



February 8, 2019

# HOUSE BILL No. 1640

DIGEST OF HB 1640 (Updated February 6, 2019 1:26 pm - DI 116)

**Citations Affected:** IC 4-3; IC 5-2; IC 6-3; IC 9-27; IC 16-35; IC 16-41; IC 20-18; IC 20-19; IC 20-20; IC 20-24.2; IC 20-25; IC 20-26; IC 20-26.5; IC 20-28; IC 20-30; IC 20-31; IC 20-32; IC 20-33; IC 20-34; IC 21-7; IC 21-12; IC 21-18; IC 22-4.1; IC 34-31; noncode.

**Synopsis:** Education matters. Provides that the state board of education (state board) and the governing body of a school corporation or nonpublic school may not enter into, renew, or otherwise extend a contract to establish a freeway school after June 30, 2019. Provides that provisions relating to the establishment and administration of freeway schools expire June 30, 2024. Establishes new requirements to accredit a public or private elementary or secondary school in Indiana. Provides that a school corporation or performance based accredited school may waive compliance with certain statutes or rules for a particular school that is placed in either of the three highest categories or designations of school improvement. Provides that a school corporation or accredited school may submit a request to the state board to waive certain statutes or rules for a particular school that is placed in either of the two lowest categories or designations of school improvement. Provides that if a nonpublic school that is accredited is placed in the lowest category or designation of school improvement for four consecutive years, the state board shall revoke the nonpublic school's accreditation. Changes certain references from nonaccredited nonpublic school to nonaccredited schools with one or more employee.  
(Continued next page)

**Effective:** Upon passage; July 1, 2019.

## Behning

January 24, 2019, read first time and referred to Committee on Education.  
February 7, 2019, amended, reported — Do Pass.

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## Digest Continued

Provides that a public school may not waive certain provisions. Includes virtual or electronic learning (E-Learning days) and other virtual activities in the definition of "instructional time". Provides that if a school corporation: (1) delays the start of the school day by not more than two hours later than the normal school start time; or (2) releases students not more than two hours earlier than the normal student release time; because of weather or to otherwise ensure the safety of the students, the school day shall count as a full instructional day. Voids an Indiana administrative rule relating to school accreditation. Repeals a provision that requires the state board to implement a system of recognizing certain education programs of nonpublic schools. Repeals: (1) provisions establishing performance qualified school districts; (2) a provision relating to performance based school accreditation; (3) a provision pertaining to school improvement plans; and (4) a provision pertaining to the recognition of educational programs of nonpublic schools. Resolves a conflict between HEA 1074-2018 and HEA 1002-2018. Makes technical corrections. Makes conforming amendments.

**HB 1640—LS 7082/DI 116**



February 8, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1640

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

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

- 1 SECTION 1. IC 4-3-27-11, AS ADDED BY P.L.152-2018,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 11. (a) As used in this section, "high school"  
4 means a high school (as defined in IC 20-18-2-7) that is:  
5 (1) maintained by a school corporation;  
6 (2) a charter school; or  
7 (3) ~~an a state~~ accredited nonpublic school (**as defined in**  
8 **IC 20-18-2-18.7**).
- 9 (b) Not later than July 1, 2018, the cabinet shall develop a  
10 comprehensive career navigation and coaching system for Indiana that  
11 does both of the following:  
12 (1) Provides timely, comprehensive, relevant, and useful  
13 information on careers, including at least:  
14 (A) general and industry sector based regional, state, national,  
15 and global information to identify both immediate and

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- 1 potential career opportunities arising from:
- 2 (i) current employer needs;
- 3 (ii) developing or foreseeable talent needs and trends; and
- 4 (iii) other factors identified by the cabinet;
- 5 (B) state, regional, and local labor market supply and demand
- 6 information from the department of workforce development,
- 7 industry sectors, and other verifiable sources; and
- 8 (C) educational requirements and attainment information from
- 9 employers, the department of workforce development, and
- 10 other verifiable sources.
- 11 (2) Establishes strategies and identifies capacity to deliver career
- 12 navigation and coaching to middle school, high school,
- 13 postsecondary, and adult students, with priority being given to
- 14 middle school and high school students, including at least:
- 15 (A) processes for identifying an individual's aptitude for and
- 16 interest in, and the education and training required for, various
- 17 career and employment opportunities;
- 18 (B) the use of career coaches and other coaching resources,
- 19 including the work one system, employers, Ivy Tech
- 20 Community College, Vincennes University, and other
- 21 postsecondary educational institutions; and
- 22 (C) qualifications for career coaches and a training program to
- 23 enable the career coaches to provide relevant information to
- 24 the individuals being served.
- 25 (c) All high schools in Indiana shall participate in the career
- 26 coaching program developed under subsection (b)(2).
- 27 (d) In developing the comprehensive career navigation and coaching
- 28 system under subsection (b)(2), the cabinet shall:
- 29 (1) receive cooperation, support, and assistance from:
- 30 (A) the department of workforce development, the Indiana
- 31 commission for higher education, and the department of
- 32 education; and
- 33 (B) the resources, providers, and institutions that the
- 34 departments and the commission listed in clause (A) use and
- 35 oversee;
- 36 (2) explore approaches and models from Indiana and other states
- 37 and countries;
- 38 (3) where appropriate, use pilot programs or other scaling
- 39 approaches to develop and implement the comprehensive career
- 40 navigation and coaching system in a cost effective and efficient
- 41 manner; and
- 42 (4) work to coordinate and align resources to produce effective



1 and efficient results to K-12 educational systems, postsecondary  
 2 educational systems, the workforce development community,  
 3 employers, community based organizations, and other entities.

4 (e) The cabinet shall initially:

5 (1) focus on:

6 (A) students in, or of the age to be in, the last two (2) years of  
 7 high school; and

8 (B) working age adults; and

9 (2) use, to the extent possible, the department of workforce  
 10 development, the K-12 educational system, Ivy Tech Community  
 11 College, Vincennes University, and other existing resources to  
 12 implement the comprehensive career navigation and coaching  
 13 system with a later expansion of the system, as appropriate, to all  
 14 K-12 and postsecondary schools and institutions and their  
 15 students.

16 (f) Not later than July 30, 2018, the cabinet shall submit to the  
 17 governor and the legislative council in an electronic format under  
 18 IC 5-14-6 a progress report concerning the cabinet's activities through  
 19 June 30, 2018, to develop the comprehensive career navigation and  
 20 coaching system.

