- 34 SECTION 34. IC 20-28-4-10, AS AMENDED BY P.L.92-2020,
 35 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2022]: Sec. 10. (a) The state board may adopt rules under
 37 IC 4-22-2 to administer this chapter.
- 38 (b) Rules adopted under this section must include a requirement that
 39 entities approved to offer the program submit an annual report to the
 40 department of the number of individuals who:
- 41 (1) enroll in; and
- 42 (2) complete;



- 1 the program.
- 2 (c) Rules adopted under this section may not require that there be a
- 3 shortage of other licensed teachers in order for the governing body of
- 4 a school corporation, including a charter school, or the appointing
- 5 authority of a state accredited nonpublic school to employ a program
- 6 participant.
- 7 (d) Rules adopted under this section may not impose program
- 8 requirements, participant qualification requirements, or licensing
- 9 requirements that are in addition to the requirements set forth in this
- 10 chapter.
- 11 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**
- 12 SECTION 35. IC 20-28-5-12, AS AMENDED BY P.L.96-2021,
- 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2022]: Sec. 12. (a) Subsection (b) does not apply to an
- 15 individual who:
- 16 (1) held an Indiana limited, reciprocal, or standard teaching
- 17 license on June 30, 1985; or
- 18 (2) is granted a license under section 12.5 or 18 of this chapter.
- 19 (b) Except as provided in section 12.5 of this chapter, the
- 20 department may not grant an initial practitioner license to an individual
- 21 unless the individual has demonstrated proficiency in the following
- 22 areas on a written examination or through other procedures prescribed
- 23 by the department:
- 24 (1) Pedagogy.
- 25 (2) Knowledge of the areas in which the individual is required to
- 26 have a license to teach.
- 27 (3) If the individual is seeking to be licensed as an elementary
- 28 school teacher, comprehensive scientifically based reading
- 29 instruction skills, including:
- 30 (A) phonemic awareness;
- 31 (B) phonics instruction;
- 32 (C) fluency;
- 33 (D) vocabulary; and
- 34 (E) comprehension.
- 35 (c) An individual's license examination score may not be disclosed
- 36 by the department without the individual's consent unless specifically
- 37 required by state or federal statute or court order.
- 38 (d) Subject to section 22 of this chapter, the state board shall adopt
- 39 rules under IC 4-22-2 to do the following:
- 40 (1) Adopt, validate, and implement the examination or other
- 41 procedures required by subsection (b).
- 42 (2) Establish examination scores indicating proficiency.



- 1 (3) Otherwise carry out the purposes of this section.
- 2 (e) Subject to section 18 of this chapter, the state board shall adopt
- 3 rules under IC 4-22-2 establishing the conditions under which the
- 4 requirements of this section may be waived for an individual holding
- 5 a valid teacher's license issued by another state.
- 6 **(f) IC 20-19-11-9 applies to a rule adopted under this section.**
- 7 SECTION 36. IC 20-28-5-19.5, AS ADDED BY P.L.148-2018,
- 8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2022]: Sec. 19.5. (a) Not later than July 1, 2019, the state
- 10 board shall adopt rules under IC 4-22-2 to establish elementary school
- 11 teacher content area licenses that must, at a minimum, include the
- 12 following:
- 13 (1) An elementary mathematics specialist license.
- 14 (2) One (1) or more of the following:
- 15 (A) An elementary mathematics teacher license.
- 16 (B) An elementary mathematics and science teacher license.
- 17 (b) To be eligible to receive an elementary mathematics specialist
- 18 license under subsection (a)(1), an individual must meet the following:
- 19 (1) Hold one (1) or more of the following:
- 20 (A) A valid early childhood education license.
- 21 (B) An elementary generalist license.
- 22 (C) A middle school mathematics license.
- 23 (D) A secondary mathematics license.
- 24 (2) Have three (3) years of successful teaching experience that
- 25 includes the teaching of mathematics.
- 26 (3) Have completed graduate course work in the following areas:
- 27 (A) Specialized content knowledge for teaching mathematics
- 28 focused on the following:
- 29 (i) Number concepts and operations.
- 30 (ii) Proportional reasoning.
- 31 (iii) Algebra and functions.
- 32 (iv) Geometry and measurement.
- 33 (v) Data analysis and probability.
- 34 (B) Mathematics pedagogical content knowledge focused on
- 35 the following:
- 36 (i) Teaching.
- 37 (ii) Learners and learning.
- 38 (iii) Curriculum and assessment.
- 39 (C) Leadership knowledge and skills.
- 40 (4) Have completed a supervised practicum that includes working
- 41 with a range of elementary student learners and elementary school
- 42 teachers, both novice and experienced, in a variety of professional



- 1 development settings.
- 2 (c) If the state board establishes an elementary mathematics teacher
3 license under subsection (a)(2)(A), an individual must complete the
4 following to be eligible to receive the license:
- 5 (1) Course work in the area of specialized content knowledge for
6 teaching mathematics, focused on the following:
- 7 (A) Number concepts and operations.
8 (B) Proportional reasoning.
9 (C) Algebra and functions.
10 (D) Geometry and measurement.
11 (E) Data analysis and probability.
- 12 (2) Course work in the area of pedagogical content knowledge in
13 at least one (1) science, technology, engineering, or mathematics
14 field, focused on the following:
- 15 (A) Teaching.
16 (B) Learners and learning.
17 (C) Curriculum and assessment.
- 18 (3) A supervised practicum that includes working with a range of
19 elementary student learners and elementary school teachers, both
20 novice and experienced, in a variety of professional development
21 settings.
- 22 (d) If the state board establishes an elementary mathematics and
23 science teacher license under subsection (a)(2)(B), an individual must
24 complete the following to be eligible to receive the license:
- 25 (1) Course work in the area of specialized content knowledge for
26 teaching mathematics, focused on the following:
- 27 (A) Number concepts and operations.
28 (B) Proportional reasoning.
29 (C) Algebra and functions.
30 (D) Geometry and measurement.
31 (E) Data analysis and probability.
- 32 (2) Course work in the area of specialized content knowledge for
33 teaching at least one (1) of the following:
- 34 (A) Biology.
35 (B) Chemistry.
36 (C) Earth and atmospheric sciences.
37 (D) Physics.
- 38 (3) Course work in the area of pedagogical content knowledge in
39 at least one (1) science, technology, engineering, or mathematics
40 field, focused on the following:
- 41 (A) Teaching.
42 (B) Learners and learning.



- 1 (C) Curriculum and assessment.
- 2 (4) A supervised practicum that includes working with a range of
- 3 elementary student learners and elementary school teachers, both
- 4 novice and experienced, in a variety of professional development
- 5 settings.
- 6 (e) The department shall develop an incentive program to:
- 7 (1) assist teachers who pursue a content area license under this
- 8 section; and
- 9 (2) reward teachers who earn a content area license under this
- 10 section.

11 The department shall make recommendations to the general assembly

12 in an electronic format under IC 5-14-6 regarding ways to accomplish

13 the goals described in this subsection.

14 **(f) IC 20-19-11-9 applies to a rule adopted under this section.**

15 SECTION 37. IC 20-28-5-22, AS AMENDED BY P.L.156-2020,

16 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

17 JULY 1, 2022]: Sec. 22. (a) This section applies to teacher licensing

18 examinations administered to determine whether an individual

19 demonstrates, in accordance with section 12(b) of this chapter,

20 proficiency in:

- 21 (1) pedagogy; and
- 22 (2) knowledge of the areas in which the individual is required to
- 23 have a license to teach.

24 (b) Not later than July 1, 2020, the state board shall adopt teacher

25 licensing examinations to replace the teacher licensing examinations

26 administered on July 1, 2019.

27 (c) The state board shall adopt teacher licensing examinations that

28 are already in existence and administered nationally.

