IC 20-20  
ARTICLE 20. PROGRAMS ADMINISTERED BY THE STATE  

IC 20-20-1  
Chapter 1. Educational Service Centers  

IC 20-20-1-1  
"Board"  
Sec. 1. As used in this chapter, "board" refers to the local governing board of an educational service center.  

IC 20-20-1-2  
"Educational service center"  
Sec. 2. (a) As used in this chapter, "educational service center" means an extended agency of school corporations that:  
(1) operates under rules established by the state board;  
(2) is the administrative and operational unit that serves a definitive geographical boundary, which, to the extent possible, must be aligned with the boundary of a regional works council's region established under IC 20-19-6; and  
(3) allows school corporations to voluntarily cooperate and share programs and services that the school corporations cannot individually provide but collectively may implement.  
(b) Programs and services collectively implemented through an educational service center may include, but are not limited to, the following:  
(1) Curriculum development.  
(2) Pupil personnel and special education services.  
(3) In-service education.  
(4) State-federal liaison services.  
(5) Instructional materials and multimedia services.  
(6) Career and technical education.  
(7) Purchasing and financial management.  
(8) Needs assessment.  
(9) Computer use.  
(10) Research and development.  

IC 20-20-1-3  
Establishment and procedures for operation of educational service centers  
Sec. 3. The state board may provide for the establishment of and procedures for the operation of educational service centers.  

IC 20-20-1-4  
Comprehensive plan for implementation of chapter; adoption
Sec. 4. (a) The state board shall do the following:
   (1) Adopt a comprehensive plan to implement this chapter.
   (2) Determine the areas in Indiana that will be served by an educational service center.
   
   (b) In determining the geographic area to be served by an educational service center, the state board shall consider the following:
       (1) Physical factors.
       (2) Socio-economic factors.
       (3) Educational factors.
       (4) Existing cooperative efforts and agreements.


IC 20-20-1-5
Establishment of centers under state board rules
Sec. 5. An educational service center must be established under rules adopted by the state board to develop, provide, and make available to participating schools those services requested by the participating school corporations and approved by the state board.

IC 20-20-1-6
Location of centers
Sec. 6. Educational service centers shall be located throughout Indiana to allow each school corporation to have an opportunity to:
   (1) be served by; and
   (2) participate in;

an approved center on a voluntary basis by resolution of the governing body.

IC 20-20-1-7
Educational service center board
Sec. 7. An educational service center shall be governed in its local administration by a board selected by an assembly comprised of the superintendent or the superintendent's designee from each participating school corporation.

IC 20-20-1-8
Membership of board; vacancies; compensation
Sec. 8. (a) The state board shall adopt uniform rules to provide for the local selection, appointment, and continuity of membership for boards.
   
   (b) Vacancies on a board shall be filled by appointment by the remaining members of the board.
   
   (c) Members of a board serve without compensation.

IC 20-20-1-9
Executive director; personnel
Sec. 9. A board may employ the following:

(1) An executive director for the educational service center.
(2) Other personnel the board considers necessary to:
   (A) carry out the functions of the educational service center;
   and
   (B) do and perform all things the board considers proper for successful operation of the center.


IC 20-20-1-10
Advisory council; recommendations
Sec. 10. (a) The state board shall provide for the selection of an advisory council to each board. The state board shall provide for the representation of:
(1) teachers;
(2) elementary principals;
(3) secondary principals;
(4) members of the governing body; and
(5) parents of students;
of the school corporations that are within the geographic area served by the educational service center.

(b) The advisory council shall make recommendations to the board on budgetary and program matters.


IC 20-20-1-11
Funds for establishment and operation of centers
Sec. 11. (a) Any funds, including donated funds and funds from federal or other local sources, shall be used to pay for the costs of establishing or operating an educational service center.

(b) An educational service center may administer programs and funds from any of the sources described in subsection (a). All activities funded from federal sources must follow all applicable federal guidelines, rules, and regulations.


IC 20-20-1-12
Federal matching funds
Sec. 12. This chapter does not prohibit an educational service center from receiving and using matching funds from federal sources in any amount for which the educational service center may be eligible.

IC 20-20-2
Repealed
(Repealed by P.L.253-2013, SEC.1; P.L.286-2013, SEC.17.)
IC 20-20-3
Chapter 3. Teacher Referral System

IC 20-20-3-1
"Referral system"
Sec. 1. As used in this chapter, "referral system" refers to the teacher employment opportunities referral system established by section 2 of this chapter.

IC 20-20-3-2
Establishment of referral system
Sec. 2. The department shall establish and keep current a computerized teacher employment opportunities referral system.

IC 20-20-3-3
Requisites of referral system
Sec. 3. The referral system must:
(1) be capable of identifying the available public school teaching positions within Indiana;
(2) provide the pertinent information on individuals who are seeking employment as teachers; and
(3) be accessible to school corporations, teachers, prospective teachers, and state educational institutions.

IC 20-20-3-4
Information dissemination
Sec. 4. The department shall disseminate the necessary information to school corporations and state educational institutions to provide awareness of the availability of the referral system to the pertinent parties.
IC 20-20-4
Chapter 4. Teacher of the Year

IC 20-20-4-1
Repealed
(Repealed by P.L.286-2013, SEC.18.)

IC 20-20-4-2
Repealed
(Repealed by P.L.286-2013, SEC.19.)

IC 20-20-4-3
Repealed
(Repealed by P.L.286-2013, SEC.20.)

IC 20-20-4-4
Repealed
(Repealed by P.L.286-2013, SEC.21.)

IC 20-20-4-5
Repealed
(Repealed by P.L.286-2013, SEC.22.)

IC 20-20-4-5.5
Professional leave
Sec. 5.5. A teacher of the year may be invited to serve one (1) year of professional leave with:
(1) an Indiana postsecondary educational institution; or
(2) the department.
As added by P.L.286-2013, SEC.23.

IC 20-20-4-6
Employer obligations
Sec. 6. (a) The school where a teacher of the year is regularly employed shall do the following:
(1) Grant the teacher a one (1) year professional leave to provide service as described in section 5.5 of this chapter.
(2) Allow the teacher to return to the school from the professional leave:
   (A) to the same or a comparable position as the teacher held before the professional leave; and
   (B) without loss of accrued benefits or seniority.
(3) Continue to provide the teacher all benefits of employment with the school other than salary.
(b) The department shall reimburse a school for the cost of benefits provided by the school to a teacher under subsection (a)(3).
Sec. 6.5. If a teacher of the year provides service for the department or an Indiana postsecondary educational institution under this chapter, the department or the Indiana postsecondary educational institution shall pay the teacher's salary for the term of the service and shall reimburse the teacher's regular employer for the teacher's benefits during the term of service.

*As added by P.L.286-2013, SEC.25.*

**IC 20-20-4-7**
Repealed

*(Repealed by P.L.286-2013, SEC.26.)*

**IC 20-20-4-8**
Repealed

*(Repealed by P.L.286-2013, SEC.27.)*

**IC 20-20-4-9**
Repealed

*(Repealed by P.L.286-2013, SEC.28.)*

**IC 20-20-4-10**
Repealed

*(Repealed by P.L.286-2013, SEC.29.)*
IC 20-20-5
Repealed
(Repealed by P.L.73-2011, SEC.22.)
IC 20-20-5.5  
Chapter 5.5. Curricular Materials

IC 20-20-5.5-1  
Repealed  
(Repealed by P.L.286-2013, SEC.30.)

IC 20-20-5.5-2  
Department evaluation of curricular materials; publication of report; inclusion of a publisher's materials

Sec. 2. (a) The department shall evaluate curricular materials. The evaluation must include an evaluation of:
   (1) the curricular materials' alignment to the academic standards developed by the department under IC 20-31-3-2; and
   (2) the appropriateness of the reading level of the curricular materials.
   (b) The department shall determine the process for evaluating curricular materials under subsection (a).
   (c) The department shall publish a report that describes the method used to conduct the evaluation required under subsection (a) and that contains the results of the evaluation. The report must do the following:
      (1) Provide a list of each curricular material evaluated and a summary of the evaluation for each curricular material.
      (2) Provide a listing and summary review for the curricular materials that are aligned to the academic standards developed by the department under IC 20-31-3-2 for the following subjects for each grade level:
         (A) English/language arts, including spelling, literature, and handwriting.
         (B) Reading.
         (C) Mathematics.
         (D) Science.
         (E) Social studies.
         (F) Other subject areas as determined by the department.
      (3) Include any clarification or response from the publisher of a curricular material related to the department's summary review provided under subdivision (2).
      (d) A governing body and superintendent may use the report under subsection (c) in complying with IC 20-26-12-24.
      (e) For a publisher's curricular materials to be included in the report under subsection (c), the publisher must provide the department a written, exact, and standard statewide price for each curricular material.
      (f) A publisher may request that an update to the publisher's curricular materials and corresponding prices replace the information on the curricular materials set forth in the report under subsection (c).  
IC 20-20-5.5-3
Notification of availability of evaluation

Sec. 3. (a) The state superintendent shall notify the governing bodies of each school corporation, charter school, and accredited nonpublic school immediately of:

(1) the initial publication and annual update on the department's Internet web site of the report described in section 2(c) of this chapter, including the Internet web site address where the report is published; and

(2) updates of the following types of information in the report described in section 2(c) of this chapter:
   (A) The addition of materials.
   (B) The removal of materials.
   (C) Changes in the per unit price of curricular materials that exceed five percent (5%).

(b) A notification under this section must state that:

(1) the reviews of curricular materials included in the report described in section 2(c) of this chapter are departmental reviews only; and

(2) each governing body has authority to adopt curricular materials for a school corporation.

IC 20-20-6
Repealed
(Repealed by P.L.7-2011, SEC.26.)
Chapter 7. High School Diploma Program for Eligible Veterans

IC 20-20-7-1
"Department of veterans' affairs"
Sec. 1. As used in this chapter, "department of veterans' affairs" refers to the Indiana department of veterans' affairs established by IC 10-17-1-2.

IC 20-20-7-2
"Diploma"
Sec. 2. As used in this chapter, "diploma" refers to a high school diploma.