21 (g) Not later than October 31, 2018, the cabinet shall submit to the  
 22 governor and the legislative council in an electronic format under  
 23 IC 5-14-6 operating and funding recommendations to implement the  
 24 comprehensive career navigation and coaching system.

25 SECTION 2. IC 5-2-10.1-13, AS ADDED BY P.L.211-2018(ss),  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2019]: Sec. 13. A charter school (as defined in IC 20-24-1-4)  
 28 or **an a state** accredited nonpublic school **(as defined in**  
 29 **IC 20-18-2-18.7)** may do one (1) or more of the following:

30 (1) Designate an individual to serve as the school safety specialist  
 31 for the school and comply with section 9 of this chapter.

32 (2) Establish a school safety plan in accordance with this chapter.

33 (3) Establish a safe school committee as described under section  
 34 12 of this chapter.

35 SECTION 3. IC 6-3-2-22, AS ADDED BY P.L.229-2011,  
 36 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2019]: Sec. 22. (a) The following definitions apply throughout  
 38 this section:

39 (1) "Dependent child" means an individual who:

40 (A) is eligible to receive a free elementary or high school  
 41 education in an Indiana school corporation;

42 (B) qualifies as a dependent (as defined in Section 152 of the



- 1 Internal Revenue Code) of the taxpayer; and  
 2 (C) is the natural or adopted child of the taxpayer or, if custody  
 3 of the child has been awarded in a court proceeding to  
 4 someone other than the mother or father, the court appointed  
 5 guardian or custodian of the child.  
 6 If the parents of a child are divorced, the term refers to the parent  
 7 who is eligible to take the exemption for the child under Section  
 8 151 of the Internal Revenue Code.  
 9 (2) "Education expenditure" refers to any expenditures made in  
 10 connection with enrollment, attendance, or participation of the  
 11 taxpayer's dependent child in a private elementary or high school  
 12 education program. The term includes tuition, fees, computer  
 13 software, textbooks, workbooks, curricula, school supplies (other  
 14 than personal computers), and other written materials used  
 15 primarily for academic instruction or for academic tutoring, or  
 16 both.  
 17 (3) "Private elementary or high school education program" means  
 18 attendance at:  
 19 (A) a nonpublic school (as defined in IC 20-18-2-12); or  
 20 (B) **an a state** accredited nonpublic school **(as defined in**  
 21 **IC 20-18-2-18.7);**  
 22 in Indiana that satisfies a child's obligation under IC 20-33-2 for  
 23 compulsory attendance at a school. The term does not include the  
 24 delivery of instructional service in a home setting to a dependent  
 25 child who is enrolled in a school corporation or a charter school.  
 26 (b) This section applies to taxable years beginning after December  
 27 31, 2010.  
 28 (c) A taxpayer who makes an unreimbursed education expenditure  
 29 during the taxpayer's taxable year is entitled to a deduction against the  
 30 taxpayer's adjusted gross income in the taxable year.  
 31 (d) The amount of the deduction is:  
 32 (1) one thousand dollars (\$1,000); multiplied by  
 33 (2) the number of the taxpayer's dependent children for whom the  
 34 taxpayer made education expenditures in the taxable year.  
 35 A husband and wife are entitled to only one (1) deduction under this  
 36 section.  
 37 (e) To receive the deduction provided by this section, a taxpayer  
 38 must claim the deduction on the taxpayer's annual state tax return or  
 39 returns in the manner prescribed by the department.  
 40 SECTION 4. IC 9-27-6-3, AS AMENDED BY P.L.85-2013,  
 41 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2019]: Sec. 3. (a) As used in this chapter, "driver training



- 1 school" means:
- 2 (1) a business enterprise that:
- 3 (A) is conducted by an individual, an association, a
- 4 partnership, a limited liability company, or a corporation for
- 5 the education and training of persons, practically or
- 6 theoretically, or both, to operate or drive motor vehicles or to
- 7 prepare an applicant for an examination or validation under
- 8 IC 9-24 for a driver's license; and
- 9 (B) charges consideration or tuition for the provision of
- 10 services; or
- 11 (2) a driver education program operated under the authority of:
- 12 (A) a school corporation (as defined in IC 36-1-2-17);
- 13 (B) a **state accredited** nonpublic secondary school that
- 14 voluntarily becomes accredited under ~~IC 20-19-2-8;~~
- 15 **IC 20-31-4.1;**
- 16 ~~(C) a nonpublic secondary school recognized under~~
- 17 ~~IC 20-19-2-10;~~
- 18 ~~(D) (C)~~ a postsecondary proprietary educational institution (as
- 19 defined in IC 22-4.1-21-9);
- 20 ~~(E) (D)~~ a postsecondary credit bearing proprietary educational
- 21 institution (as defined in IC 21-18.5-2-12);
- 22 ~~(F) (E)~~ a state educational institution (as defined in
- 23 IC 21-7-13-32); or
- 24 ~~(G) (F)~~ a nonaccredited nonpublic school.
- 25 (b) The term does not include a business enterprise that educates or
- 26 trains a person or prepares a person for an examination or a validation
- 27 given by the bureau to operate or drive a motor vehicle as a vocation.
- 28 SECTION 5. IC 9-27-6-6, AS AMENDED BY P.L.149-2015,
- 29 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2019]: Sec. 6. (a) To establish or operate a driver training
- 31 school, the driver training school must obtain a driver training school
- 32 license from the bureau in the manner and form prescribed by the
- 33 bureau.
- 34 (b) Subject to subsections (c) and (d), the bureau shall adopt rules
- 35 under IC 4-22-2 that state the requirements for obtaining a driver
- 36 training school license.
- 37 (c) The rules adopted under subsection (b) must permit a licensed
- 38 driver training school to provide classroom training during which an
- 39 instructor is present in a county outside the county where the driver
- 40 training school is located to the students of:
- 41 (1) a school corporation (as defined in IC 36-1-2-17);
- 42 (2) a **state accredited** nonpublic secondary school that



1 voluntarily becomes accredited under ~~IC 20-19-2-8;~~  
 2 **IC 20-31-4.1;**  
 3 ~~(3)~~ a nonpublic secondary school recognized under  
 4 ~~IC 20-19-2-10;~~  
 5 ~~(4)~~ **(3)** a state educational institution; or  
 6 ~~(5)~~ **(4)** a nonaccredited nonpublic school.