29 (d) The department shall, not later than September 1, 2021,

30 implement the teacher licensing examinations adopted under this

31 section.

32 (e) The state board may adopt rules under IC 4-22-2 to carry out this

33 section.

34 **(f) IC 20-19-11-9 applies to a rule adopted under this section.**

35 SECTION 38. IC 20-28-5.5-3, AS ADDED BY P.L.92-2020,

36 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

37 JULY 1, 2022]: Sec. 3. (a) The state board shall adopt rules under

38 IC 4-22-2 necessary to implement this chapter.

39 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

40 SECTION 39. IC 20-28-11.5-8, AS AMENDED BY P.L.150-2020,

41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

42 JULY 1, 2022]: Sec. 8. (a) To implement this chapter, the state board



- 1 shall do the following:
- 2 (1) Adopt rules under IC 4-22-2 that establish:
- 3 (A) the criteria that define each of the four categories of
- 4 teacher ratings under section ~~(4)(c)(3)~~ **4(c)(3)** of this chapter;
- 5 (B) standards that define actions that constitute a negative
- 6 impact on student achievement; and
- 7 (C) an acceptable standard for training evaluators.
- 8 (2) Work with the department to develop a model plan and release
- 9 it to school corporations. Subsequent versions of the model plan
- 10 that contain substantive changes must be provided to school
- 11 corporations.
- 12 (3) Work with the department to ensure the availability of
- 13 ongoing training on the use of the performance evaluation to
- 14 ensure that all evaluators and certificated employees have access
- 15 to information on the plan, the plan's implementation, and this
- 16 chapter.
- 17 (b) A school corporation may adopt the department's model plan, or
- 18 any other model plan approved by the department, without the state
- 19 board's approval.
- 20 (c) A school corporation may substantially modify the model plan
- 21 or develop the school corporation's own plan, if the substantially
- 22 modified or developed plan meets the criteria established under this
- 23 chapter. If a school corporation substantially modifies the model plan
- 24 or develops its own plan, the department may request that the school
- 25 corporation submit the plan to the department to ensure the plan meets
- 26 the criteria developed under this chapter. If the department makes such
- 27 a request, before submitting a substantially modified or new staff
- 28 performance evaluation plan to the department, the governing body
- 29 shall submit the staff performance evaluation plan to the teachers
- 30 employed by the school corporation for a vote. If at least seventy-five
- 31 percent (75%) of the voting teachers vote in favor of adopting the staff
- 32 performance evaluation plan, the governing body may submit the staff
- 33 performance evaluation plan to the department.
- 34 (d) Each school corporation shall submit its staff performance
- 35 evaluation plan to the department. The department shall publish the
- 36 staff performance evaluation plans on the department's Internet web
- 37 site. A school corporation must submit its staff performance evaluation
- 38 plan to the department for approval in order to qualify for any grant
- 39 funding related to this chapter.
- 40 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**
- 41 SECTION 40. IC 20-29-3-11, AS AMENDED BY P.L.169-2016,
- 42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2022]: Sec. 11. (a) The board has the following powers:
 2 (1) To adopt an official seal and prescribe the purposes for which
 3 the seal may be used.
 4 (2) To hold hearings and make inquiries as the board considers
 5 necessary to carry out properly the board's functions and powers.
 6 (3) To meet and exercise the board's powers at any other place in
 7 Indiana.
 8 (4) To conduct in any part of Indiana a proceeding, a hearing, an
 9 investigation, an inquiry, or an election necessary to the
 10 performance of the board's functions.
 11 (5) To subpoena witnesses and issue subpoenas requiring the
 12 production of books, papers, records, and documents that may be
 13 needed as evidence in any matter under inquiry, and to administer
 14 oaths and affirmations. In cases of neglect or refusal to obey a
 15 subpoena issued to a person, the circuit or superior court of the
 16 county in which the investigations or the public hearings are
 17 taking place, upon application by the board, shall issue an order
 18 requiring the person to:
 19 (A) appear before the board; and
 20 (B) produce evidence about the matter under investigation.
 21 A failure to obey the order may be punished by the court as a
 22 contempt. A subpoena, notice of hearing, or other process of the
 23 board issued under this chapter shall be served in the manner
 24 prescribed by the Indiana Rules of Trial Procedure.
 25 (6) To adopt, amend, or rescind rules the board considers
 26 necessary and administratively feasible to carry out this chapter
 27 under IC 4-22-2.
 28 (7) To request from any public agency the assistance, services,
 29 and data that will enable the board properly to carry out the
 30 board's functions and powers.
 31 (8) To review a collective bargaining agreement under
 32 IC 20-29-6-6.1.
 33 (9) To direct the activities of the executive director of the board.
 34 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
 35 SECTION 41. IC 20-29-6-6.1, AS AMENDED BY P.L.228-2017,
 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2022]: Sec. 6.1. (a) After ratification of a contract under
 38 section 6 of this chapter, a school employer shall submit the ratified
 39 collective bargaining agreement, including the compensation model
 40 developed under IC 20-28-9-1.5, to the board.
 41 (b) The board shall appoint a staff member or an ad hoc panel
 42 member to review each submitted collective bargaining agreement and



1 to make a written recommendation concerning the collective
 2 bargaining agreement's compliance with this chapter, including a
 3 penalty for any noncompliance. The review must be completed before
 4 May 31 of the year in which the current collective bargaining
 5 agreement expires.

6 (c) Not later than fifteen (15) days after a recommendation has been
 7 made under subsection (b), one (1) or both parties to a collective
 8 bargaining agreement may appeal to the board, in writing, the decision
 9 made in the recommendation. If the board does not receive an appeal
 10 not later than fifteen (15) days after issuing a recommendation, the
 11 recommendation becomes the final order of the board.

12 (d) If the board receives a timely appeal, the board may make a
 13 decision on the recommendation with or without oral argument. The
 14 board may request that the parties submit briefs. The board must issue
 15 a ruling on the appeal not later than thirty (30) days after the last of the
 16 following occurs:

- 17 (1) The appeal is received.
- 18 (2) Briefs are received.
- 19 (3) Oral arguments are held.

20 (e) IC 4-21.5 does not apply to a review under subsection (b) or (d).

21 (f) If, following the review of a collective bargaining agreement, the
 22 board finds the collective bargaining agreement does not comply with
 23 this chapter, the board shall issue an order that may include one (1) or
 24 more of the following items:

- 25 (1) Ordering the parties to cease and desist from all identified
 26 areas of noncompliance.
- 27 (2) Preventing the parties from ratifying any subsequent collective
 28 bargaining agreements until the parties receive written approval
 29 from the board or the board's agent.
- 30 (3) Requiring other action as deemed appropriate by the board as
 31 authorized by state law.

32 (g) The board may send the board's compliance findings to other
 33 state agencies as necessary.

34 (h) After a school employer has submitted a collective bargaining
 35 agreement under subsection (a), the school employer and an exclusive
 36 representative may not enter into a new collective bargaining
 37 agreement containing the noncompliant provision until the school
 38 employer has received either:

- 39 (1) the board's order regarding the compliance of the submitted
 40 collective bargaining agreement with this chapter; or
- 41 (2) other written approval from the board or an agent of the board.

42 (i) If any provision of the collective bargaining agreement is found



1 not to be compliant with this chapter, the provision that is found to be
 2 noncompliant with this chapter shall not affect other provisions of the
 3 collective bargaining agreement that can be given effect without the
 4 noncompliant provision, and to this end the provisions of collective
 5 bargaining agreement are severable.

6 (j) The board:

7 (1) shall adopt rules under IC 4-22; and

8 (2) may adopt emergency rules in the manner provided under
 9 IC 4-22-2-37.1;

10 as necessary to implement this section.