IC 20-20-7-3
"Eligible veteran"
Sec. 3. As used in this chapter, "eligible veteran" refers to an individual who has the following qualifications:
(1) Served as a member of the armed forces of the United States at any time during at least one (1) of the following periods:
   (A) Beginning April 6, 1917, and ending November 11, 1918 (World War I).
   (B) Beginning December 7, 1941, and ending December 31, 1946 (World War II).
   (C) Beginning June 27, 1950, and ending January 31, 1955 (Korean Conflict).
   (D) Beginning August 5, 1964, and ending May 7, 1975 (Vietnam Conflict).
(2) Before the military service described in subdivision (1):
   (A) attended a public or nonpublic high school in Indiana; and
   (B) was a student in good standing at the high school described in clause (A), to the satisfaction of the department of veterans' affairs.
(3) Did not graduate or receive a diploma because of leaving the high school described in subdivision (2) for the military service described in subdivision (1).
(4) Was honorably discharged from the armed forces of the United States.

IC 20-20-7-4
"Program"
Sec. 4. As used in this chapter, "program" refers to the high school diploma program for eligible veterans established by section 6 of this chapter.
IC 20-20-7-5
"School corporation"
Sec. 5. As used in this chapter, "school corporation" includes a successor school corporation serving the area where a high school that no longer exists was once located.

IC 20-20-7-6
High school programs for eligible veterans; establishment
Sec. 6. The high school diploma program for eligible veterans is established to provide for the issuance of high school diplomas to certain veterans.

IC 20-20-7-7
Application for diploma; information required
Sec. 7. (a) The department and the department of veterans' affairs shall jointly design a form for the application for issuance of a diploma under the program.
(b) The application form must require at least the following information about an eligible veteran:
   (1) Personal identification information.
   (2) Military service information, including a copy of the eligible veteran's honorable discharge.
   (3) High school information, including the following:
      (A) Name and address, including county, of the last high school attended.
      (B) Whether the high school was a public or nonpublic school.
      (C) Years attended.
      (D) Year of leaving high school to begin military service.
      (E) Year in which the veteran would have graduated if the veteran had not left high school to begin military service.
   (4) If the high school attended was a public school, whether the veteran prefers receiving a diploma issued by:
      (A) the state board; or
      (B) the governing body of the school corporation governing the high school.

IC 20-20-7-8
Department of veterans' affairs; responsibilities
Sec. 8. The department of veterans' affairs shall do the following for individuals that the department of veterans' affairs has reason to believe may be eligible to apply for a diploma under the program:
   (1) Give notice of the program.
   (2) Describe the application procedure.
   (3) Furnish an application form.
IC 20-20-7-9
Individuals eligible to apply
Sec. 9. The following individuals may apply for the issuance of a diploma to an eligible veteran under the program:
(1) An eligible veteran, including an eligible veteran who has received a general educational development (GED) diploma issued under IC 20-20-6 (before its repeal) or IC 22-4.1-18, or a similar diploma.
(2) An individual who is:
   (A) the surviving spouse of; or
   (B) otherwise related to;
   an eligible veteran who is deceased.

IC 20-20-7-10
Application required
Sec. 10. An applicant for a diploma under the program must submit a completed application form to the department of veterans' affairs.

IC 20-20-7-11
Department of veterans' affairs; receipt of application; verification of information
Sec. 11. Upon receipt of an application, the department of veterans' affairs shall do the following:
(1) Verify the accuracy of the information in the application, in consultation with the department, if necessary.
(2) Forward the verified application to the department.

IC 20-20-7-12
Department of education; responsibilities
Sec. 12. Upon receipt of a verified application, the department shall do the following:
(1) If the applicant:
   (A) expresses a preference in the application to receive a diploma issued by the state board; or
   (B) attended a nonpublic high school before leaving high school for military service;
   the department shall present a diploma issued by the state board.
(2) If the applicant expresses a preference for receiving a diploma from the governing body of the school corporation containing the public high school that the eligible veteran left for military service, the department shall direct the governing body of the affected school corporation to issue and present the diploma.
Ceremonies for presentation of diplomas
Sec. 13. (a) The department and governing bodies are encouraged but are not required to hold a ceremony to present a diploma that is issued under the program.
(b) Upon request of a governing body, the department, in cooperation with the department of veterans' affairs, shall assist the governing body to develop a variety of formats for appropriate ceremonies at which to award diplomas under the program.

IC 20-20-7-14
State board; design of commemorative diploma required
Sec. 14. (a) The state board shall design a unique commemorative diploma for the board to issue to eligible veterans who:
(1) attended a public high school and express in the application a preference for receiving a diploma that the state board issues;
or
(2) attended a nonpublic high school.
(b) The state board shall design a unique commemorative diploma that a governing body may choose to issue under the program.

IC 20-20-7-15
Governing body; design of commemorative diploma allowed; types of diplomas
Sec. 15. (a) A governing body may design a unique commemorative diploma for the governing body to issue under the program.
(b) A governing body that issues a diploma under the program shall issue one (1) of the following types of diplomas:
(1) The diploma described in subsection (a).
(2) The diploma designed by the state board under section 14(b) of this chapter.
(3) The same diploma that the governing body issues to current graduates.

IC 20-20-7-16
Cooperative administration of program
Sec. 16. The department and the department of veterans' affairs shall work cooperatively to jointly administer this chapter.

IC 20-20-7-17
Fees prohibited
Sec. 17. A fee may not be charged to process an application or to award a diploma under this chapter.

IC 20-20-7-18
Rules

Sec. 18. The department and the department of veterans' affairs may adopt rules under IC 4-22-2 to implement this chapter.

IC 20-20-8
Chapter 8. School Corporation Annual Performance Report

IC 20-20-8-1
"Benchmark"
    Sec. 1. As used in this chapter, "benchmark" refers to a benchmark established under this chapter.
    *As added by P.L.1-2005, SEC.4.*

IC 20-20-8-2
"Report"
    Sec. 2. As used in this chapter, "report" refers to the school corporation annual performance report required by this chapter.
    *As added by P.L.1-2005, SEC.4.*

IC 20-20-8-3
Publication of report; Internet publication
    Sec. 3. (a) Not earlier than March 15 or later than March 31 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. The report must be published one (1) time annually under IC 5-3-1.
    (b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.
    (c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

IC 20-20-8-4
Public hearing
    Sec. 4. Not later than sixty (60) days after the publication of the report, the governing body of a school corporation may conduct a public hearing at a location within the school corporation to present and discuss the report. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.
    *As added by P.L.1-2005, SEC.4.*

IC 20-20-8-5
Copy of report to be provided to department
    Sec. 5. A school corporation shall provide a copy of the report to the department.
    *As added by P.L.1-2005, SEC.4.*
IC 20-20-8-6
Contents of report
Sec. 6. A report must contain the following:
   (1) The information listed in section 8 of this chapter for each of the preceding three (3) years.
   (2) Additional components determined under section 7(4) of this chapter.
   (3) Additional information or explanation that the governing body wishes to include, including the following:
       (A) Results of nationally recognized assessments of students under programs other than the ISTEP program that a school corporation, including a charter school, uses to determine if students are meeting or exceeding academic standards in grades that are tested under the ISTEP program.
       (B) Results of assessments of students under programs other than the ISTEP program that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the ISTEP program.
       (C) The number and types of staff professional development programs.
       (D) The number and types of partnerships with the community, business, or postsecondary education.
       (E) Levels of parental participation.


IC 20-20-8-7
Development and revision of reporting procedures and implementation standards
Sec. 7. The state superintendent and the state board, in consultation with school corporations, educational organizations, appropriate state agencies, and other organizations and individuals having an interest in education, shall develop and periodically revise the following for the benchmarks and indicators of performance under section 8 of this chapter and the additional components of the performance report:
   (1) Reporting procedures, including the following:
       (A) A determination of the information that a school corporation must compile and the information that the department must compile.
       (B) A determination of the information required on a school by school basis and the information required on a school corporation basis.
       (C) A common format suitable for publication, including tables, graphics, and explanatory text. The common format must allow the inclusion of additional information described in section 6(3)(A) of this chapter that is submitted by a school corporation, including a charter school.
   (2) Operational definitions.
(3) Standards for implementation.
(4) Additional components for the report that may be
benchmarks, indicators of performance, or other information.

IC 20-20-8-8
Report information
Sec. 8. The report must include the following information:
(1) Student enrollment.
(2) Graduation rate (as defined in IC 20-26-13-6).
(3) Attendance rate.
(4) The following test scores, including the number and
percentage of students meeting academic standards:
   (A) ISTEP program test scores.
   (B) Scores for assessments under IC 20-32-5-21, if
       appropriate.
   (C) For a freeways school, scores on a locally adopted
       assessment program, if appropriate.
(5) Average class size.
(6) The number and percentage of students in the following
groups or programs:
   (A) Alternative education, if offered.
   (B) Career and technical education.
   (C) Special education.
   (D) High ability.
   (E) Remediation.
   (F) Limited English language proficiency.
   (G) Students receiving free or reduced price lunch under the
       national school lunch program.
   (H) School flex program, if offered.
(7) Advanced placement, including the following:
   (A) For advanced placement tests, the percentage of students:
       (i) scoring three (3), four (4), and five (5); and
       (ii) taking the test.
   (B) For the Scholastic Aptitude Test:
       (i) test scores for all students taking the test;
       (ii) test scores for students completing the academic honors
           diploma program; and
       (iii) the percentage of students taking the test.
(8) Course completion, including the number and percentage of
    students completing the following programs:
    (A) Academic honors diploma.
    (B) Core 40 curriculum.
    (C) Career and technical programs.
(9) The percentage of grade 8 students enrolled in algebra I.
(10) The percentage of graduates who pursue higher education.
(11) School safety, including:
    (A) the number of students receiving suspension or expulsion
        for the possession of alcohol, drugs, or weapons;
    (B) the number of incidents reported under IC 20-33-9; and
(C) the number of bullying incidents reported under IC 20-34-6 by category.

(12) Financial information and various school cost factors, including the following:
   (A) Expenditures per pupil.
   (B) Average teacher salary.
   (C) Remediation funding.

(13) Technology accessibility and use of technology in instruction.

(14) Interdistrict and intradistrict student mobility rates, if that information is available.

(15) The number and percentage of each of the following within the school corporation:
   (A) Teachers who are certificated employees (as defined in IC 20-29-2-4).
   (B) Teachers who teach the subject area for which the teacher is certified and holds a license.
   (C) Teachers with national board certification.

(16) The percentage of grade 3 students reading at grade 3 level.

(17) The number of students expelled, including the number participating in other recognized education programs during their expulsion.

(18) Chronic absenteeism, which includes the number of students who have been absent from school for ten percent (10%) or more of a school year for any reason.

(19) Habitual truancy, which includes the number of students who have been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

(20) The number of students who have dropped out of school, including the reasons for dropping out.