7 However, the rules must provide that a licensed driver training school  
 8 may provide classroom training in an entity listed in ~~subdivisions~~  
 9 **subdivision (1) through (3) or (2)** only if the governing body of the  
 10 entity approves the delivery of the training to its students.

11 (d) The rules adopted under subsection (b) must provide that driver  
 12 education instruction may not be provided to a child less than fifteen  
 13 (15) years of age.

14 SECTION 6. IC 16-35-8-1, AS AMENDED BY P.L.149-2017,  
 15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2019]: Sec. 1. As used in this chapter, "child" means a child  
 17 who is:

- 18 (1) at least three (3) years of age and less than seven (7) years of  
 19 age; or
- 20 (2) enrolled in a public school, **state** accredited nonpublic school  
 21 **(as defined in IC 20-18-2-18.7)**, or nonaccredited nonpublic  
 22 school in kindergarten through grade 12.

23 SECTION 7. IC 16-41-37.5-2, AS AMENDED BY P.L.168-2009,  
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2019]: Sec. 2. (a) The state department shall before July 1,  
 26 2010:

- 27 (1) adopt rules under IC 4-22-2 to establish an indoor air quality  
 28 inspection, evaluation, and employee notification program to  
 29 assist state agencies in improving indoor air quality; and
- 30 (2) amend 410 IAC 6-5.1 or adopt new rules under IC 4-22-2 to  
 31 do the following:
  - 32 (A) Establish an indoor air quality inspection, evaluation, and  
 33 parent and employee notification program to assist schools in  
 34 improving indoor air quality.
  - 35 (B) Establish best practices to assure healthful indoor air  
 36 quality in schools.

37 (b) Subject to subsection (c), the state department shall:

- 38 (1) inspect a school or state agency if the state department  
 39 receives a complaint about the quality of air in the school or state  
 40 agency;
- 41 (2) prepare a report, which may be in letter form, that:
  - 42 (A) describes the state department's inspection findings;





- 1 (B) identifies any conditions that are contributing or could  
 2 contribute to poor indoor air quality at the school or state  
 3 agency, including:  
 4 (i) carbon dioxide levels;  
 5 (ii) humidity;  
 6 (iii) evidence of mold or water damage; and  
 7 (iv) excess dust;  
 8 (C) provides guidance on steps the school or state agency  
 9 should take to address any issues; and  
 10 (D) requests a response from the school or state agency not  
 11 later than sixty (60) days after the date of the report;  
 12 (3) report the results of the inspection to:  
 13 (A) the person who complained about the quality of air;  
 14 (B) the school's principal or the state agency head;  
 15 (C) the superintendent of the school corporation, if the school  
 16 is part of a school corporation;  
 17 (D) the Indiana state board of education, if the school is a  
 18 public school or ~~an~~ a state accredited nonpublic school (**as**  
 19 **defined in IC 20-18-2-18.7**);  
 20 (E) the Indiana department of administration, if the inspected  
 21 entity is a state agency; and  
 22 (F) the appropriate local or county board of health; and  
 23 (4) assist the school or state agency in developing a reasonable  
 24 plan to improve air quality conditions found in the inspection.  
 25 (c) A complaint referred to in subsection (b)(1):  
 26 (1) must be in writing; and  
 27 (2) may be made by electronic mail.  
 28 (d) The state department may release the name of a person who files  
 29 a complaint referred to in subsection (b)(1) only if the person has  
 30 authorized the release in writing.  
 31 SECTION 8. IC 20-18-2-18.7 IS ADDED TO THE INDIANA  
 32 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2019]: **Sec. 18.7. "State accredited nonpublic**  
 34 **school" means a nonpublic school that has voluntarily become**  
 35 **accredited under IC 20-31-4.1.**  
 36 SECTION 9. IC 20-18-2-18.8 IS ADDED TO THE INDIANA  
 37 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2019]: **Sec. 18.8. "State accredited school"**  
 39 **means a public or nonpublic school that is accredited under**  
 40 **IC 20-31-4.1.**  
 41 SECTION 10. IC 20-19-2-8, AS AMENDED BY P.L.242-2017,  
 42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 8. (a) In addition to any other powers and duties  
 2 prescribed by law, the state board shall adopt rules under IC 4-22-2  
 3 concerning, but not limited to, the following matters:

4 (1) The designation and employment of the employees and  
 5 consultants necessary for the department. The state board shall fix  
 6 the compensation of employees of the department, subject to the  
 7 approval of the budget committee and the governor under  
 8 IC 4-12-2.

9 (2) The establishment and maintenance of standards and  
 10 guidelines for media centers, libraries, instructional materials  
 11 centers, or any other area or system of areas in a school where a  
 12 full range of information sources, associated equipment, and  
 13 services from professional media staff are accessible to the school  
 14 community. With regard to library automation systems, the state  
 15 board may only adopt rules that meet the standards established by  
 16 the state library board for library automation systems under  
 17 IC 4-23-7.1-11(b).

18 (3) The establishment and maintenance of standards for student  
 19 personnel and guidance services.

20 ~~(4) The inspection of all public schools in Indiana to determine  
 21 the condition of the schools. The state board shall establish  
 22 standards governing the accreditation of public schools.  
 23 Observance of:~~

24 ~~(A) IC 20-31-4;~~

25 ~~(B) IC 20-28-5-2;~~

26 ~~(C) IC 20-28-6-3 through IC 20-28-6-7;~~

27 ~~(D) IC 20-28-11.5; and~~

28 ~~(E) IC 20-31-3; IC 20-32-4; IC 20-32-5 (for school years  
 29 ending before July 1, 2018); IC 20-32-5.1 (for school years  
 30 beginning after June 30, 2018); and IC 20-32-8;~~

31 ~~is a prerequisite to the accreditation of a school. Local public  
 32 school officials shall make the reports required of them and  
 33 otherwise cooperate with the state board regarding required  
 34 inspections. Nonpublic schools may also request the inspection  
 35 for classification purposes. Compliance with the building and site  
 36 guidelines adopted by the state board is not a prerequisite of  
 37 accreditation.~~

38 ~~(5) (4) The distribution of funds and revenues appropriated for the  
 39 support of schools in the state.~~

40 ~~(6) The state board may not establish an accreditation system for  
 41 nonpublic schools that is less stringent than the accreditation  
 42 system for public schools.~~



1 (7) A separate system for recognizing nonpublic schools under  
 2 IC 20-19-2-10. Recognition of nonpublic schools under this  
 3 subdivision constitutes the system of regulatory standards that  
 4 apply to nonpublic schools that seek to qualify for the system of  
 5 recognition.