11 (k) An emergency rule adopted by the board under subsection (j)
 12 expires on the earliest of the following dates:

13 (1) The expiration date stated in the emergency rule.

14 (2) The date the emergency rule is amended or repealed by a later
 15 rule adopted under IC 4-22-2-22.5 through IC 4-22-2-36 or
 16 IC 4-22-2-37.1.

17 (3) One (1) year after the date the emergency rule is adopted.

18 (l) This subsection applies only to a school corporation that has a
 19 compensation plan developed under IC 20-28-9-1.5 but does not have
 20 a ratified collective bargaining agreement. A school corporation shall,
 21 not later than October 1 of the year in which the compensation plan
 22 becomes effective, submit the school corporation's compensation plan
 23 to the board.

24 (m) If a school corporation fails to timely file a compensation plan
 25 as required under subsection (l), the school corporation's compensation
 26 plan is considered not in compliance with IC 20-28-9-1.5 and this
 27 section unless a compliance officer of the board finds good cause
 28 shown for the delay.

29 **(n) IC 20-19-11-9 applies to a rule adopted under this section.**

30 SECTION 42. IC 20-30-2-2.5, AS ADDED BY P.L.216-2021,
 31 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2022]: Sec. 2.5. (a) This section applies to the following:

33 (1) A public school maintained by a school corporation.

34 (2) A charter school that is not a virtual charter school (as defined
 35 in IC 20-24-1-10).

36 (b) If a student is enrolled to attend in-person instruction at a school
 37 and the student participates in any virtual instruction or remote learning
 38 that is provided by the school, the school shall ensure that the virtual
 39 instruction or remote learning provided by the school meets the
 40 following requirements:

41 (1) The virtual instruction or remote learning is of the same
 42 quality and rigor as the instruction that the student would have



1 received if the student was attending in-person instruction at the
2 school.

3 (2) The curriculum and any other educational resources used in
4 the virtual instruction or remote learning are aligned to Indiana's
5 academic standards.

6 (c) The department may adopt rules under IC 4-22-2 to implement
7 this section.

8 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

9 SECTION 43. IC 20-30-5-15, AS ADDED BY P.L.1-2005,
10 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2022]: Sec. 15. (a) Each school corporation shall include in
12 the school corporation's high school health education curriculum
13 instruction regarding breast cancer and testicular cancer as adopted by
14 the state board, including the significance of early detection of these
15 diseases through:

- 16 (1) monthly self-examinations; and
17 (2) regularly scheduled mammographies in the case of breast
18 cancer.

19 (b) The department shall, in consultation with the state department
20 of health, develop breast cancer and testicular cancer educational
21 materials to be made available to school corporations to assist teachers
22 assigned to teach the material described in this section.

23 (c) The:

- 24 (1) department shall develop guidelines; and
25 (2) state board shall adopt rules under IC 4-22-2;
26 concerning the instruction required under this section to assist teachers
27 assigned to teach the material described in this section.

28 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

29 SECTION 44. IC 20-30-5-16, AS ADDED BY P.L.1-2005,
30 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2022]: Sec. 16. (a) Each school corporation shall include in
32 the school corporation's high school health education curriculum
33 instruction regarding the human organ donor program and blood donor
34 program as adopted by the state board, including:

- 35 (1) the purpose of the human organ donor program and blood
36 donor program;
37 (2) the statewide and nationwide need for human organ and blood
38 donations; and
39 (3) the procedure for participation in the human organ donor
40 program and blood donor program.

41 (b) The department shall, in consultation with the state department
42 of health or any other appropriate organization, develop human organ



1 donor program and blood donor program educational materials to be
 2 made available to school corporations to assist teachers assigned to
 3 teach the material described in this section.

4 (c) The:

5 (1) department shall develop guidelines; and

6 (2) state board shall adopt rules under IC 4-22-2;

7 concerning the instruction required under this section to assist teachers
 8 assigned to teach the material described in this section.

9 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

10 SECTION 45. IC 20-30-7-1, AS AMENDED BY P.L.167-2018,
 11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 1. **(a)** The state board may prescribe a program of
 13 summer school education for public schools. The state board shall
 14 adopt rules under IC 4-22-2 to provide for:

15 (1) summer school programs; and

16 (2) the state distribution formula for any money appropriated by
 17 the general assembly for summer school education to allow for
 18 the reimbursement for:

19 (A) instructional costs; and

20 (B) costs of tuition for an applicable online summer school
 21 course.

22 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

23 SECTION 46. IC 20-30-8-6, AS ADDED BY P.L.1-2005,
 24 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 6. **(a)** To qualify as an alternative education
 26 program, the program must:

27 (1) be an educational program for eligible students that instructs
 28 the eligible students in a different manner than the manner of
 29 instruction available in a traditional school setting; and

30 (2) comply with the rules that are adopted under IC 4-22-2 by the
 31 state board to govern:

32 (A) alternative education programs; and

33 (B) admission of eligible students to alternative education
 34 programs.

35 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

36 SECTION 47. IC 20-30-8-14, AS ADDED BY P.L.1-2005,
 37 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2022]: Sec. 14. **(a)** The state board shall adopt rules under
 39 IC 4-22-2 to implement this chapter.

40 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

41 SECTION 48. IC 20-30-10-2.5, AS ADDED BY P.L.192-2018,
 42 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 2.5. (a) In adopting Core 40 curriculum models
 2 under this chapter, the state board shall consider math course
 3 requirements other than Algebra II. Any math course requirements
 4 adopted for the Core 40 curriculum models must be at a level of
 5 difficulty that aligns with postsecondary preparation.

6 (b) If a school offers a math course developed under subsection (a),
 7 a parent of a student and the student who intends to enroll in the course
 8 must provide consent to the school to enroll in the course. The consent
 9 form used by the school, which shall be developed by the state board
 10 in collaboration with the commission for higher education, must notify
 11 the parent and the student that enrollment in the course may affect the
 12 student's ability to attend a particular postsecondary educational
 13 institution or enroll in a particular course at a particular postsecondary
 14 educational institution because the course does not align with academic
 15 requirements established by the postsecondary educational institution.

16 (c) The state board shall adopt rules under IC 4-22-2 to establish:

- 17 (1) math course requirements; and
- 18 (2) science course requirements;

19 for the Core 40 curriculum models adopted under this chapter.

20 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

21 SECTION 49. IC 20-30-10-6, AS ADDED BY P.L.73-2021,
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2022]: Sec. 6. (a) Subject to subsection (b), the state board, in
 24 consultation with the commission for higher education, shall adopt
 25 rules under IC 4-22-2 to allow an organization to provide credit under
 26 a Core 40 curriculum model adopted by the state board for alternative
 27 programs in which students obtain credit counting toward their
 28 graduation requirements from nonschool educational experience that
 29 applies or incorporates content area knowledge in lieu of a required or
 30 elective course in the Core 40 curriculum model.

31 (b) The state board's rules adopted under subsection (a) must
 32 include the following requirements:

33 (1) Applicants wishing to offer Core 40 credit counting toward a
 34 student's graduation requirements must submit an application, in
 35 a manner prescribed by the state board, that contains at a
 36 minimum the following:

37 (A) A description of the qualifications necessary to participate
 38 in the applicant's proposed program.

39 (B) An outline of the applicant's proposed program, including
 40 the Core 40 course to which the proposed program's credit
 41 would apply.