(21) The number of student work permits revoked.

(22) The number of student driver's licenses revoked.

(23) The number of students who have not advanced to grade 10 due to a lack of completed credits.

(24) The number of students suspended for any reason.

(25) The number of students receiving an international baccalaureate diploma.

(26) Other indicators of performance as recommended by the education roundtable under IC 20-19-4.


IC 20-20-8-9
Annual compilation of reports

Sec. 9. The department shall annually produce and distribute in paper and electronic formats a compiled report that includes the reports of all school corporations.
IC 20-20-9
Repealed
(Repealed by P.L.286-2013, SEC.33.)
IC 20-20-10
Repealed
(Repealed by P.L.286-2013, SEC.34.)
IC 20-20-11
Repealed
(Repealed by P.L.286-2013, SEC.35.)
Chapter 12. Program for the Advancement of Math and Science

IC 20-20-12-1
Administration of program
Sec. 1. The department shall administer the advanced placement program established by IC 20-36-3-4(a).

IC 20-20-13
Chapter 13. Educational Technology Program and Grants

IC 20-20-13-0.5
"Fund"
Sec. 0.5. As used in this chapter, "fund" refers to the Senator David C. Ford educational technology fund established under section 6 of this chapter.
As added by P.L.31-2009, SEC.1.

IC 20-20-13-1
"Grant"
Sec. 1. As used in sections 13 through 24 of this chapter, "grant" refers to a technology plan grant under sections 13 through 24 of this chapter.

IC 20-20-13-2
"Group"
Sec. 2. As used in sections 13 through 24 of this chapter, "group" includes the school corporations that are placed in a group of school corporations under sections 13 through 24 of this chapter.

IC 20-20-13-3
"School corporation"
Sec. 3. As used in sections 13 through 24 of this chapter, "school corporation" includes, except as otherwise provided in this chapter, the Indiana School for the Blind and Visually Impaired established by IC 20-21-2-1, the Indiana School for the Deaf established by IC 20-22-2-1, and a charter school established under IC 20-24.

IC 20-20-13-4
"Technology equipment"
Sec. 4. As used in sections 6 through 12 of this chapter, "technology equipment" means computer hardware, computer software, related teacher training services, related instructional manuals and materials, and equipment servicing.

IC 20-20-13-5
"Technology plan"
Sec. 5. As used in sections 13 through 24 of this chapter, "technology plan" refers to a technology plan developed under section 7 of this chapter.

IC 20-20-13-6
David C. Ford educational technology program and fund

Sec. 6. (a) The Senator David C. Ford educational technology fund is established to extend educational technologies to elementary and secondary schools. The fund may be used for:

1. the 4R's technology grant program to assist school corporations (on behalf of public schools) in purchasing technology equipment:
   - for kindergarten and grade 1 students, to learn reading, writing, and arithmetic using technology;
   - for students in all grades, to understand that technology is a tool for learning; and
   - for students in kindergarten through grade 3 who have been identified as needing remediation, to offer daily remediation opportunities using technology to prevent those students from failing to make appropriate progress at the particular grade level;

2. a school technology program developed by the department. The program may include grants to school corporations for the purchase of:
   - equipment, hardware, and software;
   - learning and teaching systems; and
   - other materials;
   - that promote student learning, as determined by the department.

3. providing educational technologies, including computers in the homes of students;

4. conducting educational technology training for teachers; and

5. other innovative educational technology programs.

(b) The department may also use money in the fund under contracts entered into with the office of technology established by IC 4-13.1-2-1 to study the feasibility of establishing an information telecommunications gateway that provides access to information on employment opportunities, career development, and instructional services from data bases operated by the state among the following:

1. Elementary and secondary schools.

2. Postsecondary educational institutions.

3. Career and technical educational centers and institutions that are not postsecondary educational institutions.

4. Libraries.

5. Any other agencies offering education and training programs.

(c) The fund consists of:

1. state appropriations;

2. private donations to the fund; or

3. any combination of the amounts described in subdivisions (1) through (2).

(d) The fund shall be administered by the department.

(e) Unexpended money appropriated to or otherwise available in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to the department for use under this chapter.

IC 20-20-13-7
Technology plan
Sec. 7. (a) Notwithstanding any other law, a school corporation is not entitled to:
  (1) receive any money under this chapter;
  (2) use money from the school corporation's capital projects fund for educational technology equipment under IC 20-40-8; or
  (3) receive an advance from the common school fund for an educational technology program under IC 20-49-4;
unless the school corporation develops a three (3) year technology plan.
  (b) Each technology plan must include at least the following information:
    (1) A description of the school corporation's intent to integrate technology into the school corporation's curriculum.
    (2) A plan for providing inservice training.
    (3) A schedule for maintaining and replacing educational technology equipment.
    (4) A description of the criteria used to select the appropriate educational technology equipment for the appropriate use.
    (5) Other information requested by the department after consulting with the budget agency.
  (c) The department shall develop guidelines concerning the development of technology plans. The guidelines developed under this subsection are subject to the approval of the governor. As added by P.L.1-2005, SEC.4. Amended by P.L.2-2006, SEC.82; P.L.133-2012, SEC.186.

IC 20-20-13-8
Use of funds
Sec. 8. Upon the approval of the governor and the budget agency, the department may use funds available under this chapter to provide or extend education technology to any school corporation for purposes described in this chapter. As added by P.L.1-2005, SEC.4. Amended by P.L.133-2012, SEC.187.

IC 20-20-13-9
4R's technology grant program; surplus remediation funds; eligibility; award of grants; monitoring compliance
Sec. 9. (a) This section applies to the 4R's technology program
described in section 6(a)(1) of this chapter.

(b) In addition to any other funds available under this chapter, if state funds are transferred under IC 20-32-5-19 to the 4R's technology program:

(1) those funds do not revert to the state general fund;
(2) those funds shall be made available to the 4R's technology program under this chapter; and
(3) the department, upon approval by the governor and the budget agency, shall use those funds to award grants under this section.

(c) To be eligible to receive a grant under the program, a school corporation must comply with the following:

(1) The school corporation must apply to the department for a grant on behalf of a school within the school corporation to purchase technology equipment.
(2) The school corporation must certify the following:
   (A) That the school will provide every kindergarten and grade 1 student at that school the opportunity to learn reading, writing, and arithmetic using technology.
   (B) That the school will provide daily before or after school technology laboratories for students in grades 1 through 3 who have been identified as needing remediation in reading, writing, or arithmetic.
   (C) That the school will provide additional technology opportunities, that may include Saturday sessions, for students in other grade levels to use the technology laboratories for remediation in reading, writing, arithmetic, or mathematics.
   (D) That the school will provide technology opportunities to students that attend remediation programs under IC 20-32-8 (if the school corporation is required to do so) or any other additional summer programs.
   (E) That the school corporation, either through its own or the school's initiative, is able to provide a part of the costs attributable to purchasing the necessary technology equipment.
(3) The school corporation must include in the application the sources of and the amount of money secured under subdivision (2)(E).

(d) Upon review of the applications by the department, the satisfaction of the requirements set forth in subsection (c), and subject to the availability of funds for this purpose, the department shall
award to each eligible school corporation a grant to purchase technology equipment under section 6(a)(1) of this chapter.

(e) The department shall monitor the compliance by the school corporations receiving grants of the matters cited in subsection (c).


IC 20-20-13-10
Guidelines
Sec. 10. The department shall develop guidelines necessary to implement sections 6 through 9 of this chapter, including guidelines that require the school corporation to use the laboratories to the fullest extent possible.


IC 20-20-13-11
Application for funds
Sec. 11. To be eligible to receive money under sections 6 through 9 of this chapter, a school corporation must apply to the department on forms provided by the department.


IC 20-20-13-12
Deposit of grants
Sec. 12. A school corporation that receives a grant under sections 6 through 9 of this chapter must deposit the grant in the school technology fund.


IC 20-20-13-13
Establishment
Sec. 13. There is established a technology plan grant program.


IC 20-20-13-14
Funding and administration
Sec. 14. The department shall fund and administer the technology plan grant program.


IC 20-20-13-15
Qualifications for technology plan grant
Sec. 15. A school corporation qualifies for a technology plan grant under sections 13 through 24 of this chapter when the technology plan of the school corporation developed under section 7 of this chapter is approved by the department. For purposes of determining whether a school corporation qualifies for a grant under sections 13 through 24 of this chapter, the department shall:

(1) review;
(2) suggest changes;
(3) approve; or
(4) reject;
a school corporation's technology plan.

IC 20-20-13-16
Delays in grant distribution
Sec. 16. (a) This section applies when a school corporation does not qualify for a grant because the school corporation's technology plan has not been approved under section 15 of this chapter.
(b) The department shall delay grant distribution after the scheduled time for grant distribution until the school corporation's technology plan is approved. The delay is without loss or penalty to the school corporation. If the school corporation's technology plan is not approved by the end of the grant distribution period, the school corporation may not receive a grant distribution.

IC 20-20-13-17
Total grant amount
Sec. 17. The total technology plan grant amount to a qualifying school corporation is the amount determined by the department multiplied by the school corporation's current ADM, as determined:
(1) for a calendar year ending before January 1, 2014, in the fall count of students in the school year ending in the current calendar year; and
(2) for a calendar year ending after December 31, 2013, in the spring count of students in the school year ending in the current calendar year.
The amount is one hundred dollars ($100). However, for the purposes of determining the current ADM of a school corporation, students who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted as students having legal settlement in the transferee corporation and not having legal settlement in the transferor corporation.

IC 20-20-13-18
Use of grant
Sec. 18. A school corporation must use a grant received under sections 13 through 24 of this chapter to implement all or part of the school corporation's technology plan by funding uses that promote 1:1 computing infrastructure, include the following:
(1) Computers in classrooms.
(2) Computers for teachers.
(3) E-learning.
(4) Wiring infrastructure to support 1:1 computing.
(5) Technical support.
(6) Wide area networks and local area networks necessary to
support 1:1 computing.
(7) Infrastructure software.
(8) Assistive technology devices for students with disabilities in 1:1 computing environment.
(9) Other uses of technology approved by the department of education.


IC 20-20-13-19
List of school corporations by assessed valuation; determination of group to receive grant

Sec. 19. (a) The department shall list all school corporations in Indiana according to assessed valuation for property tax purposes per student in current ADM, as determined in section 17 of this chapter, beginning with the school corporation having the lowest assessed valuation for property tax purposes per student in current ADM. For purposes of the list made under this section, the Indiana School for the Blind and Visually Impaired established by IC 20-21-2-1 and the Indiana School for the Deaf established by IC 20-22-2-1 shall be considered to have the lowest assessed valuation for property tax purposes per student in current ADM during the six (6) year period beginning July 1, 2001.