6 (8) (5) The establishment and enforcement of standards and  
 7 guidelines concerning the safety of students participating in  
 8 cheerleading activities.

9 (9) (6) Subject to IC 20-28-2, the preparation and licensing of  
 10 teachers.

11 (b) Before final adoption of any rule, the state board shall make a  
 12 finding on the estimated fiscal impact that the rule will have on school  
 13 corporations.

14 SECTION 11. IC 20-19-2-10 IS REPEALED [EFFECTIVE JULY  
 15 1, 2019]. Sec. 10: (a) It is the policy of the state that the state:

16 (1) recognizes that nonpublic schools provide education to  
 17 children in Indiana;

18 (2) has an interest in ensuring that all Indiana children are well  
 19 educated in both curricular and extracurricular programs; and

20 (3) should facilitate the transferability of comparable academic  
 21 credit between appropriate nonpublic schools and state supported  
 22 educational institutions.

23 (b) The state board shall implement a system of recognition of the  
 24 educational programs of nonpublic schools to fulfill the policy set forth  
 25 in subsection (a):

26 (c) The system of recognition described under subsection (b) must:

27 (1) be voluntary in nature with respect to the nonpublic school;

28 (2) recognize the characteristics that distinguish nonpublic  
 29 schools from public schools; and

30 (3) be a recognition system that is separate from the accreditation  
 31 standards required of public schools and available to nonpublic  
 32 schools under section 8(a)(4) of this chapter.

33 (d) This section does not prohibit a nonpublic school from seeking  
 34 accreditation under section 8(a)(4) of this chapter.

35 (e) The department shall waive accreditation standards for an  
 36 accredited nonpublic alternative school that enters into a contract with  
 37 a school corporation to provide alternative education services for  
 38 students who have:

39 (1) dropped out of high school;

40 (2) been expelled; or

41 (3) been sent to the nonpublic alternative school due to the  
 42 students' lack of success in the public school environment;



1 to accommodate the nonpublic alternative school's program and student  
 2 population. A nonpublic alternative school to which this subsection  
 3 applies is not subject to being placed in a category or designation under  
 4 IC 20-31-8-4. However, the nonpublic alternative school must comply  
 5 with all state reporting requirements and submit a school improvement  
 6 growth model on the anniversary date of the nonpublic alternative  
 7 school's original accreditation.

8 (f) The state board may accredit a nonpublic school under this  
 9 section at the time the nonpublic school begins operation in Indiana.

10 (g) The state board shall adopt rules under IC 4-22-2 to implement  
 11 this section.

12 SECTION 12. IC 20-19-2-11 IS REPEALED [EFFECTIVE JULY  
 13 1, 2019]. Sec. 11: (a) As used in this section, "plan" refers to a strategic  
 14 and continuous school improvement and achievement plan developed  
 15 under IC 20-31-5:

16 (b) A plan must:

- 17 (1) conform to the requirements of IC 20-31-5; and
- 18 (2) include a professional development program.

19 (c) The governing body may do the following for a school that  
 20 participates in a plan:

- 21 (1) Invoke a waiver of a rule adopted by the state board under  
 22 IC 20-31-5-5(b);
- 23 (2) Develop a plan for the admission of students who do not  
 24 reside in the school's attendance area but have legal settlement in  
 25 the school corporation:

26 (d) In approving a school corporation's actions under this section,  
 27 the state board shall consider whether the governing body has done the  
 28 following:

- 29 (1) Approved a school's plan.
- 30 (2) Demonstrated the support of the exclusive representative only  
 31 for the professional development program component of the plan.

32 (e) The state board may waive any statute or rule relating to  
 33 curriculum in accordance with IC 20-31-5-5:

34 (f) As part of the plan, the governing body may develop and  
 35 implement a policy to do the following:

- 36 (1) Allow the transfer of a student who resides in the school's  
 37 attendance area but whose parent requests that the student attend  
 38 another school in the school corporation of legal settlement.
- 39 (2) Inform parents of their rights under this section.

40 (g) The state board shall adopt rules under IC 4-22-2 to implement  
 41 this section.

42 SECTION 13. IC 20-20-5.5-3, AS AMENDED BY P.L.286-2013,



1 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2019]: Sec. 3. (a) The state superintendent shall notify the  
3 governing bodies of each school corporation, charter school, and **state**  
4 accredited nonpublic school immediately of:

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

9 (2) updates of the following types of information in the report  
10 described in section 2(c) of this chapter:

11 (A) The addition of materials.

12 (B) The removal of materials.

13 (C) Changes in the per unit price of curricular materials that  
14 exceed five percent (5%).

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

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

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

21 SECTION 14. IC 20-20-40-8, AS ADDED BY P.L.122-2013,  
22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2019]: Sec. 8. As used in this chapter, "school employee"  
24 means an individual employed by a school corporation or ~~an~~ **a state**  
25 accredited nonpublic school.

26 SECTION 15. IC 20-20-40-11, AS AMENDED BY P.L.191-2018,  
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2019]: Sec. 11. (a) The commission on seclusion and restraint  
29 in schools is established.

30 (b) The commission has the following ten (10) members:

31 (1) The designee of the state superintendent, who serves at the  
32 pleasure of the state superintendent.

33 (2) A representative of the Autism Society of Indiana, chosen by  
34 the organization, who serves a two (2) year term.

35 (3) A representative of the Arc of Indiana, chosen by the  
36 organization, who serves a two (2) year term.

37 (4) A representative of the Indiana Council of Administrators of  
38 Special Education, chosen by the organization, who serves a two  
39 (2) year term.

40 (5) A representative of Mental Health America of Indiana, chosen  
41 by the organization, who serves a two (2) year term.