42 (C) A description of competencies and student outcomes that



- 1 a student is expected to obtain in the applicant's proposed
 2 program.
- 3 (D) A description of assessments used to measure a student's
 4 success at meeting the competency and student outcome
 5 requirements described in clause (C).
- 6 (E) A description of the proposed program's admission
 7 requirements.
- 8 (2) Applications described in subdivision (1) must receive an
 9 initial review and may receive an initial approval by a team that
 10 includes at least the following:
- 11 (A) A representative from the department with relevant
 12 content and competency expertise necessary to evaluate the
 13 application effectively.
- 14 (B) At least one (1) educator licensed in the content area
 15 necessary to evaluate the application effectively.
- 16 (C) A representative of postsecondary education.
- 17 (3) An application initially approved under subdivision (2) must
 18 be reviewed by the state board, which may approve, deny, or
 19 conditionally approve an application.
- 20 (4) An approval or conditional approval by the state board under
 21 subdivision (3) may not exceed one (1) year. However, the state
 22 board may subsequently renew applications for periods not to
 23 exceed five (5) years.
- 24 (5) Provisions stating that the state board may withdraw approval
 25 of an application previously approved by the state board if the
 26 applicant does not comply with the rules established by the state
 27 board or program requirements specified by the state board.
- 28 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**
 29 SECTION 50. IC 20-30-12-4, AS ADDED BY P.L.1-2005,
 30 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2022]: Sec. 4. **(a)** The state board shall adopt rules under
 32 IC 4-22-2 to implement this chapter.
- 33 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
 34 SECTION 51. IC 20-30-14-9, AS ADDED BY P.L.1-2005,
 35 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2022]: Sec. 9. **(a)** The state board shall adopt rules under
 37 IC 4-22-2 necessary to implement this section, including rules
 38 stipulating the following:
- 39 (1) The types of community service organizations or volunteer
 40 service organizations that qualify as entities described in section
 41 8 of this chapter.
- 42 (2) The types of community services or volunteer services



- 1 performed by a student that qualify for approval under this
 2 chapter.
 3 (3) That the student must perform at least forty-eight (48) hours
 4 of service to earn one (1) academic credit.
 5 (4) That not more than two (2) academic credits toward
 6 graduation are available to a student under this chapter.
 7 (5) That the exploitation or endangerment of students
 8 participating under this chapter is prohibited.
 9 (6) That each school corporation and community service
 10 organization or volunteer service organization participating under
 11 this chapter shall monitor student activity under this chapter and
 12 compile periodic reports from students and other individuals to
 13 ensure:
- 14 (A) student health and safety, including assurances that
 - 15 students are not expected to perform duties that are prohibited
 - 16 by law or rule for which students are inadequately prepared or
 - 17 supervised;
 - 18 (B) an educational benefit to the student is being derived by
 - 19 the student; and
 - 20 (C) compliance with appropriate statutes and rules.
- 21 (7) The minimum acceptable level of certificated school
 22 employee staffing required to adequately implement, monitor, and
 23 evaluate the program under this chapter.
 24 (8) The method for demonstrating and enforcing the assurances
 25 described under subdivision (6).

26 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

27 SECTION 52. IC 20-30-14.5-7, AS ADDED BY P.L.226-2015,
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2022]: Sec. 7. (a) The state board shall adopt rules under
 30 IC 4-22-2 to carry out this chapter.

31 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

32 SECTION 53. IC 20-30-16-10, AS AMENDED BY P.L.200-2021,
 33 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2022]: Sec. 10. (a) Subject to subsection (c), the department
 35 and an authorized course provider shall negotiate a course access
 36 program course tuition fee for an enrolled eligible student for each
 37 course offered and all course materials. The negotiated course access
 38 program course tuition fee must be identical for every enrolled eligible
 39 student. Transfers of tuition payments for enrollment of an eligible
 40 student currently enrolled at an applicable school corporation in a
 41 course access program course shall be made to the authorized course
 42 provider by the school corporation in which the eligible student is



1 enrolled. The amount of the tuition payment for enrollment of an
 2 eligible student in a course access program course must be paid from
 3 the total amount of state tuition support that would otherwise be
 4 received by the school corporation on account of the student. The state
 5 board shall adopt rules under IC 4-22-2 for payment of tuition
 6 payments from a school corporation to an authorized course provider
 7 for a student who is not currently enrolled in the school but enrolls in
 8 a course access program course as part of the eligible student's special
 9 education services provided by the school corporation. The department
 10 may charge the negotiated course access program course tuition fee to
 11 a student who enrolls in a course access program course from an
 12 eligible provider if the student is not currently enrolled in a school
 13 corporation or is otherwise eligible to enroll in the course access
 14 program as part of the student's special education services by the
 15 school corporation.

16 (b) A course provider may not receive any payment from the school
 17 corporation that is in addition to the tuition fee for a course access
 18 program course in which an eligible student is enrolled. Any other
 19 funds related to the student that are due to a school corporation shall be
 20 paid to the school corporation.

21 (c) Payment in full of a tuition fee for a course access program
 22 course must be based in part on student success in the course access
 23 program course. The department may negotiate with the course
 24 provider to determine the manner in which the course provider is paid.
 25 However, the course provider may not receive less than fifty percent
 26 (50%) of the tuition fee upon an eligible student's enrollment in a
 27 course access program course. The course provider shall receive the
 28 remaining amount if the measured student outcomes for the course
 29 access program course meet requirements set by the state board.
 30 Measured student outcomes may include:

- 31 (1) course access program course completion by enrolled
- 32 students;
- 33 (2) student growth to proficiency;
- 34 (3) student results from state and nationally accepted assessments;
- 35 (4) student receipt of credentials that are recognized in an
- 36 industry;
- 37 (5) postsecondary credits received by a student; and
- 38 (6) other validated measures approved by the state board.

39 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

40 SECTION 54. IC 20-30-16-13, AS ADDED BY P.L.80-2017,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2022]: Sec. 13. (a) The state board may adopt rules under



1 IC 4-22-2, including emergency rules in the manner provided under
2 IC 4-22-2-37.1, to administer this chapter.

3 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

4 SECTION 55. IC 20-31-4.1-10, AS ADDED BY P.L.92-2020,
5 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2022]: Sec. 10. (a) The state board shall adopt rules under
7 IC 4-22-2 necessary to implement this chapter.

8 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

9 SECTION 56. IC 20-31-8-4.6, AS ADDED BY P.L.217-2017,
10 SECTION 105, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2022]: Sec. 4.6. (a) If a school corporation or
12 a charter school enters into an agreement with an eligible school (as
13 defined in IC 20-51-1-4.7) to provide dropout recovery educational
14 services for an at-risk student who is enrolled at a public school, the
15 student may not be included in the calculation of the public school's
16 category or designation of school performance.

17 (b) The state board shall adopt rules under IC 4-22-2 and any
18 guidelines necessary to carry out this section.

19 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

20 SECTION 57. IC 20-31-8-5.4, AS ADDED BY P.L.2-2014,
21 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2022]: Sec. 5.4. (a) Not later than November 15, 2013, the
23 state board shall establish new categories or designations of school
24 performance under the requirements of this chapter to replace 511
25 IAC 6.2-6. The new standards of assessing school performance:

- 26 (1) must be based on a measurement of individual student
27 academic performance and growth to proficiency; and
28 (2) may not be based on a measurement of student performance
29 or growth compared with peers.

30 511 IAC 6.2-6 is void on the effective date of the emergency or final
31 rules adopted under this section.

32 (b) After July 1, 2013, the state board:

- 33 (1) shall adopt rules under IC 4-22-2; and
34 (2) may adopt emergency rules in the manner provided in
35 IC 4-22-2-37.1;

36 to implement this chapter.

37 (c) An emergency rule adopted under subsection (b) expires on the
38 earlier of:

- 39 (1) November 15, 2014; or
40 (2) the effective date of a rule that establishes categories or
41 designations of school improvement described in this section and
42 supersedes the emergency rule.



1 (d) Before beginning the rulemaking process to establish new
 2 categories or designations of school improvement, the state board shall
 3 report to the general assembly the proposed new categories or
 4 designations in an electronic format under IC 5-14-6.