(b) The department must prepare a revised list under subsection (a) before a new series of grants may begin.

(c) The department shall determine those school corporations to be placed in a group to receive a grant in a fiscal year under sections 13 through 24 of this chapter as follows:

(1) Beginning with the school corporation that is first on the list developed under subsection (a), the department shall continue sequentially through the list and place school corporations that qualify for a grant under section 15 of this chapter in a group until the cumulative total current ADM of all school corporations in the group depletes the money that is available for grants in the fiscal year.

(2) Each fiscal year the department shall develop a new group by continuing sequentially through the list beginning with the first qualifying school corporation on the list that was not placed in a group in the prior fiscal year.

(3) If the final group developed from the list contains substantially fewer students in current ADM than available money, the department shall:

(A) prepare a revised list of school corporations under subsection (a); and

(B) place in the group qualifying school corporations from the top of the revised list.

(4) The department shall label the groups with sequential numbers beginning with "group one".

IC 20-20-13-20
Distribution of grant
Sec. 20. (a) Except as provided in subsection (b), in a state fiscal year, the department shall distribute grants to only two (2) groups of school corporations with each of the two (2) groups receiving fifty percent (50%) of the group's total grant amount.
(b) In state fiscal year 1996-1997:
   (1) the department shall begin grant distribution under sections 13 through 24 of this chapter; and
   (2) the school corporations in group one shall receive one hundred percent (100%) of the group's total grant.
(c) Beginning in state fiscal year 1997-1998, the department shall:
   (1) distribute grants so that school corporations in group two receive:
       (A) fifty percent (50%) of group two's total grant in the first year of distribution; and
       (B) fifty percent (50%) of group two's total grant in the second year of distribution; and
   (2) continue in group number sequence so that school corporations in each group receive:
       (A) fifty percent (50%) of the group's total grant in the first year of distribution to the group; and
       (B) fifty percent (50%) of the group's total grant in the second year of distribution to the group.

IC 20-20-13-21
Reports on use of grant money
Sec. 21. A school corporation shall report to the department on the use of grant money received under sections 13 through 24 of this chapter. A school corporation that fails to make a report under this section is not eligible for a subsequent grant.

IC 20-20-13-22
Expenditures for technology in capital projects fund budget; forfeiture of grant
Sec. 22. (a) This section applies in a year when a school corporation receives a grant under sections 13 through 24 of this chapter. The school corporation's capital projects fund budget must include an expenditure for technology that is not less than the school corporation's average annual expenditure for technology from the capital projects fund in the six (6) budget years preceding the year of the grant. If the Indiana School for the Blind and Visually Impaired established by IC 20-21-2-1 or the Indiana School for the Deaf established by IC 20-22-2-1 receives a grant under sections 13 through 24 of this chapter, the school's expenditures for technology in the year of the grant must exceed the school's average annual expenditure for technology in the six (6) budget years preceding the year of the grant.
(b) For each year that a school corporation fails to observe subsection (a), the school corporation forfeits a grant under sections 13 through 24 of this chapter. The forfeit of the grant must occur in the first grant year after the school corporation fails to observe subsection (a).


**IC 20-20-13-23**

**Guidelines**

Sec. 23. The department shall develop guidelines to implement sections 13 through 24 of this chapter.

*As added by P.L.1-2005, SEC.4.*

**IC 20-20-13-24**

**Deposit of grant**

Sec. 24. A school corporation that receives a grant under sections 13 through 24 of this chapter shall deposit the grant in the school technology fund. If the Indiana School for the Blind and Visually Impaired or the Indiana School for the Deaf receives a grant under sections 13 through 24 of this chapter, the school shall deposit the grant in an account or fund that the school uses exclusively for the funding of technology.

IC 20-20-14
Repealed
(Repealed by P.L.133-2012, SEC.191.)
IC 20-20-15
Repealed
(Repealed by P.L.133-2012, SEC.192.)
IC 20-20-16
Chapter 16. Access to Telecommunications Service

IC 20-20-16-1
Purpose of chapter
Sec. 1. The purpose of this chapter is to effectively:
(1) provide the methods and means by which all schools and libraries may receive access to resources available through technology and telecommunications services; and
(2) maximize the eligibility, availability, and use of the federal and state funding mechanisms.

IC 20-20-16-2
"Telecommunications services and equipment"
Sec. 2. As used in this chapter, "telecommunications services and equipment" includes all telecommunication services and equipment eligible for universal service fund discounts as described:
(1) in the federal Telecommunications Act of 1996 (P.L.104-104, 110 Stat. 56 (1996)) and applicable regulations or orders issued under that act;
(2) by the Indiana utility regulatory commission as allowed under the federal act; or
(3) in the office of technology established by IC 4-13.1-2-1 or state library technology grant programs.

IC 20-20-16-3
Coordination of funds and funding mechanisms
Sec. 3. The office of technology established by IC 4-13.1-2-1, with the department of education and the state library, shall coordinate available federal and state funds and funding mechanisms to accomplish full access to telecommunications services and equipment by all schools, libraries, and rural health care providers as defined in:
(1) the federal Telecommunications Act of 1996 (P.L.104-104, 110 Stat. 56 (1996)) and regulations or orders issued under that act; or
(2) any regulations or orders issued by the Indiana utility regulatory commission in fulfillment of the state's obligations under the act.
IC 20-20-17
Chapter 17. School Intervention and Career Counseling Development Program and Fund

IC 20-20-17-1
"Fund"
Sec. 1. As used in this chapter, "fund" refers to the school intervention and career counseling development fund established by section 4 of this chapter.

IC 20-20-17-2
"Grant"
Sec. 2. As used in this chapter, "grant" refers to a grant from the fund.

IC 20-20-17-3
"School intervention and career counseling development program"
Sec. 3. As used in this chapter, "school intervention and career counseling development program" refers to a program carried out under this chapter:
(1) for kindergarten through grade 6; and
(2) by a licensed school counselor.

IC 20-20-17-4
Establishment and administration of fund
Sec. 4. (a) As a result of a comprehensive study conducted by the department on the role of school counselors, including the expanding role of school counselors in career development under workforce development programs that affect public schools, the school intervention and career counseling development fund is established. The money in the fund shall be used to develop counseling models in a limited number of school corporations as determined by the department under this chapter.
(b) If a school corporation is awarded a grant under this chapter, the school corporation must:
(1) agree to evaluate the impact and results of the school corporation's program; and
(2) submit the school corporation's findings to the department.
(c) The department shall administer the fund.
(d) The fund consists of:
(1) gifts to the fund;
(2) appropriations from the general assembly;
(3) grants, including grants from private entities; and
(4) a combination of the resources described in subdivisions (1), (2), and (3).
IC 20-20-17-5
Application for grant
Sec. 5. Subject to section 6 of this chapter, for a school corporation to be eligible to receive a grant under this chapter, the following must occur:
(1) The superintendent of the school corporation must apply to the department for a grant on forms provided by the department.
(2) The application for a grant must include the following information:
(A) A detailed description of a proposal for initiating or expanding a school intervention or career counseling program.
(B) Evidence supporting the school corporation's need to implement the school intervention or career counseling program.
(C) The number of elementary school counselors employed by the school corporation.
(D) The elementary school counselor/student ratio for the school corporation.
(E) Any other pertinent information required by the department, including evidence guaranteeing that if the school corporation receives a grant under this chapter, the school corporation has developed a plan to evaluate the impact and results of the school corporation's program.


IC 20-20-17-6
Priorities in awarding grants
Sec. 6. The department may award grants to school corporations:
(1) upon review of the applications received under section 5 of this chapter;
(2) subject to available money; and
(3) in accordance with the following priorities:
(A) To the extent possible, to achieve geographic balance throughout Indiana and to include urban, suburban, and rural school corporations.
(B) To address a documented need for new or expanded school intervention or career counseling programs, including considering the percentage of students within the school corporation who are designated as at risk students.
(C) To promote innovative methods for initiating or expanding school intervention or career counseling programs.
(D) To reward school corporations that propose school intervention or career counseling programs that demonstrate the greatest potential for replication and implementation in Indiana.
(E) To lower school counselor/student ratios where the ratios are excessively high.

IC 20-20-17-7

Determinations of grant awards; restrictions

Sec. 7. (a) Subject to subsection (b), the department shall determine the amount of each grant that is awarded under this chapter.

(b) A grant to a particular school corporation may not exceed:
   (1) fifteen thousand dollars ($15,000) for each full-time counselor for each academic year, or seven thousand five hundred dollars ($7,500) for each full-time counselor for each semester; and
   (2) the following total grant awards as each relates to the ADM of the school corporation at the time the school corporation applies for the grant:
      (A) For a school corporation with an ADM of not more than five thousand (5,000), seventy-five thousand dollars ($75,000).
      (B) For a school corporation with an ADM of at least five thousand one (5,001) and not more than nine thousand nine hundred ninety-nine (9,999), one hundred twenty thousand dollars ($120,000).
      (C) For a school corporation with an ADM of at least ten thousand (10,000), one hundred eighty thousand dollars ($180,000).


IC 20-20-17-8

Term of grant

Sec. 8. A grant received by a school corporation may be expended by the school corporation for a twenty-four (24) month period.


IC 20-20-17-9

Guidelines for implementation

Sec. 9. The department shall develop guidelines necessary to implement this chapter.


IC 20-20-17-10

Repealed

(Repealed by P.L.286-2013, SEC.37.)
IC 20-20-18
Chapter 18. Elementary School Counselors, Social Workers, and School Psychologists Program and Fund

IC 20-20-18-1
"Fund"
Sec. 1. As used in this chapter, "fund" refers to the elementary school counselors, social workers, and school psychologists fund established by section 4 of this chapter.

IC 20-20-18-2
"Grant"
Sec. 2. As used in this chapter, "grant" refers to a grant from the fund.

IC 20-20-18-3
"Program"
Sec. 3. As used in this chapter, "program" refers to an elementary school counseling program, a social work program, or a school psychologist program carried out under this chapter:
(1) for kindergarten through grade 6; and
(2) by:
   (A) a licensed school counselor;
   (B) a licensed social worker who has obtained at least a master's degree; or
   (C) a licensed school psychologist.