42 (6) A parent of a student with a disability, nominated by a



- 1 member described in subdivisions (2), (3), and (5) and approved  
 2 by a majority of the members described in subdivisions (1)  
 3 through (5) and (8) through (10), who serves a two (2) year term.  
 4 (7) A parent of a student who does not have a disability,  
 5 nominated by a member described in subdivisions (2), (3), and (5)  
 6 and approved by a majority of the members described in  
 7 subdivisions (1) through (5) and (8) through (10), who serves a  
 8 two (2) year term.  
 9 (8) One (1) **state** accredited nonpublic school administrator  
 10 nominated by the Indiana Non-public Education Association, who  
 11 serves a two (2) year term.  
 12 (9) One (1) public school superintendent nominated by the  
 13 Indiana Association of Public School Superintendents, who serves  
 14 a two (2) year term.  
 15 (10) One (1) member of the Indiana School Resource Officers  
 16 Association chosen by the organization, who serves a two (2) year  
 17 term.  
 18 (c) Each member of the commission who is not a state employee is  
 19 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).  
 20 A member who is not a state employee is also entitled to  
 21 reimbursement for traveling expenses and other expenses actually  
 22 incurred in connection with the member's duties, as provided in the  
 23 state travel policies and procedures established by the Indiana  
 24 department of administration and approved by the budget agency.  
 25 SECTION 16. IC 20-20-40-13, AS AMENDED BY P.L.227-2017,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2019]: Sec. 13. (a) The commission has the following duties:  
 28 (1) To adopt rules concerning the following:  
 29 (A) The use of restraint and seclusion in a school corporation  
 30 or ~~an~~ **a state** accredited nonpublic school, with an emphasis on  
 31 eliminating or minimizing the use of restraint and seclusion.  
 32 (B) The prevention of the use of types of restraint or seclusion  
 33 that may harm a student, a school employee, a school  
 34 volunteer, or the educational environment of the school.  
 35 (C) Requirements for notifying parents.  
 36 (D) Training regarding the use of restraint and seclusion,  
 37 including the frequency of training and what employees must  
 38 be trained.  
 39 (E) The distribution of the seclusion and restraint policy to  
 40 parents and the public.  
 41 (F) Requirements for the reporting of incidents of restraint and  
 42 seclusion in the annual school performance report, including



- 1 incidents of restraint and seclusion involving school resource  
 2 officers (as defined in IC 20-26-18.2-1).  
 3 (G) Circumstances that may require more timely incident  
 4 reporting and the requirements for such reporting.
- 5 (2) To develop, maintain, and revise a model restraint and  
 6 seclusion plan for schools that includes the following elements:
- 7 (A) A statement on how students will be treated with dignity  
 8 and respect and how appropriate student behavior will be  
 9 promoted and taught.
- 10 (B) A statement ensuring that the school will use prevention,  
 11 positive behavior intervention and support, and conflict  
 12 deescalation to eliminate or minimize the need for use of any  
 13 of the following:
- 14 (i) Seclusion.  
 15 (ii) Chemical restraint.  
 16 (iii) Mechanical restraint.  
 17 (iv) Physical restraint.
- 18 (C) A statement ensuring that any behavioral intervention used  
 19 will be consistent with the student's most current behavioral  
 20 intervention plan, or individualized education program, if  
 21 applicable.
- 22 (D) Definitions for restraint and seclusion, as defined in this  
 23 chapter.
- 24 (E) A statement ensuring that if a procedure listed in clause  
 25 (B) is used, the procedure will be used:
- 26 (i) as a last resort safety procedure, employed only after  
 27 another, less restrictive procedure has been implemented  
 28 without success; and  
 29 (ii) in a situation in which there is an imminent risk of injury  
 30 to the student, other students, school employees, or visitors  
 31 to the school.
- 32 (F) An indication that restraint or seclusion may be used only  
 33 for a short time period, or until the imminent risk of injury has  
 34 passed.
- 35 (G) A documentation and recording requirement governing  
 36 instances in which procedures listed in clause (B) are used,  
 37 including:
- 38 (i) how every incident will be documented and debriefed;  
 39 (ii) how responsibilities will be assigned to designated  
 40 employees for evaluation and oversight; and  
 41 (iii) designation of a school employee to be the keeper of  
 42 such documents.



- 1 (H) A requirement that the student's parent must be notified as
- 2 soon as possible when an incident involving the student occurs
- 3 that includes use of procedures listed in clause (B).
- 4 (I) A requirement that a copy of an incident report must be
- 5 sent to the student's parent after the student is subject to a
- 6 procedure listed in clause (B).
- 7 (J) Required recurrent training for appropriate school
- 8 employees on the appropriate use of effective alternatives to
- 9 physical restraint and seclusion, including the use of positive
- 10 behavioral intervention and support and conflict deescalation.
- 11 The training must include the safe use of physical restraint and
- 12 seclusion in incidents involving imminent danger or serious
- 13 harm to the student, school employees, or others.
- 14 Consideration must be given to available school resources and
- 15 the time commitments of school employees.
- 16 (3) To accept and review reports from the public and make
- 17 nonbinding recommendations to the department of any suggested
- 18 action to be taken.
- 19 (b) The model policy developed by the commission must take into
- 20 consideration that implementation and reporting requirements for **state**
- 21 accredited nonpublic schools may vary, and the model plan must
- 22 provide **state** accredited nonpublic schools flexibility with regards to
- 23 accountability under and implementation of the plan adopted by **an a**
- 24 **state** accredited nonpublic school under section 14 of this chapter.
- 25 SECTION 17. IC 20-20-40-14, AS AMENDED BY P.L.227-2017,
- 26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2019]: Sec. 14. (a) A school corporation or **state** accredited
- 28 nonpublic school shall adopt a restraint and seclusion plan that
- 29 incorporates, at a minimum, the elements of the model plan developed
- 30 under section 13 of this chapter. The school corporation's or **state**
- 31 accredited nonpublic school's plan must become effective not later than
- 32 July 1, 2014.
- 33 (b) The department has the authority to require schools to submit
- 34 plans developed in accordance with section 13 of this chapter.
- 35 SECTION 18. IC 20-20-40-15, AS ADDED BY P.L.122-2013,
- 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2019]: Sec. 15. (a) Nothing in this chapter may be construed
- 38 to prevent a school employee from stopping a physical altercation,
- 39 acting to prevent physical harm to a student or another individual, or
- 40 acting to address an emergency until the emergency is over, whether or
- 41 not the school employee has received training under this chapter.
- 42 (b) This chapter may not be construed to give rise to a cause of





1 action, either civil or criminal, against the state, the department, a  
 2 school corporation, ~~an a state~~ accredited nonpublic school, the  
 3 commission, or a member of the commission.