5 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**

6 SECTION 58. IC 20-31-8-10, AS ADDED BY P.L.269-2019,
 7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2022]: Sec. 10. (a) Except as otherwise provided in this
 9 section, if requested by a school, the department may place the school
 10 in a "null" or "no letter grade" category for purposes of this chapter for
 11 the first three (3) consecutive years of operation of the school.

12 (b) Subject to subsection (c), an innovation network school that
 13 reconfigures an existing school must apply to the state board, in a
 14 manner prescribed by the state board, to request to receive a "null" or
 15 "no letter grade" for the reconfigured school during the school's first
 16 three (3) consecutive years of operation by an innovation network team.

17 (c) In order to qualify for a "null" or "no letter grade" under
 18 subsection (b), an innovation network school must clearly demonstrate:

- 19 (1) a significant change in educational philosophy from the
 20 existing school and that the reconfiguration of the school is not
 21 being made to avoid accountability; or
 22 (2) any other item that the state board finds appropriate.

23 The state board shall adopt rules under IC 4-22-2 to establish criteria
 24 that the state board may consider in determining whether to grant an
 25 innovation network school's request under subsection (b) and this
 26 subsection.

27 (d) Subject to subsection (e), if the department used student growth
 28 as the state board's exclusive means to determine an:

- 29 (1) innovation network school's category or designation of school
 30 improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019
 31 school year; or
 32 (2) innovation network charter school's category or designation of
 33 school improvement under IC 20-25.7-5-2(d)(3) for the
 34 2018-2019 school year;

35 the department shall, beginning with the 2019-2020 school year and
 36 unless an innovation network school or innovation network charter
 37 school requests otherwise, place the innovation network school or the
 38 innovation network charter school, whichever is applicable, in a "null"
 39 or "no letter grade" category for purposes of this chapter for not more
 40 than the number of school years determined for the innovation network
 41 school or innovation network charter school under subsection (e)
 42 consecutively. This subsection expires July 1, 2023.



1 (e) Each innovation network school described in subsection (d)(1)
 2 and each innovation network charter school described in subsection
 3 (d)(2) may not be placed in a "null" or "no letter grade" category under
 4 subsection (d) for more than the number of years that equal the result
 5 of:

6 (1) three (3) school years; minus

7 (2) the number of school years that student growth was used as
 8 the state board's exclusive means to determine the category or
 9 designation of school improvement for the innovation network
 10 school or innovation network charter school.

11 This subsection expires July 1, 2023.

12 (f) The department shall post the proficiency and growth scores of
 13 an innovation network school, an innovation network charter school,
 14 or a school described in subsection (a) on the department's Internet web
 15 site for each year the innovation network school, innovation network
 16 charter school, or school receives a "null" or "no letter grade" under
 17 this section.

18 **(g) IC 20-19-11-9 applies to a rule adopted under this section.**

19 SECTION 59. IC 20-31-9.5-6, AS ADDED BY P.L.229-2011,
 20 SECTION 190, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2022]: Sec. 6. **(a)** The state board may adopt
 22 rules under IC 4-22-2 to implement this chapter.

23 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

24 SECTION 60. IC 20-31-10-1, AS ADDED BY P.L.1-2005,
 25 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2022]: Sec. 1. **(a)** The state board may adopt rules under
 27 IC 4-22-2 to implement this article.

28 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

29 SECTION 61. IC 20-32-3-13, AS AMENDED BY P.L.234-2007,
 30 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2022]: Sec. 13. **(a)** The state board shall, in
 32 cooperation with the Indiana commission for career and technical
 33 education within the department of workforce development, adopt rules
 34 under IC 4-22-2 to implement this chapter, including rules concerning
 35 the administration of the secondary level certificates of achievement by
 36 the department of workforce development.

37 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

38 SECTION 62. IC 20-32-5.1-19, AS ADDED BY P.L.242-2017,
 39 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 19. **(a)** The state board shall adopt rules under
 41 IC 4-22-2 to implement this chapter.

42 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**



1 SECTION 63. IC 20-32-8-13, AS ADDED BY P.L.1-2005,
 2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 13. (a) The state board shall adopt rules under
 4 IC 4-22-2 to implement this chapter.

5 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

6 SECTION 64. IC 20-32-8.5-4, AS ADDED BY P.L.109-2010,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2022]: Sec. 4. (a) The state board may adopt rules under
 9 IC 4-22-2 to carry out this chapter.

10 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

11 SECTION 65. IC 20-32-8.7-14, AS ADDED BY P.L.167-2021,
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2022]: Sec. 14. (a) The state board may adopt rules under
 14 IC 4-22-2 necessary to implement this chapter.

15 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

16 SECTION 66. IC 20-33-2-45, AS ADDED BY P.L.1-2005,
 17 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2022]: Sec. 45. (a) The state board shall exercise general
 19 supervision by resolution over the attendance system of the state.

20 (b) The state board may adopt rules under IC 4-22-2 pertaining to
 21 the state attendance system and the enforcement of this chapter.

22 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

23 SECTION 67. IC 20-33-2-47, AS AMENDED BY P.L.92-2020,
 24 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 47. (a) A school corporation may develop and
 26 implement a system of notifying the parent of a student when:

27 (1) the student fails to attend school; and

28 (2) the student does not have an excused absence for that day.

29 (b) A school corporation or a state accredited nonpublic school shall
 30 report to the local health department the percentage of student absences
 31 above a threshold determined by the department by rule adopted under
 32 IC 4-22-2.

33 (c) If a school corporation implements a notification system under
 34 this chapter, the attendance officer or the attendance officer's designee
 35 shall make a reasonable effort to contact by telephone the parent of
 36 each student who has failed to attend school and does not have an
 37 excused absence for that day.

38 (d) If an attendance officer or an attendance officer's designee has
 39 made a reasonable effort to contact a parent under subsection (c), the
 40 school corporation is immune from liability for any damages suffered
 41 by the parent claimed because of failure to contact the parent.

42 **(e) IC 20-19-11-9 applies to a rule adopted under this section.**



1 SECTION 68. IC 20-33-5-9, AS AMENDED BY P.L.92-2020,
 2 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 9. (a) As used in this section, "accredited
 4 nonpublic school" means a nonpublic school that:

- 5 (1) has voluntarily become accredited under IC 20-31-4.1; or
- 6 (2) is accredited by a national or regional accrediting agency that
 7 is recognized by the state board.

8 (b) If a parent of a child or an emancipated minor who is enrolled in
 9 an accredited nonpublic school meets the financial eligibility standard
 10 under section 2 of this chapter, the parent or the emancipated minor
 11 may receive a reimbursement from the department as provided in this
 12 chapter for the costs or some of the costs incurred by the parent or
 13 emancipated minor in fees that are reimbursable under section 7 of this
 14 chapter.

15 (c) The department shall provide each accredited nonpublic school
 16 with sufficient application forms for assistance, prescribed by the state
 17 board of accounts.

18 (d) Each accredited nonpublic school shall provide the parents or
 19 emancipated minors who wish to apply for assistance with:

- 20 (1) the appropriate application forms; and
- 21 (2) any assistance needed in completing the application form.

22 (e) The parent or emancipated minor shall submit the application to
 23 the accredited nonpublic school. The accredited nonpublic school shall
 24 make a determination of financial eligibility subject to appeal by the
 25 parent or emancipated minor.

26 (f) If a determination is made that the applicant is eligible for
 27 assistance, subsection (b) applies.

28 (g) To be guaranteed some level of reimbursement from the
 29 department, the principal or other designee shall submit the
 30 reimbursement request before November 1 of a school year.