IC 20-20-18-4
Establishment of fund
Sec. 4. (a) The elementary school counselors, social workers, and school psychologists fund is established. The money in the fund shall be used to assist school corporations in placing school counselors, social workers, and school psychologists in elementary schools through grants awarded as determined by the department under this chapter.
   (b) If a school corporation is awarded a grant under this chapter, the school corporation must:
      (1) agree to evaluate the impact and results of the school corporation's program; and
      (2) submit the school corporation's findings to the department.
   (c) The department shall administer the fund.
   (d) The fund consists of:
      (1) gifts to the fund;
      (2) appropriations from the general assembly; and
      (3) grants, including grants from private entities.
IC 20-20-18-5
Eligibility for grants
Sec. 5. Subject to section 6 of this chapter, for a school corporation to be eligible to receive a grant under this chapter, the following must occur:

1. The superintendent of the school corporation must apply to the department for a grant on a form provided by the department.

2. The application for a grant must include the following information:
   (A) A detailed description of a proposal for placing school counselors, social workers, or school psychologists in elementary schools to provide services to students and their families.
   (B) Evidence supporting the school corporation's need to implement the program.
   (C) The number of elementary school counselors, social workers, and school psychologists employed by the school corporation.
   (D) The elementary school:
      (i) school counselor/student ratio;
      (ii) social worker/student ratio; and
      (iii) school psychologist/student ratio;
   for the school corporation.
   (E) Any other pertinent information required by the department, including evidence guaranteeing that if the school corporation receives a grant under this chapter, the school corporation will have developed a plan to evaluate the impact and results of the school corporation's program.


IC 20-20-18-6
Award of grants
Sec. 6. Upon review of the applications received under section 5 of this chapter, the department may award grants to school corporations subject to available money and in accordance with the following priorities:

1. To the extent possible, to achieve geographic balance throughout Indiana and to include urban, suburban, and rural school corporations.

2. To address a documented need for new or expanded programs, including consideration of the percentage of students within the school corporation who are designated as at risk students.

3. To lower:
   (A) student/school counselor ratios;
   (B) student/social worker ratios; and
   (C) student/school psychologist ratios;
   where the ratios are excessively high.

IC 20-20-18-7
Amount of grants
Sec. 7. The department shall determine the amount of each grant that is awarded under this chapter.

IC 20-20-18-8
Duration of grants
Sec. 8. A grant received by a school corporation may be expended by the school corporation for a twenty-four (24) month period.

IC 20-20-18-9
Guidelines
Sec. 9. The department shall develop guidelines necessary to implement this chapter.
IC 20-20-19
Chapter 19. School Social Workers

IC 20-20-19-1
Qualifications of school social workers

Sec. 1. (a) An individual who obtains a position as a school social worker for a school corporation must:
   (1) hold a master's degree in social work; or
   (2) agree as a condition of employment to obtain a master's degree in social work not more than five (5) years after the individual begins employment as a school social worker.
   (b) Subsection (a) does not apply to an individual who obtained a position as a school social worker for a school corporation before July 1, 2001.

IC 20-20-20
Repealed
(Repealed by P.L.7-2011, SEC.26.)
IC 20-20-21
Repealed
(Repealed by P.L.1-2007, SEC.248.)
IC 20-20-22
Repealed
(Repealed by P.L.286-2013, SEC.38.)
IC 20-20-23
Repealed
(Repealed by P.L.286-2013, SEC.39.)
IC 20-20-24
Chapter 24. Arts Education Program

IC 20-20-24-1
Purpose of chapter
Sec. 1. The purpose of this chapter is to:
(1) encourage local schools to develop comprehensive plans to improve arts in education;
(2) coordinate available resources in support of arts programs in order to provide arts experiences for all students;
(3) provide assistance to local agencies in the development and implementation of comprehensive programs to improve instruction in the elementary and secondary schools;
(4) develop a means by which schools and communities can collaborate in order to strengthen programs;
(5) provide leadership training in the planning, execution, and evaluation of arts education programs;
(6) assist local schools in the development of educational arts education programs; and
(7) assist local schools in the training of educational staff, including specialists in all of the arts and general classroom teachers.

IC 20-20-24-2
"Arts"
Sec. 2. As used in this chapter, "arts" includes the following:
(1) Music.
(2) Dance.
(3) Drama.
(4) Visual arts.
(5) Creative writing.
(6) Film making.
(7) Arts related to the presentation, performance, execution, and exhibition of arts listed in subdivisions (1) through (6).
(8) The study and application of arts listed in subdivisions (1) through (7) to the human environment.

IC 20-20-24-3
Grants to school corporations
Sec. 3. The department may award grants to school corporations under this chapter.

IC 20-20-24-4
Applications for grants
Sec. 4. A school corporation may apply for a grant under this chapter by submitting to the department a plan that includes the following:
(1) Identification of the instructional needs of students and teachers in the arts.
(2) A program through which funds received under this chapter as well as under local, state, or federal programs will serve the purposes of this chapter.
(3) A program for coordinating the efforts of local agencies, organizations, and institutions in order to make their efforts more effective.
(4) Identification of the area in which the funds received will be used, including one (1) of the following:
   (A) Comprehensive arts education programs.
   (B) Technical assistance leadership training.
   (C) Interagency and organizational programs.
   (D) Allotment programs for elementary arts specialists.


IC 20-20-24-5
Consultation regarding expenditure of funds
Sec. 5. The department may consult with the Indiana arts commission and private arts organizations regarding expenditure of funds received under this chapter.

IC 20-20-24-6
Rules; adoption; funds
Sec. 6. The state board shall adopt rules under IC 4-22-2 stating the criteria upon which grants may be made under this chapter. The department may make grants to school corporations from funds made available for purposes of this chapter.
IC 20-20-25
Repealed
(Repealed by P.L.286-2013, SEC.40.)
IC 20-20-26
Repealed
(Repealed by P.L.286-2013, SEC.41.)
IC 20-20-27
Repealed
(Repealed by P.L.286-2013, SEC.42.)
IC 20-20-28
Chapter 28. Early Childhood Programs

IC 20-20-28-1
"Early childhood program"
Sec. 1. As used in this chapter, "early childhood program" refers to a voluntary parental education program for parents of children from birth to less than three (3) years of age that provides these parents with information and activities to help the parents better prepare children for school.

IC 20-20-28-2
"Latch key program"
Sec. 2. As used in this chapter, "latch key program" means a voluntary school age child care program for children who attend kindergarten through grade 6 and that at a minimum, operates after the school day and may include periods before school is in session or during periods when school is not in session.

IC 20-20-28-3
"Preschool program"
Sec. 3. As used in this chapter, "preschool program" refers to a voluntary school readiness program for children who are at least three (3) years of age and not enrolled in at least kindergarten.

IC 20-20-28-4
Targeting at risk students; pilot programs; early childhood specialist
Sec. 4. (a) The department shall establish pilot programs targeting at risk students in the following areas:
   (1) Early childhood parental information programs.
   (2) Latch key programs.
   (3) Preschool programs.
   (b) In establishing the pilot programs under this chapter, the department shall focus on implementing programs that enable the local school corporation and appropriate community agencies to cooperate with each other.
   (c) The department shall address the following in establishing the programs:
       (1) Screening for physical health problems that can inhibit school success.
       (2) Screening for learning disabilities.
       (3) Parental orientation and participation.
       (d) In addition, the department shall employ an early childhood specialist and support staff personnel to identify and determine ways to coordinate the educational programs offered by local youth serving organizations.
Sec. 5. (a) The department:
   (1) shall select certain school corporations to participate in the respective pilot programs listed in section 4 of this chapter; and
   (2) may select school corporations that have a pilot program as described in section 4 of this chapter in existence on June 30, 1990.

   (b) A school corporation may enter into an agreement with a nonprofit corporation to provide early childhood education, preschool education, or latch key programs. However, if a school corporation enters into a contract for preschool education, the nonprofit corporation:
       (1) must operate a federally approved preschool education program; and
       (2) may not be religiously affiliated.

Sec. 6. The department shall develop guidelines necessary to implement this chapter.

Sec. 7. Each school corporation that participates in a pilot program under this chapter shall prepare a written report detailing all of the pertinent information concerning the implementation of the pilot program, including any recommendations made and conclusions drawn from the pilot program. The school corporation shall submit the report to the department.
IC 20-20-29
Repealed
(Repealed by P.L.286-2013, SEC.43.)
IC 20-20-30
Repealed
(Repealed by P.L.286-2013, SEC.44.)
Chapter 31. Professional Development Program

"Plan"
Sec. 1. As used in this chapter, "plan" refers to an Indiana school academic plan established under IC 20-19-2-11.

"Program"
Sec. 2. As used in this chapter, "program" refers to a professional development program.

"School"
Sec. 3. As used in this chapter, "school" includes the following:
(1) A public school.
(2) A nonpublic school that has voluntarily become accredited under IC 20-19-2-8.

Program development required
Sec. 4. A school shall develop a program as a component of a plan established by the school.

Program requirements
Sec. 5. The following apply to a program developed under this chapter:
(1) The program must emphasize improvement of student learning and performance.
(2) The program must be developed by the committee that develops the school's strategic and continuous improvement and achievement plan under IC 20-31-5-1.
(3) The program must be integrated with the school's strategic and continuous improvement and achievement plan developed under IC 20-31-5.

Repealed
(Repealed by P.L.286-2013, SEC.45.)

(Repealed by P.L.286-2013, SEC.46.)
IC 20-20-31-8
Repealed
(Repealed by P.L.286-2013, SEC.47.)

IC 20-20-31-9
Repealed
(Repealed by P.L.286-2013, SEC.48.)

IC 20-20-31-10
Repealed
(Repealed by P.L.286-2013, SEC.49.)

IC 20-20-31-11
Repealed
(Repealed by P.L.286-2013, SEC.50.)

IC 20-20-31-12
Repealed
(Repealed by P.L.286-2013, SEC.51.)

IC 20-20-31-13
Repealed
(Repealed by P.L.286-2013, SEC.52.)

IC 20-20-31-14
Repealed
(Repealed by P.L.286-2013, SEC.53.)

IC 20-20-31-15
Repealed
(Repealed by P.L.286-2013, SEC.54.)
IC 20-20-32
Repealed
(Repealed by P.L.286-2013, SEC.55.)
IC 20-20-33
Chapter 33. Alternative Education Program Grants

IC 20-20-33-1
"Alternative education program"
Sec. 1. As used in this chapter, "alternative education program" means an alternative education program (as defined in IC 20-30-8-1).
As added by P.L.2-2006, SEC.85.