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

9 SECTION 19. IC 20-24.2 IS REPEALED [EFFECTIVE JULY 1,  
 10 2019]. (PERFORMANCE QUALIFIED SCHOOL DISTRICTS).

11 SECTION 20. IC 20-25-13-5, AS AMENDED BY P.L.13-2013,  
 12 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2019]: Sec. 5. Development and implementation of a staff  
 14 performance evaluation plan for each school is a condition for  
 15 accreditation for the school under ~~IC 20-19-2-8(a)(4)~~. **IC 20-31-4.1.**

16 SECTION 21. IC 20-26-11-6.7, AS ADDED BY P.L.17-2015,  
 17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2019]: Sec. 6.7. (a) This section:

- 19 (1) applies to a school corporation that does not have a policy of  
 20 accepting transfer students having legal settlement outside the  
 21 attendance area of the transferee school corporation; and  
 22 (2) does not apply to a school corporation that has more than one  
 23 (1) high school.

24 (b) Notwithstanding this chapter, a school corporation shall accept  
 25 a transferring student who resides in Indiana and who does not have  
 26 legal settlement in the school corporation if:

- 27 (1) the student attended ~~an a state~~ accredited nonpublic  
 28 elementary school located in the attendance area of the transferee  
 29 school corporation for at least two (2) school years immediately  
 30 preceding the school year in which the student transfers to a high  
 31 school in the transferee school corporation under this section;  
 32 (2) the student is transferring because the **state** accredited  
 33 nonpublic school from which the student is transferring does not  
 34 offer grades 9 through 12;  
 35 (3) the majority of the students in the same grade as the  
 36 transferring student at the **state** accredited nonpublic school have  
 37 legal settlement in the transferee school corporation and will  
 38 attend a school under the authority of the transferee school  
 39 corporation; and  
 40 (4) the transferee school corporation has the capacity to accept  
 41 students.

42 (c) If the number of students who request to transfer to a transferee



1 school corporation under this section causes the school corporation to  
 2 exceed the school corporation's maximum student capacity, the  
 3 governing body shall determine which students will be admitted as  
 4 transfer students by a random drawing in a public meeting.

5 SECTION 22. IC 20-26-11-31, AS AMENDED BY P.L.251-2017,  
 6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2019]: Sec. 31. (a) This section applies to a school corporation  
 8 that enrolls a student who has legal settlement in another school  
 9 corporation for the purpose of the student receiving services from ~~an~~  
 10 **a state** accredited nonpublic alternative high school described in  
 11 ~~IC 20-19-2-10(e)~~: **IC 20-31-4.1-2(c)**.

12 (b) A school corporation is entitled to receive state tuition support  
 13 for a student described in subsection (a) in an amount equal to:

- 14 (1) the amount received by the school corporation in which the  
 15 student is enrolled for ADM purposes; or
- 16 (2) the amount received by the school corporation in which the  
 17 student has legal settlement;

18 whichever is greater.

19 SECTION 23. IC 20-26-11-32, AS AMENDED BY P.L.86-2018,  
 20 SECTION 177, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2019]: Sec. 32. (a) This section does not apply  
 22 to a school corporation if the governing body has adopted a policy of  
 23 not accepting the transfer of any student who does not have legal  
 24 settlement within the school corporation.

25 (b) The governing body of a school corporation shall annually  
 26 establish:

- 27 (1) except as provided in subsection (m), the number of transfer  
 28 students the school corporation has the capacity to accept in each  
 29 grade level; and
- 30 (2) the date by which requests to transfer into the school  
 31 corporation must be received by the governing body.

32 (c) After establishing the date under subsection (b)(2), the  
 33 governing body shall:

- 34 (1) publish the date on the school corporation's Internet web site;  
 35 and
- 36 (2) report the date to the department.

37 (d) The department shall publish the dates received from school  
 38 corporations under subsection (c)(2) on the department's Internet web  
 39 site.

40 (e) A student to whom this section applies may not request to  
 41 transfer under this section primarily for athletic reasons to a school  
 42 corporation in which the student does not have legal settlement.



1 (f) If the number of requests to transfer into a school corporation  
 2 received by the date established for the school corporation under  
 3 subsection (b)(2) exceeds the capacity established for the school  
 4 corporation under subsection (b)(1), each timely request must be given  
 5 an equal chance to be accepted, with the exception that a student  
 6 described in subsection (h) shall be given priority. The governing body  
 7 must determine which students will be admitted as transfer students to  
 8 each school building and each grade level within the school corporation  
 9 by using a publicly verifiable random selection process.

10 (g) Except as provided in subsections (i), (j), (k), and (m), the  
 11 governing body of a school corporation may not deny a request for a  
 12 student to transfer into the school corporation based upon the student's  
 13 academic record, scores on statewide assessment program tests,  
 14 disciplinary record, or disability, or upon any other factor not related  
 15 to the school corporation's capacity.

16 (h) Except as provided in subsections (i), (j), and (k), the governing  
 17 body of a school corporation may not deny a request for a student to  
 18 transfer into the school corporation if the student requesting to transfer:

19 (1) is a member of a household in which any other member of the  
 20 household is a student in the transferee school; or

21 (2) has a parent who is an employee of the school corporation.

22 (i) A governing body of a school corporation may limit the number  
 23 of new transfers to a school building or grade level in the school  
 24 corporation:

25 (1) to ensure that a student who attends a school within the school  
 26 corporation as a transfer student during a school year may  
 27 continue to attend the school in subsequent school years; and

28 (2) to allow a student described in subsection (h) to attend a  
 29 school within the school corporation.

30 (j) Notwithstanding subsections (f), (g), and (h), a governing body  
 31 of a school corporation may deny a request for a student to transfer to  
 32 the school corporation or may discontinue enrollment currently or in a  
 33 subsequent school year, or establish terms or conditions for enrollment  
 34 or for continued enrollment in a subsequent school year, if:

35 (1) the student has been suspended (as defined in IC 20-33-8-7)  
 36 or expelled (as defined in IC 20-33-8-3) during the twelve (12)  
 37 months preceding the student's request to transfer under this  
 38 section:

39 (A) for ten (10) or more school days;

40 (B) for a violation under IC 20-33-8-16;

41 (C) for causing physical injury to a student, a school employee,  
 42 or a visitor to the school; or