31 (h) In its request, the principal or other designee shall certify to the
 32 department:

- 33 (1) the number of students who are enrolled in the accredited
 34 nonpublic school and who are eligible for assistance under this
 35 chapter;
- 36 (2) the costs incurred in providing:
 - 37 (A) curricular materials (including curricular materials used in
 38 special education and high ability classes); and
 - 39 (B) workbooks, digital content, and consumable curricular
 40 materials (including workbooks, consumable curricular
 41 materials, and other consumable teaching materials that are
 42 used in special education and high ability classes) that are



- 1 used by students for not more than one (1) school year;
 2 (3) that the curricular materials described in subdivision (2)(A)
 3 (except any curricular materials used in special education classes
 4 and high ability classes) have been adopted by the governing
 5 body; and
 6 (4) any other information required by the department.
- 7 (i) The amount of reimbursement that a parent or emancipated
 8 minor is entitled to receive shall be determined as provided in section
 9 9.5 of this chapter.
- 10 (j) The accredited nonpublic school shall distribute the money
 11 received under this chapter to the appropriate eligible parents or
 12 emancipated minors.
- 13 (k) Section 7(f) of this chapter applies to parents or emancipated
 14 minors as described in this section.
- 15 (l) The accredited nonpublic school and the department shall
 16 maintain complete and accurate information concerning the number of
 17 applicants determined to be eligible for assistance under this section.
- 18 (m) The state board shall adopt rules under IC 4-22-2 to implement
 19 this section.
- 20 **(n) IC 20-19-11-9 applies to a rule adopted under this section.**
- 21 SECTION 69. IC 20-33-8-34, AS AMENDED BY P.L.85-2017,
 22 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2022]: Sec. 34. (a) Notwithstanding any other law, a
 24 suspension, an expulsion, or another disciplinary action against a
 25 student who is a student with a disability (as defined in IC 20-35-1-8)
 26 is subject to the:
- 27 (1) procedural requirements of 20 U.S.C. 1415; and
 28 (2) rules adopted by the state board.
- 29 (b) The division of special education shall propose rules to the state
 30 board for adoption under IC 4-22-2 governing suspensions, expulsions,
 31 and other disciplinary action for a student who is a student with a
 32 disability (as defined in IC 20-35-1-8).
- 33 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**
- 34 SECTION 70. IC 20-34-3-1, AS ADDED BY P.L.1-2005,
 35 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2022]: Sec. 1. (a) When the power to make rules for the
 37 administration of a section of this chapter or IC 20-34-4 is not
 38 specifically granted to a particular board or agency, the state
 39 department of health and the state board shall jointly adopt rules.
- 40 (b) A rule adopted under this chapter or IC 20-34-4 must comply
 41 with IC 4-22-2. However, the state department of health may prescribe
 42 forms for any reports required under this chapter or IC 20-34-4 without



1 formal procedures.

2 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

3 SECTION 71. IC 20-34-3-20, AS AMENDED BY P.L.92-2020,
4 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]: Sec. 20. (a) The governing body of a school
6 corporation shall require each school in the governing body's
7 jurisdiction to conduct periodic emergency preparedness drills during
8 the school year in compliance with rules adopted under IC 4-22-2 by
9 the state board.

10 (b) Each school and attendance center shall conduct at least:

- 11 (1) one (1) tornado preparedness drill; and
12 (2) one (1) manmade occurrence disaster drill;

13 during each semester.

14 (c) At least one (1) manmade occurrence disaster drill required
15 under subsection (b) must be an active shooter drill and must be
16 conducted within ninety (90) calendar days after the beginning of the
17 school year.

18 (d) Each:

- 19 (1) state accredited nonpublic school; and
20 (2) charter school;

21 must conduct at least one (1) active shooter drill during each school
22 year.

23 (e) Notwithstanding rules established by the state fire marshal under
24 IC 12-17-12-19, a drill conducted under subsection (b) may be
25 conducted instead of a periodic or monthly fire evacuation drill
26 requirement established by the state fire marshal. However, a drill
27 conducted under subsection (b) may not be made:

- 28 (1) instead of more than two (2) periodic or monthly fire
29 evacuation drills in a particular school semester; and
30 (2) in two (2) consecutive months.

31 (f) The governing body of a school corporation may direct schools
32 to conduct emergency preparedness drills in addition to those required
33 under subsection (b).

34 (g) The governing body of a school corporation shall require each
35 principal to file a certified statement that all drills have been conducted
36 as required under this section.

37 **(h) IC 20-19-11-9 applies to a rule adopted under this section.**

38 SECTION 72. IC 20-34-4-2, AS AMENDED BY P.L.208-2015,
39 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2022]: Sec. 2. (a) Every child residing in Indiana who is
41 enrolled in an accredited elementary school or high school shall be
42 immunized as determined by the state department of health against:



- 1 (1) diphtheria;
- 2 (2) pertussis (whooping cough);
- 3 (3) tetanus;
- 4 (4) measles;
- 5 (5) rubella;
- 6 (6) poliomyelitis;
- 7 (7) mumps;
- 8 (8) varicella;
- 9 (9) hepatitis A;
- 10 (10) hepatitis B; and
- 11 (11) meningitis.

12 (b) The state department of health may expand or otherwise modify
 13 the list of communicable diseases that require documentation of
 14 immunity as medical information becomes available that would warrant
 15 the expansion or modification in the interest of public health.

16 (c) Before November 30 of each year, the state department of health
 17 shall publish a two (2) year calendar of immunization requirements and
 18 recommendations. The calendar must include:

- 19 (1) the immunization requirements for the following school year;
- 20 and
- 21 (2) recommendations for immunization requirements for the year
 22 subsequent to the following school year.

23 (d) The publishing time frame for the calendar described in
 24 subsection (c) does not apply in the event of an emergency as
 25 determined by the state health commissioner.

26 (e) The state department of health shall adopt rules under IC 4-22-2
 27 specifying the:

- 28 (1) required immunizations;
- 29 (2) child's age for administering each vaccine;
- 30 (3) adequately immunizing doses; and
- 31 (4) method of documentation of proof of immunity.

32 **(f) IC 20-19-11-9 applies to a rule adopted under this section.**

33 SECTION 73. IC 20-34-4-5, AS AMENDED BY P.L.208-2015,
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2022]: Sec. 5. (a) Each school shall require the parent of a
 36 student who has enrolled in the school to furnish, not later than the first
 37 day of school attendance, proof of the student's immunization status,
 38 either as a written document from the health care provider who
 39 administered the immunization or documentation provided from the
 40 state immunization data registry.

41 (b) The statement must show, except for a student to whom
 42 IC 20-34-3-2 or IC 20-34-3-3 applies, that the student has been



1 immunized as required under section 2 of this chapter. The statement
 2 must include the student's date of birth and the date of each
 3 immunization.

4 (c) A student may not be permitted to attend school beyond the first
 5 day of school without furnishing the documentation described in
 6 subsections (a) and (b) unless:

- 7 (1) the school gives the parent of the student a waiver; or
 8 (2) the local health department or a health care provider
 9 determines that the student's immunization schedule has been
 10 delayed due to extreme circumstances and that the required
 11 immunizations will not be completed before the first day of
 12 school.

13 The waiver referred to in subdivision (1) may not be granted for a
 14 period that exceeds twenty (20) school days. If subdivision (2) applies,
 15 the parent of the student shall furnish the written statement and a
 16 schedule, approved by a health care provider who is authorized to
 17 administer the immunizations or the local health department, for the
 18 completion of the remainder of the immunizations.

19 (d) The state department of health may commence an action against
 20 a school under IC 4-21.5-3-6 or IC 4-21.5-4 for the issuance of an order
 21 of compliance for failure to enforce this section.

22 (e) Neither a religious objection under IC 20-34-3-2 nor an
 23 exception for the student's health under IC 20-34-3-3 relieves a parent
 24 from the reporting requirements under this section.