IC 20-20-33-2
"Full-time equivalent students"
Sec. 2. As used in this chapter, "full-time equivalent students" means the number of students determined under IC 20-30-8-16.
As added by P.L.2-2006, SEC.85.

IC 20-20-33-3
"Qualifying school corporation"
Sec. 3. As used in this chapter, "qualifying school corporation" means a school corporation, including a charter school, that has been approved under IC 20-30-8-8 to receive a grant under this chapter.
As added by P.L.2-2006, SEC.85.

IC 20-20-33-4
Eligibility for grant
Sec. 4. A qualifying school corporation is eligible to receive a grant from the state for each full-time equivalent student who is enrolled in an alternative education program conducted for the school corporation.
As added by P.L.2-2006, SEC.85.

IC 20-20-33-5
Maximum grant
Sec. 5. The maximum amount that may be granted to a qualifying school corporation in a school year is seven hundred fifty dollars ($750) per full-time equivalent student.
As added by P.L.2-2006, SEC.85.

IC 20-20-33-6
Matching local expenditures
Sec. 6. To receive a grant under this chapter, a school corporation must expend on alternative education programs in the school year a matching amount of at least one-third (1/3) of the amount of the state grant per full-time equivalent student, as determined under the rules adopted by the state board.
As added by P.L.2-2006, SEC.85.

IC 20-20-33-7
Schedule; distributions
Sec. 7. (a) Except as provided in subsection (b), the department shall distribute a grant under this chapter to a qualifying school
corporation not later than March 1. The grant must be for the number of full-time equivalent students enrolled in and attending an alternative education program from January 1 through December 31 of the immediately preceding year and reported to the department under IC 20-30-8-15.

(b) The department may authorize additional distributions for approved programs if the total amount of the distributions to a school corporation during a school year under this subsection does not exceed a maximum amount of seven hundred fifty dollars ($750) per full-time equivalent student reported under IC 20-30-8-15.

As added by P.L.2-2006, SEC.85.
IC 20-20-34
Repealed
(Repealed by P.L.182-2009(ss), SEC.466.)
IC 20-20-35
Chapter 35. Prekindergarten Grant Pilot Program

IC 20-20-35-1
"Eligible provider"
Sec. 1. As used in this chapter, "eligible provider" means any of the following:
   (1) School corporations.
   (2) Any entity providing a prekindergarten program that is accredited by the National Association for the Education of Young Children.
However, the term does not include a charter school or an entity affiliated with a charter school.

IC 20-20-35-2
"Pilot program"
Sec. 2. As used in this chapter, "pilot program" refers to the pilot program established under section 3 of this chapter.

IC 20-20-35-3
Department; administration of pilot program
Sec. 3. (a) The department shall establish a pilot program to provide grants to eligible providers selected by the department to implement prekindergarten programs.
   (b) The department shall administer the pilot program.

IC 20-20-35-4
Eligibility for pilot program grant; selection of grant recipients
Sec. 4. (a) To be eligible for selection as a pilot program grant recipient, an eligible provider must do the following:
   (1) Apply to the department for a grant, on forms provided by the department, and include a detailed description of the eligible provider's proposed prekindergarten program. The description must include at least the following information:
      (A) An estimate of the number of students likely to participate.
      (B) A description of the prekindergarten curriculum that will be instituted by the eligible provider. The prekindergarten curriculum must be consistent with the Foundations to the Indiana Academic Standards for Young Children (or successor standards adopted by the department of education).
      (C) A description of how the curriculum of the proposed prekindergarten program aligns with existing programs and standards for students in kindergarten through grade 3.
      (D) An estimate of the cost of implementing the prekindergarten program.
   (2) Demonstrate a commitment by teachers, parents, and school
administrators toward carrying out the proposed prekindergarten program.

(3) Comply with any other requirements set forth by the department.

(b) Subject to section 6 of this chapter, after review of the applications submitted under this section, the department shall do the following:

(1) Select the eligible providers that will participate in the pilot program.

(2) Provide grants to the eligible providers selected to participate in the pilot program.

(c) The education roundtable shall provide recommendations to the department concerning the criteria to be used by the department in selecting the eligible providers that will participate in the pilot program.

(d) The criteria to be used by the department in selecting the eligible providers that will participate in the pilot program must do the following:

(1) Include at least an evaluation of the following:
   (A) The information submitted by the eligible provider under subsection (a).
   (B) The coordination of the proposed prekindergarten program with local health services and social services.

(2) Take into consideration the requirements of section 6 of this chapter.


IC 20-20-35-5
Program requirements
Sec. 5. A prekindergarten program that is part of the pilot program and is funded by a grant under this chapter:

(1) may serve only prekindergarten students who are at least four (4) years of age on September 1 of the school year; and

(2) may be a half-day or full-day program.


IC 20-20-35-6
Preferences; award of grants
Sec. 6. The department shall:

(1) select a representative sample of eligible providers, determined through an application procedure, to participate in the pilot program;

(2) give priority to the selection of:
   (A) lower performing school corporations; and
   (B) private providers of prekindergarten programs located in areas served by lower performing school corporations; and

(3) to the extent possible, select eligible providers so that the pilot program will:
   (A) achieve a geographic balance throughout Indiana;
   (B) include urban, suburban, and rural eligible providers; and
(C) include both public eligible providers and private eligible providers.


IC 20-20-35-7
Contracts
Sec. 7. Subject to the approval of the department, an eligible provider participating in the pilot program may enter into a contract with an individual or a nonprofit entity for the operation and management of all or any part of a prekindergarten program funded by a grant under this chapter.


IC 20-20-35-8
Nonrevision of unexpended balance in fund
Sec. 8. Unexpended money appropriated to the department for the department's use in implementing the pilot program at the end of a state fiscal year does not revert to the state general fund but remains available to the department for the department's continued use under this chapter.


IC 20-20-35-9
Rules
Sec. 9. The department shall adopt rules under IC 4-22-2 to implement this chapter. The rules must include the following:

1) Minimum requirements concerning the prekindergarten curriculum that must be used by an eligible provider participating in the pilot program. The prekindergarten curriculum must be consistent with the Foundations to the Indiana Academic Standards for Young Children (or successor standards adopted by the department of education).

2) The maximum class size of a prekindergarten program funded by a grant under this chapter.

3) A requirement that each class in a prekindergarten program funded by a grant under this chapter must be taught by a teacher who has any of the following:
   A) A prekindergarten teacher's license.
   B) An early childhood education teacher's license.
   C) A degree in early childhood education, child development, elementary education, or early childhood special education.


IC 20-20-35-10
Reports
Sec. 10. (a) Each eligible provider that participates in the pilot program shall annually prepare a written report detailing all the pertinent information concerning the implementation of the pilot program, including any recommendations made and conclusions
drawn from the pilot program. The eligible provider must submit the report to the department before July 1 of each year.

(b) Before November 1 of each year, the department shall submit a report to the governor and the general assembly on the pilot program. The report must include the following:

1. Any conclusions and recommendations made by the department concerning prekindergarten programs.
2. Information concerning the cost of expanding the pilot program statewide.
3. A description of any social programs or health programs that could be provided efficiently with prekindergarten programs.

A report submitted under this subsection to the general assembly must be in an electronic format under IC 5-14-6.

(c) The department shall monitor the performance of students who participate in the pilot program as those students continue their education in elementary school.


IC 20-20-35-11
Expiration of chapter
Sec. 11. This chapter expires July 1, 2014.

IC 20-20-36
Repealed
(Repealed by P.L.1-2009, SEC.174.)
IC 20-20-36.1
Chapter 36.1. Expired
(Expired 7-1-2009 by P.L.1-2009, SEC.119.)
IC 20-20-36.2
Chapter 36.2. Expired
(Expired 1-1-2011 by P.L.182-2009(ss), SEC.309.)
IC 20-20-37
Chapter 37. Dropout Prevention

IC 20-20-37-1
"Fund"
Sec. 1. As used in this chapter, "fund" refers to the dropout prevention program fund established by section 3 of this chapter.
As added by P.L.65-2009, SEC.1.

IC 20-20-37-2
"Program"
Sec. 2. As used in this chapter, "program" refers to a dropout prevention program established by a school corporation.
As added by P.L.65-2009, SEC.1.

IC 20-20-37-3
Establishment of fund
Sec. 3. (a) The dropout prevention program fund is established to provide:
(1) money for the department; and
(2) grants to school corporations or a local nonprofit fiscal agent acting as intermediary on behalf of multiple school corporations;
to establish and operate programs to identify students who are at risk of dropping out of school and to provide appropriate interventions for those students.
(b) The department shall administer the fund.
(c) The expenses of administering the fund shall be paid from money in the fund.
(d) The fund consists of:
(1) gifts, donations, and bequests;
(2) appropriations from the general assembly;
(3) grants, including federal grants and grants from private entities;
(4) income derived from investing the assets of the fund;
(5) funds from any other source; and
(6) a combination of the resources described in subdivisions (1), (2), (3), (4), and (5).
(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.
(f) Money in the fund from sources other than state appropriations at the end of a state fiscal year does not revert to the state general fund.
As added by P.L.65-2009, SEC.1.

IC 20-20-37-4
Fund to provide assistance to school corporations
Sec. 4. The department may use money from the fund to provide assistance to school corporations in:
(1) identifying students who are at risk of dropping out of school; and
(2) developing strategies and appropriate interventions to prevent identified students from dropping out of school.

As added by P.L.65-2009, SEC.1.

IC 20-20-37-5
Eligibility for grants
Sec. 5. (a) To be eligible for a grant under this chapter, a school corporation or two (2) or more school corporations under a joint agreement must submit, before the application deadline, a properly completed grant application provided by the department.

(b) The applying school corporation must include at least the following information in the school corporation's application:

(1) A detailed description of the proposed program.
(2) The extent to which the applying school corporation intends to include appropriate community resources not directly affiliated with the applying school corporation in the program.
(3) The estimated cost of implementing the program.
(4) Documented support for the program by the superintendent of each participating school corporation.
(5) The goals established for increasing the graduation rate and decreasing the dropout rate in each participating school corporation.
(6) Accurate baseline data on the graduation rate and dropout rate for each participating school corporation for the preceding three (3) consecutive years.
(7) Accountability metrics for the program that demonstrate how the program's success is measured. Metrics may include the following:
   (A) Attendance and truancy rates of at-risk student populations.
   (B) Course credits earned by at-risk students.
   (C) The number of students who are on schedule to complete high school within four (4) years.
(8) Any other pertinent information required by the department.

As added by P.L.65-2009, SEC.1.