- 1 (D) for a violation of a school corporation's drug or alcohol  
 2 rules; or  
 3 (2) the student has had a history of unexcused absences and the  
 4 governing body of the school corporation believes that, based  
 5 upon the location of the student's residence, attendance would be  
 6 a problem for the student if the student is enrolled with the school  
 7 corporation.  
 8 For purposes of subdivision (1)(A), student discipline received under  
 9 IC 20-33-8-25(b)(7) for a violation described in subdivision (1)(B)  
 10 through (1)(D) shall be included in the calculation of the number of  
 11 school days that a student has been suspended.  
 12 (k) The governing body of a school corporation with a school  
 13 building that offers a special curriculum may require a student who  
 14 transfers to the school building to meet the same eligibility criteria  
 15 required of all students who attend the school building that offers the  
 16 special curriculum.  
 17 (l) The parent of a student for whom a request to transfer is made is  
 18 responsible for providing the school corporation to which the request  
 19 is made with records or information necessary for the school  
 20 corporation to determine whether the request to transfer may be denied  
 21 under subsection (j).  
 22 (m) Notwithstanding this section, the governing body of a school  
 23 corporation may authorize the school corporation to enter into an  
 24 agreement with ~~an~~ **a state** accredited nonpublic school or charter  
 25 school to allow students of the **state** accredited nonpublic school or  
 26 charter school to transfer to a school within the school corporation.  
 27 (n) A school corporation that has adopted a policy to not accept  
 28 student transfers after June 30, 2013, is not prohibited from enrolling  
 29 a:  
 30 (1) transfer student who attended a school within the school  
 31 corporation during the 2012-2013 school year; or  
 32 (2) member of a household in which any other member of the  
 33 household was a transfer student who attended a school within the  
 34 school corporation during the 2012-2013 school year.  
 35 However, if a school corporation enrolls a student described in  
 36 subdivision (1) or (2), the school corporation shall also allow a student  
 37 or member of the same household of a student who attended ~~an~~ **a state**  
 38 accredited nonpublic school within the attendance area of the school  
 39 corporation during the 2012-2013 school year to enroll in a school  
 40 within the school corporation.  
 41 SECTION 24. IC 20-26-13-1, AS ADDED BY P.L.1-2005,  
 42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 1. This chapter applies to:  
 2 (1) a public high school; and  
 3 (2) ~~an~~ **a state** accredited nonpublic high school.  
 4 SECTION 25. IC 20-26-15-4, AS ADDED BY P.L.1-2005,  
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 UPON PASSAGE]: Sec. 4. (a) **Subject to subsection (c)**, the state  
 7 board and the governing body of a school corporation must enter into  
 8 a contract that complies with this chapter to designate a school  
 9 corporation as a freeway school corporation or a school within a school  
 10 corporation as a freeway school if a school corporation:  
 11 (1) petitions the state board for designation as a freeway school  
 12 corporation or to have a school within the school corporation  
 13 designated as a freeway school; and  
 14 (2) agrees to comply with this chapter.  
 15 (b) A school corporation becomes a freeway school corporation and  
 16 a school becomes a freeway school when the contract is signed by:  
 17 (1) the state superintendent, acting for the state board after a  
 18 majority of the members of the state board have voted in a public  
 19 session to enter into the contract; and  
 20 (2) the president of the governing body of the school corporation,  
 21 acting for the governing body of the school corporation after a  
 22 majority of the members of the governing body have voted in a  
 23 public session to enter into the contract.  
 24 **(c) The state board and the governing body of a school**  
 25 **corporation may not enter into, renew, or otherwise extend a**  
 26 **contract under this chapter after June 30, 2019.**  
 27 SECTION 26. IC 20-26-15-5, AS AMENDED BY P.L.140-2018,  
 28 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2019]: Sec. 5. Notwithstanding any other law, the operation  
 30 of the following is suspended for a freeway school corporation or a  
 31 freeway school if the governing body of the school corporation elects  
 32 to have the specific statute or rule suspended in the contract:  
 33 (1) The following statutes and rules concerning curriculum and  
 34 instructional time:  
 35 IC 20-30-2-7  
 36 IC 20-30-5-8  
 37 IC 20-30-5-9  
 38 IC 20-30-5-11  
 39 511 IAC 6-7-6  
 40 511 IAC 6.1-5-0.5  
 41 511 IAC 6.1-5-1  
 42 511 IAC 6.1-5-2.5



- 1                   511 IAC 6.1-5-3.5
- 2                   511 IAC 6.1-5-4.
- 3                   (2) The following rule concerning pupil/teacher ratios:
- 4                   511 IAC 6.1-4-1.
- 5                   (3) The following statutes and rules concerning curricular
- 6                   materials:
- 7                   IC 20-26-12-24
- 8                   IC 20-26-12-26
- 9                   IC 20-26-12-1
- 10                  IC 20-26-12-2
- 11                  511 IAC 6.1-5-5.
- 12                  (4) 511 IAC 6-7, concerning graduation requirements.
- 13                  (5) ~~IC 20-31-4~~, **IC 20-31-4.1**, concerning the performance based
- 14                  accreditation system.
- 15                  (6) IC 20-32-5 (before its expiration on July 1, 2018), concerning
- 16                  the ISTEP program established under IC 20-32-5-15, if an
- 17                  alternative locally adopted assessment program is adopted under
- 18                  section 6(4) of this chapter.
- 19                  SECTION 27. IC 20-26-15-9, AS ADDED BY P.L.1-2005,
- 20                  SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21                  UPON PASSAGE]: Sec. 9. **(a) Subject to subsection (b)**, the
- 22                  governing body of a freeway school corporation and the state board
- 23                  acting jointly may amend a contract entered into under this chapter:
- 24                    (1) to comply with any law enacted subsequent to the formation
- 25                    of the contract;
- 26                    (2) to alter the educational benefits to a level that is not below the
- 27                    minimum educational benefits listed in section 7 of this chapter;
- 28                    or
- 29                    (3) for a purpose jointly agreed to by the parties.
- 30                  **(b) An amendment made under subsection (a) may not extend**
- 31                  **the term of a contract in effect on June 30, 2019.**
- 32                  SECTION 28. IC 20-26-15-13, AS AMENDED BY P.L.251-2017,
- 33                  SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34                  UPON PASSAGE]: Sec. 13. **(a) Subject to subsection (f)**, a nonpublic
- 35                  school may enter into a contract with the state board to become a
- 36                  freeway school.
- 37                  **(b)** The state board and the governing body of a nonpublic school
- 38                  must enter into a contract that complies with this chapter to designate
- 39                  the nonpublic school as a freeway school if the nonpublic school:
- 40                    (1) petitions the state board for designation as a freeway school;
- 41                    and
- 42                    (2) agrees to comply with this chapter.