25 (f) The state department of health shall adopt rules under IC 4-22-2
 26 to implement this section.

27 **(g) IC 20-19-11-9 applies to a rule adopted under this section.**

28 SECTION 74. IC 20-35-6-2, AS AMENDED BY P.L.43-2021,
 29 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The secretary of education
 31 may contract with in-state or out-of-state public and private schools,
 32 state agencies, or child caring institutions (as defined in
 33 IC 12-7-2-29(1)) to pay, with any funds appropriated for this purpose,
 34 the excess costs of educating children of school age:

- 35 (1) who have been identified as eligible for special education
 36 services; and
 37 (2) whose disability is of such intensity as to preclude
 38 achievement in the existing local public school setting.

39 The state shall pay the costs of the services that exceed the regular cost
 40 of educating children of the same age and grade level in the child's
 41 school corporation. The school corporation shall pay the share of the
 42 total tuition cost that is the regular per capita cost of general education



1 in that school corporation.

2 (b) School corporations shall pay their share of the total tuition costs
3 for children with disabilities served under this section.

4 (c) The state board shall adopt rules under IC 4-22-2 necessary to
5 implement this section.

6 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

7 SECTION 75. IC 20-35-8-2, AS AMENDED BY P.L.216-2021,
8 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2022]: Sec. 2. (a) The state board shall adopt rules under
10 IC 4-22-2 to establish limits on the amount of transportation that may
11 be provided in the student's individualized education program. Unless
12 otherwise specially shown to be essential by the child's individualized
13 education program, in case of residency in a public or private facility,
14 these rules must limit the transportation required by the student's
15 individualized education program to the following:

16 (1) The student's first entrance and final departure each school
17 year.

18 (2) Round trip transportation each school holiday period.

19 (3) Two (2) additional round trips each school year.

20 (b) If a student is a transfer student receiving special education in
21 a public school, the state or school corporation responsible for the
22 payment of transfer tuition under IC 20-26-11-1 through IC 20-26-11-4
23 shall pay the cost of transportation required by the student's
24 individualized education program.

25 (c) If a student receives a special education:

26 (1) in a facility operated by:

27 (A) the state department of health;

28 (B) the division of disability and rehabilitative services; or

29 (C) the division of mental health and addiction;

30 (2) at the Indiana School for the Blind and Visually Impaired; or

31 (3) at the Indiana School for the Deaf;

32 the school corporation in which the student has legal settlement shall
33 pay the cost of transportation required by the student's individualized
34 education program. However, if the student's legal settlement cannot
35 be ascertained, the state board shall pay the cost of transportation
36 required by the student's individualized education program.

37 (d) If a student is placed in a private facility under IC 20-35-6-2 in
38 order to receive a special education because the student's school
39 corporation cannot provide an appropriate special education program,
40 the school corporation in which the student has legal settlement shall
41 pay the cost of transportation required by the student's individualized
42 education program. However, if the student's legal settlement cannot



1 be ascertained, the state board shall pay the cost of transportation
2 required by the student's individualized education program.

3 (e) A student's individualized education program may allow for the
4 student's transportation by appropriate vehicle. The state board shall
5 adopt rules under IC 4-22-2 governing transportation of students by
6 appropriate vehicle.

7 **(f) IC 20-19-11-9 applies to a rule adopted under this section.**

8 SECTION 76. IC 20-35-9-1, AS ADDED BY P.L.1-2005,
9 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2022]: Sec. 1. (a) As used in this chapter, "blind student" has
11 the meaning established under rules adopted under IC 4-22-2 by the
12 state board for an individual:

13 (1) who:

14 (A) cannot successfully use vision as a primary and efficient
15 method for learning; and

16 (B) exhibits such a low degree or amount of visual acuity or
17 visual field that vision is not considered as a primary mode of
18 learning; or

19 (2) who has a medically indicated prognosis of visual
20 deterioration.

21 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

22 SECTION 77. IC 20-35-9-6, AS AMENDED BY P.L.99-2007,
23 SECTION 180, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2022]: Sec. 6. (a) Each blind student shall
25 undergo a literacy assessment under rules adopted under IC 4-22-2 by
26 the state board to determine the student's present level of performance
27 in reading and writing.

28 (b) The literacy assessment required by subsection (a) shall be
29 administered by a certified teacher of individuals with a visual
30 disability using criteria established by the state board.

31 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

32 SECTION 78. IC 20-35-9-9, AS ADDED BY P.L.1-2005,
33 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2022]: Sec. 9. (a) The state board shall adopt rules under
35 IC 4-22-2 to implement this chapter.

36 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

37 SECTION 79. IC 20-35.5-7-3, AS ADDED BY P.L.95-2018,
38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2022]: Sec. 3. (a) The state board shall, in collaboration with
40 the department, adopt rules under IC 4-22-2 to implement this article.

41 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

42 SECTION 80. IC 20-36-3-12, AS ADDED BY P.L.1-2005,



1 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2022]: Sec. 12. **(a)** The state board shall adopt rules under
3 IC 4-22-2 to implement this chapter.

4 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

5 SECTION 81. IC 20-36-5-3, AS ADDED BY P.L.64-2006,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2022]: Sec. 3. **(a)** The department shall develop guidelines
8 and the state board shall adopt rules under IC 4-22-2 to implement this
9 chapter.

10 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

11 SECTION 82. IC 20-36-6-11, AS ADDED BY P.L.216-2021,
12 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2022]: Sec. 11. **(a)** The state board shall adopt rules under
14 IC 4-22-2 to implement this chapter.

15 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

16 SECTION 83. IC 20-42.5-2-1, AS AMENDED BY P.L.126-2017,
17 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2022]: Sec. 1. **(a)** A school corporation, charter school, or
19 applicable nonpublic school individually, in collaboration with other
20 school corporations, charter schools, or applicable nonpublic schools
21 acting jointly, and through the educational services centers may
22 undertake action to reduce noninstructional expenditures and allocate
23 the resulting savings to student instruction and learning. Actions taken
24 under this section include the following:

25 (1) Pooling of resources with other school corporations, charter
26 schools, or applicable nonpublic schools for liability insurance,
27 property and casualty insurance, worker's compensation
28 insurance, employee health insurance, vision insurance, dental
29 insurance, or other insurance, whether by pooling risks for
30 coverage or for the purchase of coverage, or by the creation of or
31 participation in insurance trusts, subject to the following:

32 (A) School corporations, charter schools, and applicable
33 nonpublic schools that elect to pool assets for coverage must
34 create a trust under Indiana law for the assets. The trust is
35 subject to regulation by the department of insurance as
36 follows:

37 (i) The trust must be registered with the department of
38 insurance.