IC 20-20-37-6
Award of grants
Sec. 6. The department shall approve a program based on at least the following criteria:

(1) The relative need for the establishment of a dropout prevention program as outlined by the applying school corporation.
(2) The overall quality of the applying school corporation's program proposal, including the extent to which the applying school corporation demonstrates a willingness to include as a part of the program appropriate community resources not directly affiliated with the applying school corporation.
(3) The availability of money in the fund.

As added by P.L.65-2009, SEC.1.

IC 20-20-37-7
Annual reports

Sec. 7. (a) Not later than June 1 of each school year, each participating school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's program.

(b) Not later than November 1 of each year, the department shall submit a comprehensive report to the governor and the general assembly on dropout prevention programs, including the department's conclusions on the impact of different types of programs in increasing the graduation rate in a school corporation. A report submitted under this subsection to the general assembly must be in an electronic format under IC 5-14-6.

As added by P.L.65-2009, SEC.1.
IC 20-20-37.4
Chapter 37.4. Geothermal Conversion Revolving Fund

IC 20-20-37.4-1
"Fund"
Sec. 1. As used in this chapter, "fund" refers to the geothermal conversion revolving fund established by section 3 of this chapter. 

IC 20-20-37.4-2
"Geothermal heating and cooling system"
Sec. 2. As used in this chapter, "geothermal heating and cooling system" means a heating and cooling system that uses the natural temperature of the earth to generate heating and cooling. 

IC 20-20-37.4-3
Establishment and purpose of the fund
Sec. 3. The geothermal conversion revolving fund is established for the purpose of making loans to school corporations that:
(1) install a geothermal heating and cooling system in a new facility; or
(2) install a geothermal heating and cooling system that replaces a conventional heating and cooling system. 

IC 20-20-37.4-4
Administration of the fund
Sec. 4. (a) The fund shall be administered by the Indiana bond bank. The expenses of administering the fund shall be paid from money in the fund.
(b) The fund consists of the following:
(1) Money appropriated by the general assembly.
(2) The repayment proceeds of loans made to school corporations from the fund.
(3) Any gifts and grants made to the fund or other money required by law to be deposited in the fund.
(4) Any federal grants that are received to capitalize or supplement the fund.
(5) Any earnings on money in the fund.
(c) The Indiana bond bank shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.
(d) The fund shall be used by the Indiana bond bank as a revolving fund. Money in the fund at the end of a state fiscal year does not revert to the state general fund. 

IC 20-20-37.4-5
Authority to make geothermal conversion loans
Sec. 5. Subject to the requirements of this chapter, the Indiana bond bank may loan money from the fund to a school corporation to assist the school corporation in paying for:

1. the installation of a geothermal heating and cooling system in a new facility; or
2. the installation of a geothermal heating and cooling system that replaces a conventional heating and cooling system.


IC 20-20-37.4-6
Requirement for a written procedure
Sec. 6. (a) The Indiana bond bank shall establish a written procedure for providing loans from the fund to school corporations. The written procedure must include at least the following:

1. An application procedure.
2. A procedure to identify projects that may qualify for a loan.
3. Criteria for establishing the priority of projects for which loans will be made.
4. Procedures for selecting projects for which loans will be made.

(b) To apply for a loan from the fund, a school corporation must submit an application that contains at least the following information:

1. A description of the geothermal heating and cooling system that the school corporation proposes to install.
2. An estimate of the cost of the geothermal heating and cooling system.
3. An estimate of the amount by which the cost of installing the geothermal heating and cooling system exceeds the cost of installing a conventional heating and cooling system.
4. Any other information required by the Indiana bond bank in accordance with the written procedures established under this section.


IC 20-20-37.4-7
Loan constraints and conditions
Sec. 7. The following apply to a loan from the fund to a school corporation under this chapter:

1. The loan may not exceed the difference between:
   A. the cost of installing a geothermal heating and cooling system; minus
   B. the cost of installing a conventional heating and cooling system.
2. The Indiana bond bank shall determine the interest rate and other terms for the loan.
3. A school corporation must enter into a loan agreement with the Indiana bond bank before receiving a loan from the fund. The loan agreement is a valid, binding, and enforceable agreement between the school corporation and the Indiana bond bank. The loan agreement must contain the following terms:
(A) A requirement that the loan proceeds be used to pay for:
   (i) the installation of a geothermal heating and cooling system in a new facility; or
   (ii) the installation of a geothermal heating and cooling system that replaces a conventional heating and cooling system.
(B) The term of the loan, which may not be longer than fifteen (15) years after the date of the loan.
(C) The repayment schedule.
(D) The interest rate of the loan.
(E) Any other terms and provisions that the Indiana bond bank requires.


IC 20-20-37.4-8
Loan repayment
   Sec. 8. A school corporation receiving a loan under this chapter shall repay the loan from:
       (1) the school corporation's general fund; or
       (2) the school corporation's capital projects fund.


IC 20-20-37.4-9
Annual report
   Sec. 9. The Indiana bond bank shall annually present a report to the budget committee that describes the projects funded with loans under this chapter.

IC 20-20-38  
Chapter 38. Career and Technical Education

IC 20-20-38-1  
"Career and technical education"  
Sec. 1. As used in this chapter, "career and technical education" means any secondary level vocational, agricultural, occupational, manpower, employment, or technical training or retraining that:  
(1) enhances an individual's career potential and further education; and  
(2) is accessible to individuals who desire to explore and learn for economic and personal growth leading to employment opportunities.  
As added by P.L.7-2011, SEC.7.

IC 20-20-38-2  
"Council"  
Sec. 2. As used in this chapter, "council" refers to the state workforce innovation council established by IC 22-4-18.1-3.  
As added by P.L.7-2011, SEC.7.

IC 20-20-38-3  
"Employment training"  
Sec. 3. As used in this chapter, "employment training" means all programs administered by the following:  
(1) The council.  
(2) The Indiana jobs training program.  
(3) The department.  
As added by P.L.7-2011, SEC.7.

IC 20-20-38-4  
Long range state plan; revision; distribution; contents  
Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.  
(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:  
(1) the governor;  
(2) the general assembly;  
(3) the department of workforce development;  
(4) the commission for higher education;  
(5) the council;  
(6) the state workforce innovation council;  
(7) the board for proprietary education; and  
(8) any other appropriate state or federal agency.  
A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.  
(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and
must include the following:
(1) The preparation of each graduate for both employment and further education.
(2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.
(3) Projected employment opportunities in various career and technical education fields.
(4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.
(5) A study of technological and economic change affecting Indiana.
(6) An analysis of the private career and education sector in Indiana.
(7) Recommendations for improvement in the state career and technical education program.
(8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.


IC 20-20-38-5
State board responsibilities
Sec. 5. The state board shall do the following:
(1) Prepare biennially a plan for implementing career and technical education.
(2) Implement, to the best of its ability, the career and technical education plan prepared under subdivision (1).
(3) Investigate the funding of career and technical education on a cost basis.
(4) Establish and monitor the operation of secondary level career and technical education in Indiana in accordance with the comprehensive long range state plan developed under section 4 of this chapter.
(5) Establish a list of approved secondary level career and technical education courses in accordance with the workforce partnership plans under IC 22-4.1-14.
(6) In consultation with the Indiana professional licensing agency, adopt rules concerning secondary level career and technical education programs, courses, and classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring.
(7) To comply with this section and any federal law or regulation:
   (A) adopt rules under IC 4-22-2; and
   (B) develop policies and administrative procedures.


IC 20-20-38-6
State board duties
Sec. 6. The state board shall do the following:

(1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.

(2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:
   (A) The Indiana economic development corporation.
   (B) The council.
   (C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).
   (D) The department of labor.
   (E) The commission for higher education.
   (F) The department of workforce development.
   (G) The state workforce innovation council.
   (H) The board for proprietary education.

(3) Review and make recommendations concerning plans submitted by the commission for higher education and the council. The state board may request the resubmission of plans or parts of plans that:
   (A) are not consistent with the long range state plan of the state board;
   (B) are incompatible with other plans within the system; or
   (C) duplicate existing services.

(4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between secondary level career and technical education and postsecondary level career and technical education.

(6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.


IC 20-20-38-7
State board powers

Sec. 7. The state board may do the following:

(1) Make recommendations, including recommendations for policies to encourage involvement of minority groups in the career and technical education system in Indiana, to:
   (A) the governor;
   (B) the general assembly, in an electronic format under
IC 5-14-6; and
(C) the various agencies, commissions, or organizations that
administer career and technical education programs
concerning all facets of career and technical education
programming.
(2) Establish a regional planning and coordination system for
career and technical education and employment training that
will, either in whole or in part, serve career and technical
education and employment training in Indiana.
(3) Appoint advisory committees whenever necessary.
(4) Contract for services necessary to carry out this chapter.
(5) Provide information and advice on career and technical
education to a business, an industry, or a labor organization
operating a job training program in the private sector.

As added by P.L.7-2011, SEC.7.

IC 20-20-38-8
Implementation of programs, systems, and policies
Sec. 8. The state board shall adopt statewide systems or policies
concerning the following as the systems or policies relate to the
implementation of career and technical education programs:
(1) Student records.
(2) Data processing at the secondary level.
(3) An evaluation system that must be conducted by the state
board at least annually and that evaluates the following as each
relates to the career and technical education programs and
courses offered at the secondary level:
(A) Graduation rates.
(B) Student placement rates.
(C) Retention rates.
(D) Enrollment.
(E) Student transfer rates to postsecondary educational
institutions.
(F) When applicable, student performance on state licensing
examinations or other external certification examinations.
(G) Cost data study.
(4) A system of financial audits to be conducted at least
biennially at the secondary level.

As added by P.L.7-2011, SEC.7.

IC 20-20-38-9
Evaluation criteria
Sec. 9. (a) The state board shall establish career and technical
education evaluation criteria.
(b) Using the criteria established under subsection (a), the state
board shall evaluate the effectiveness of career and technical
education relative to the goals of the long range plan developed under
section 4 of this chapter.

As added by P.L.7-2011, SEC.7.
IC 20-20-38-10
Biennial report; attrition and persistence rates
Sec. 10. The state board shall develop a definition for and report biennially to:
(1) the general assembly; and
(2) the governor;
on attrition and persistence rates by students enrolled in secondary career and technical education. A biennial report under this section to the general assembly must be in an electronic format under IC 5-14-6.
As added by P.L.7-2011, SEC.7.

IC 20-20-38-11
Legislative budget requests
Sec. 11. Upon request of the budget director, the state board shall prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the council before the request's review by the budget committee.
As added by P.L.7-2011, SEC.7.

IC 20-20-38-12
Review and recommendation of budget requests; allocation of federal funds; augmentation and reduction of funding
Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.
(b) After the review under subsection (a) and a review of any recommendations from the council, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:
(1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;
(2) the categories of expenditures and the distribution plan or formula for secondary schools; and
(3) the categories of expenditures for each state educational institution.
(c) After reviewing the state board's recommendations and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for
secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

As added by P.L.7-2011, SEC.7.

IC 20-20-38-13
Distribution of state funds
Sec. 13. The state board shall distribute state funds made available for secondary and postsecondary career and technical education that have been appropriated by the general assembly and in accordance with the plan prepared by:

(1) the state board under section 5 of this chapter; and
(2) the council under IC 22-4.1-19-4.

As added by P.L.7-2011, SEC.7.

IC 20-20-38-14
Staffing; department assistance
Sec. 14. (a) The state board may employ any staff necessary to perform the duties imposed by this chapter and fix the compensation and terms of that employment, subject to approval by the budget agency.

(b) The state board may authorize the department, whenever practical or necessary, to assist the state board in carrying out the duties prescribed by this chapter.

As added by P.L.7-2011, SEC.7.

IC 20-20-38-15
Rules
Sec. 15. The state board may adopt rules under IC 4-22-2 as necessary to carry out the duties imposed by this chapter.

As added by P.L.7-2011, SEC.7.
IC 20-20-39
Chapter 39. Operational Efficiency Reviews

IC 20-20-39-1
School corporation operational efficiency program
Sec. 1. Before October 1, 2011, the department shall develop a program to provide training and evaluations for school corporations in operational efficiency.
As added by P.L.90-2011, SEC.7.

IC 20-20-39-2
Contract with outside entity allowed
Sec. 2. The department may contract with an outside entity to provide quality training for the department, school corporations, and superintendents in the area of efficiency and cost savings.
As added by P.L.90-2011, SEC.7.

IC 20-20-39-3
Information submitted to department by school corporation
Sec. 3. A school corporation shall submit to the department any information the department determines is necessary to:
   (1) evaluate the school corporation's current operations; and
   (2) recommend operational efficiencies and financial savings for the school corporation.
As added by P.L.90-2011, SEC.7.
IC 20-20-40
Chapter 40. Restraint and Seclusion Commission

IC 20-20-40-1
"Behavioral intervention plan"
Sec. 1. As used in this chapter, "behavioral intervention plan" means a plan that is agreed upon by the case conference committee (as defined in IC 20-35-7-2) and incorporated into a student's individualized education program (as defined in IC 20-18-2-9) and that describes the following:

(1) The pattern of behavior that impedes the student's learning or the learning of others.
(2) The purpose or function of the behavior as identified in a functional behavioral assessment.
(3) The positive interventions and supports, and other strategies, to:
   (A) address the behavior; and
   (B) maximize consistency of implementation across people and settings in which the student is involved.
(4) If applicable, the skills that will be taught and monitored in an effort to change a specific pattern of behavior of the student.

The behavioral intervention plan seeks to maximize consistency of implementation across people and settings in which the student is involved.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-2
"Chemical restraint"
Sec. 2. As used in this chapter, "chemical restraint" means the administration of a drug or medication to manage a student's behavior or restrict a student's freedom of movement that is not a standard treatment and dosage for the student's medical or psychiatric condition.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-3
"Commission"
Sec. 3. As used in this chapter, "commission" refers to the commission on seclusion and restraint in schools established by section 11 of this chapter.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-4
"Mechanical restraint"
Sec. 4. (a) As used in this chapter, "mechanical restraint" means the use of:

(1) a mechanical device;
(2) a material; or
(3) equipment;
attached or adjacent to a student's body that the student cannot
remove and that restricts the freedom of movement of all or part of the student's body or restricts normal access to the student's body.

(b) The term does not include:
   (1) mechanical devices;
   (2) a material; or
   (3) equipment;
used as prescribed by a doctor.
_After added by P.L.122-2013, SEC.1._

IC 20-20-40-5
"Physical restraint"

Sec. 5. (a) As used in this chapter, "physical restraint" means physical contact between a school employee and a student:
   (1) in which the student unwillingly participates; and
   (2) that involves the use of a manual hold to restrict freedom of movement of all or part of a student's body or to restrict normal access to the student's body.

(b) The term does not include:
   (1) briefly holding a student without undue force in order to calm or comfort the student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation;
   (2) physical escort; or
   (3) physical contact intended to gently assist or prompt a student in performing a task or to guide or assist a student from one (1) area to another.
_After added by P.L.122-2013, SEC.1._

IC 20-20-40-6
"Positive behavior intervention and support"

Sec. 6. As used in this chapter, "positive behavior intervention and support" means a systematic approach that:
   (1) uses evidence based practices and data driven decision making to improve school climate and culture; and
   (2) includes a range of systematic and individualized strategies to reinforce desired behavior and diminish reoccurrence of problem behavior;
to achieve improved academic and social outcomes and increase learning for all students.
_After added by P.L.122-2013, SEC.1._

IC 20-20-40-7
"School corporation"

Sec. 7. As used in this chapter, "school corporation" includes a charter school that is not a virtual charter school.
_After added by P.L.122-2013, SEC.1._

IC 20-20-40-8
"School employee"

Sec. 8. As used in this chapter, "school employee" means an individual employed by a school corporation or an accredited
nonpublic school.
As added by P.L.122-2013, SEC.1.

IC 20-20-40-9  
"Seclusion"  
Sec. 9. As used in this chapter, "seclusion" means the confinement of a student alone in a room or area from which the student physically is prevented from leaving. The term does not include a supervised time-out or scheduled break, as described in a student's individualized education program, in which an adult is continuously present in the room with the student.  
As added by P.L.122-2013, SEC.1.

IC 20-20-40-10  
"Time-out"  
Sec. 10. As used in this chapter, "time-out" means a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted.  
As added by P.L.122-2013, SEC.1.

IC 20-20-40-11  
Establishment of the commission on seclusion and restraint  
Sec. 11. (a) The commission on seclusion and restraint in schools is established.  
(b) The commission has the following nine (9) members:  
(1) The designee of the state superintendent, who serves at the pleasure of the state superintendent.  
(2) A representative of the Autism Society of Indiana, chosen by the organization, who serves a two (2) year term.  
(3) A representative of the Arc of Indiana, chosen by the organization, who serves a two (2) year term.  
(4) A representative of the Indiana Council of Administrators of Special Education, chosen by the organization, who serves a two (2) year term.  
(5) A representative of Mental Health America of Indiana, chosen by the organization, who serves a two (2) year term.  
(6) A parent of a student with a disability, nominated by a member described in subdivisions (1) through (5) and approved by a majority of the members described in subdivisions (1) through (5), who serves a two (2) year term.  
(7) A parent of a student who does not have a disability, nominated by a member described in subdivisions (1) through (5) and approved by a majority of the members described in subdivisions (1) through (5), who serves a two (2) year term.  
(8) One (1) accredited nonpublic school administrator nominated by the Indiana Non-public Education Association, who serves a two (2) year term.  
(9) One (1) public school superintendent nominated by the
Indiana Association of Public School Superintendents, who serves a two (2) year term.

(c) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member who is not a state employee is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. As added by P.L.122-2013, SEC.1.

IC 20-20-40-12
Chairperson; meetings; votes and actions of the commission

Sec. 12. (a) The designee of the state superintendent under section 11(b)(1) of this chapter serves as chairperson of the commission.

(b) The commission shall meet at least annually on the call of the chairperson, and may meet as often as is necessary. The chairperson shall provide not less than fourteen (14) days notice of a meeting to the members of the commission and to the public.

(c) The affirmative votes of at least five (5) members of the commission are necessary for the commission to take action. The votes of the commission must be recorded.

(d) All commission meetings shall be open to the public, and each meeting must include opportunities for public comment.

(e) The department shall provide staff support for the commission. As added by P.L.122-2013, SEC.1.

IC 20-20-40-13
Duties; rules; notice requirement; training; elements of the restraint and seclusion plan

Sec. 13. (a) The commission has the following duties:

(1) To adopt rules concerning the following:
   (A) The use of restraint and seclusion in a school corporation or an accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.
   (B) The prevention of the use of types of restraint or seclusion that may harm a student, a school employee, a school volunteer, or the educational environment of the school.
   (C) Requirements for notifying parents.
   (D) Training regarding the use of restraint and seclusion, including the frequency of training and what employees must be trained.
   (E) The distribution of the seclusion and restraint policy to parents and the public.
   (F) Requirements for the reporting of incidents of restraint and seclusion in the annual school performance report.

(2) Before August 1, 2013, to develop a model restraint and seclusion plan for schools that includes the following elements:
   (A) A statement on how students will be treated with dignity
and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict deescalation to eliminate or minimize the need for use of any of the following:
   (i) Seclusion.
   (ii) Chemical restraint.
   (iii) Mechanical restraint.
   (iv) Physical restraint.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:
   (i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and
   (ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only for a short time period, or until the imminent risk of injury has passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:
   (i) how every incident will be documented and debriefed;
   (ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and
   (iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict deescalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of
school employees.

(b) The model policy developed by the commission must take into consideration that implementation and reporting requirements for accredited nonpublic schools may vary, and the model plan must provide accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by an accredited nonpublic school under section 14 of this chapter.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-14
Plan adoption
Sec. 14. A school corporation or accredited nonpublic school shall adopt a restraint and seclusion plan that incorporates, at a minimum, the elements of the model plan developed under section 13 of this chapter. The school corporation's or accredited nonpublic school's plan must become effective not later than July 1, 2014.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-15
Immunity
Sec. 15. (a) Nothing in this chapter may be construed to prevent a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received training under this chapter.

(b) This chapter may not be construed to give rise to a cause of action, either civil or criminal, against the state, the department, a school corporation, an accredited nonpublic school, the commission, or a member of the commission.

(c) In all matters relating to the plan adopted under section 14 of this chapter, school corporation or accredited nonpublic school personnel have qualified immunity with respect to an action taken to promote student conduct under a plan adopted under section 14 of this chapter if the action is taken in good faith and is reasonable.

As added by P.L.122-2013, SEC.1.

IC 20-20-40-16
Rulemaking
Sec. 16. The commission shall adopt rules under IC 4-22-2 to carry out the purposes of this chapter.

As added by P.L.122-2013, SEC.1.