39 (ii) The trust shall obtain stop loss insurance issued by an
40 insurer authorized to do business in Indiana with an
41 aggregate retention of not more than one hundred
42 twenty-five percent (125%) of the amount of expected



- 1 claims for the following year.
- 2 (iii) Contributions by the school corporations, charter
- 3 schools, and applicable nonpublic schools, acting jointly,
- 4 must be set at one hundred percent (100%) of the aggregate
- 5 retention plus all other costs of the trust.
- 6 (iv) The trust shall maintain a fidelity bond in an amount
- 7 approved by the department of insurance. The fidelity bond
- 8 must cover each person responsible for the trust for acts of
- 9 fraud or dishonesty in servicing the trust.
- 10 (v) The trust is subject to IC 27-4-1-4.5 regarding claims
- 11 settlement practices.
- 12 (vi) The trust shall file an annual financial statement in the
- 13 form required by IC 27-1-3-13 not later than March 1 of
- 14 each year.
- 15 (vii) The trust is not covered by the Indiana insurance
- 16 guaranty association created under IC 27-6-8. The liability
- 17 of each school corporation, charter school, and applicable
- 18 nonpublic school is joint and several.
- 19 (viii) The trust is subject to examination by the department
- 20 of insurance. All costs associated with an examination shall
- 21 be borne by the trust.
- 22 (ix) The department of insurance may deny, suspend, or
- 23 revoke the registration of a trust if the commissioner finds
- 24 that the trust is in a hazardous financial condition, the trust
- 25 refuses to be examined or produce records for examination,
- 26 or the trust has failed to pay a final judgment rendered
- 27 against the trust by a court within thirty (30) days.
- 28 (B) The department of insurance may adopt rules under
- 29 IC 4-22-2 to implement this subdivision.
- 30 (2) Electing, as an individual school corporation, charter school,
- 31 or applicable nonpublic school, or as more than one (1) school
- 32 corporation, charter school, or applicable nonpublic school acting
- 33 jointly, to aggregate purchases of natural gas commodity supply
- 34 from any available natural gas commodity seller for all schools
- 35 included in the aggregated purchases. A rate schedule that is:
- 36 (A) filed by a natural gas utility; and
- 37 (B) approved by the Indiana utility regulatory commission;
- 38 must include provisions that allow a school corporation, charter
- 39 school, or applicable nonpublic school, or more than one (1)
- 40 school corporation, charter school, or applicable nonpublic school
- 41 acting jointly, to elect to make aggregated purchases of natural
- 42 gas commodity supplies. Upon request from a school corporation,



1 charter school, or applicable nonpublic school, a natural gas
 2 utility shall summarize the rates and charges for providing
 3 services to each school in the school corporation, to the charter
 4 school, or to the applicable nonpublic school, or to each school in
 5 a school corporation, charter school, and applicable nonpublic
 6 school that are acting jointly, on one (1) summary bill for
 7 remitting payment to the utility.

8 (3) Consolidating purchases with other school corporations,
 9 charter schools, applicable nonpublic schools, or units of
 10 government of the following:

11 (A) School buses and other vehicles and vehicle fleets.

12 (B) Fuel, maintenance, or other services for vehicles or vehicle
 13 fleets.

14 (C) Food services.

15 (D) Facilities management services.

16 (E) Transportation management services.

17 (F) Curricular materials, technology, and other school
 18 materials and supplies.

19 (G) Any other purchases a school corporation, charter school,
 20 or applicable nonpublic school may require.

21 Purchases may be made by contiguous school corporations,
 22 including charter schools or applicable nonpublic schools in the
 23 contiguous school corporations, as part of regional consolidated
 24 purchasing arrangements, or from consolidated sources under
 25 multistate cooperative bidding arrangements.

26 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**

27 SECTION 84. IC 20-49-2-3, AS AMENDED BY P.L.43-2021,
 28 SECTION 136, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The state board shall carry out
 30 this chapter.

31 (b) The secretary of education shall, from funds appropriated for
 32 administering this chapter, provide office space and employees to
 33 enable the state board to perform the duties required under this chapter.

34 (c) The state board may adopt rules under IC 4-22-2 necessary for
 35 the proper administration of the veterans memorial school construction
 36 fund and for carrying out this chapter.

37 **(d) IC 20-19-11-9 applies to a rule adopted under this section.**

38 SECTION 85. IC 20-49-3-6, AS ADDED BY P.L.2-2006,
 39 SECTION 172, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2022]: Sec. 6. (a) The state board may adopt
 41 rules under IC 4-22-2 necessary to administer the fund to carry out this
 42 chapter and IC 20-49-4.



- 1 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
2 SECTION 86. IC 20-49-6-7, AS ADDED BY P.L.2-2006,
3 SECTION 172, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2022]: Sec. 7. **(a)** The state board shall adopt
5 rules under IC 4-22-2 concerning:
6 (1) the criteria and priorities for awarding grants and
7 advancements under this chapter;
8 (2) the terms and conditions of advancements made under this
9 chapter; and
10 (3) any additional matters necessary for the implementation of
11 this chapter.
12 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
13 SECTION 87. IC 20-49-10-13, AS ADDED BY P.L.211-2018(ss),
14 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2022]: Sec. 13. **(a)** The state board, in consultation with the
16 secured school safety board, may adopt:
17 (1) rules under IC 4-22-2; or
18 (2) emergency rules under IC 4-22-2-37.1;
19 necessary to implement this chapter.
20 **(b)** An emergency rule adopted by the state board under this section
21 expires on the earlier of the following dates:
22 (1) The expiration date stated in the emergency rule.
23 (2) The date the emergency rule is amended or repealed by a later
24 rule adopted under IC 4-22-2.
25 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**
26 SECTION 88. IC 20-51-3-11, AS ADDED BY P.L.182-2009(ss),
27 SECTION 364, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2022]: Sec. 11. **(a)** The department shall adopt
29 rules under IC 4-22-2 to implement this article.
30 **(b) IC 20-19-11-9 applies to a rule adopted under this section.**
31 SECTION 89. IC 20-51-4-4.6, AS AMENDED BY P.L.106-2016,
32 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2022]: Sec. 4.6. **(a)** The state board shall adopt rules under
34 IC 4-22-2, including emergency rules adopted in the manner provided
35 under IC 4-22-2-37.1, for the provision of special education or related
36 services to an eligible choice scholarship student who receives an
37 amount under section 4(a)(2) of this chapter. The rules adopted under
38 this section shall include annual reporting requirements, monitoring,
39 and consequences for noncompliance by an eligible school.
40 **(b)** An emergency rule adopted by the state board under this section
41 expires on the earliest of the following dates:
42 (1) The expiration date stated in the emergency rule.



1 (2) The date the emergency rule is amended or repealed by a later
 2 rule adopted under IC 4-22-2-22.5 through IC 4-22-2-36 or under
 3 IC 4-22-2-37.1.

4 (3) One (1) year after the date the emergency rule is adopted.

5 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

6 SECTION 90. IC 20-51-4-7, AS AMENDED BY P.L.108-2019,
 7 SECTION 235, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2022]: Sec. 7. (a) The department shall
 9 administer this chapter.

10 (b) The department shall approve an application for an eligible
 11 school within fifteen (15) days after the date the school requests to
 12 participate in the choice scholarship program.

13 (c) The department shall approve an application for a choice
 14 scholarship student within fifteen (15) days after the date the student
 15 requests to participate in the choice scholarship program.

16 (d) Each year, at a minimum, the department shall accept
 17 applications from March 1 through September 1 for eligible schools for
 18 the upcoming school year.

19 (e) Each year, the department shall accept applications for choice
 20 scholarship students from:

21 (1) March 1 through September 1 for the upcoming school year;
 22 and

23 (2) November 1 through January 15 for the spring semester of the
 24 current school year.

25 (f) This chapter may not be construed in a manner that would
 26 impose additional requirements for approving an application for an
 27 eligible school placed in a "null" or "no letter grade" category
 28 established under IC 20-31-8-3(b).

29 (g) The department shall adopt rules under IC 4-22-2 to implement
 30 this chapter.

31 (h) The department may adopt emergency rules under
 32 IC 4-22-2-37.1 to implement this chapter.

33 **(i) IC 20-19-11-9 applies to a rule adopted under this section.**

34 SECTION 91. IC 20-51.4-6-1, AS ADDED BY P.L.165-2021,
 35 SECTION 180, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) The treasurer of state shall
 37 adopt rules under IC 4-22-2 necessary to administer this article.

38 (b) The state board shall adopt rules under IC 4-22-2 to establish a
 39 procedure to establish an Indiana education scholarship account
 40 education service plan for an eligible student.

41 **(c) IC 20-19-11-9 applies to a rule adopted under this section.**