1 (c) A nonpublic school becomes a freeway school when the contract  
2 is signed by:

3 (1) the state superintendent, acting for the state board after a  
4 majority of the members of the board have voted in a public  
5 session to enter into the contract; and

6 (2) the president of the governing body of the nonpublic school,  
7 acting for the governing body of the nonpublic school after a  
8 majority of the members of the governing body have voted to  
9 enter into the contract.

10 (d) The state board shall accredit a nonpublic school that:

11 (1) becomes a freeway school under this chapter; and

12 (2) complies with the terms of the contract.

13 (e) The state board may accredit a nonpublic school under this  
14 section at the time the nonpublic school enters into the contract under  
15 subsection (a).

16 **(f) The state board and the governing body of a nonpublic**  
17 **school may not enter into, renew, or otherwise extend a contract**  
18 **under this chapter after June 30, 2019.**

19 SECTION 29. IC 20-26-15-16 IS ADDED TO THE INDIANA  
20 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
21 [EFFECTIVE UPON PASSAGE]: **Sec. 16. This chapter expires June**  
22 **30, 2024.**

23 SECTION 30. IC 20-26-18.2-4, AS ADDED BY P.L.227-2017,  
24 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2019]: Sec. 4. A school corporation, ~~an~~ **a state** accredited  
26 nonpublic school, or a charter school shall report all instances of:

27 (1) seclusion (as defined in IC 20-20-40-9);

28 (2) chemical restraint (as defined in IC 20-20-40-2);

29 (3) mechanical restraint (as defined in IC 20-20-40-4); and

30 (4) physical restraint (as defined in IC 20-20-40-5);

31 involving a school resource officer in accordance with the restraint and  
32 seclusion plan adopted by the school corporation, **state** accredited  
33 nonpublic school, or charter school under IC 20-20-40-14.

34 SECTION 31. IC 20-26.5-1-2, AS ADDED BY P.L.190-2018,  
35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2019]: Sec. 2. As used in this article, "coalition member"  
37 refers to a school corporation, eligible school (as defined in  
38 IC 20-51-1-4.7), or **state** accredited nonpublic school that is approved  
39 by the state board under IC 20-26.5-2 to become a member of a  
40 coalition established under IC 20-26.5-2.

41 SECTION 32. IC 20-26.5-2-1, AS ADDED BY P.L.190-2018,  
42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]; Sec. 1. (a) The state board may approve not more than  
 2 one (1) coalition of continuous improvement school districts under this  
 3 chapter to offer flexibility and innovation to schools to improve student  
 4 outcomes.

5 (b) To establish a coalition under this chapter, at least four (4), but  
 6 not more than a total of eight (8), of any of the following must jointly  
 7 submit a plan to the state board in a manner prescribed by the state  
 8 board:

9 (1) A school corporation.

10 (2) An eligible school (as defined in IC 20-51-1-4.7).

11 (3) ~~An~~ A state accredited nonpublic school.

12 (c) The plan submitted under subsection (b) must include:

13 (1) a description of the various educational programs that will be  
 14 offered by members of the proposed coalition;

15 (2) a description that identifies potential coalition member  
 16 partnerships with:

17 (A) business or industry;

18 (B) postsecondary educational institutions; or

19 (C) community partners;

20 (3) the specific goals and the measurable student outcomes to be  
 21 obtained by the proposed coalition members; and

22 (4) an explanation of how student performance in achieving the  
 23 specific outcomes will be measured, evaluated, and reported.

24 If a plan submitted to the state board includes a request to suspend all  
 25 or portions of IC 20-30 for a proposed coalition, the plan must include  
 26 how the specific goal of the proposed coalition will be achieved by  
 27 suspending all or portions of IC 20-30. The state board may approve a  
 28 plan that proposes to suspend all or portions of IC 20-30 only if the  
 29 suspension is related to a specific goal of the proposed coalition.

30 (d) The state board may approve a coalition under this chapter if the  
 31 state board determines that the coalition will:

32 (1) improve student performance and outcomes;

33 (2) offer coalition members flexibility in the administration of  
 34 educational programs; and

35 (3) promote innovative educational approaches to student  
 36 learning.

37 (e) The plan approved by the state board under subsection (d) must  
 38 apply uniformly for each member of the coalition.

39 (f) Upon approval of the coalition by the state board under  
 40 subsection (d), the state board shall post the following on the state  
 41 board's Internet web site:

42 (1) A copy of the plan approved by the state board under





- 1 subsection (d).  
 2 (2) Information describing how a school corporation, an eligible  
 3 school (as defined in IC 20-51-1-4.7), or ~~an~~ **a state** accredited  
 4 nonpublic school may submit an application to become a coalition  
 5 member to the coalition under section 2(b) of this chapter.  
 6 SECTION 33. IC 20-26.5-2-2, AS ADDED BY P.L.190-2018,  
 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2019]: Sec. 2. (a) Subject to subsection (b), if the state board  
 9 approves a coalition under section 1(d) of this chapter, the applicants  
 10 that jointly submitted an application under section 1 of this chapter  
 11 become coalition members.  
 12 (b) In addition to the coalition members described in subsection (a),  
 13 a school corporation, an eligible school (as defined in IC 20-51-1-4.7),  
 14 or ~~an~~ **a state** accredited nonpublic school may become a coalition  
 15 member by submitting an application to the coalition, in a manner  
 16 prescribed by the coalition. The coalition may submit a  
 17 recommendation to the state board that an applicant under this  
 18 subsection should be approved to participate in the coalition. Subject  
 19 to subsection (c), the state board shall approve an application submitted  
 20 under this subsection.  
 21 (c) For:  
 22 (1) the 2018-2019 school year, not more than a total of eight (8)  
 23 school corporations, eligible schools (as defined in  
 24 IC 20-51-1-4.7), or **state** accredited nonpublic schools may  
 25 participate in the coalition;  
 26 (2) the 2019-2020 school year, not more than a total of twelve  
 27 (12) school corporations, eligible schools (as defined in  
 28 IC 20-51-1-4.7), or **state** accredited nonpublic schools may  
 29 participate in the coalition; and  
 30 (3) the 2020-2021 school year, not more than a total of sixteen  
 31 (16) school corporations, eligible schools (as defined in  
 32 IC 20-51-1-4.7), or **state** accredited nonpublic schools may  
 33 participate in the coalition.  
 34 (d) Beginning in the 2021-2022 school year and each school year  
 35 thereafter, the state board shall limit the number of coalition members  
 36 to thirty (30) school corporations, eligible schools (as defined in  
 37 IC 20-51-1-4.7), or **state** accredited nonpublic schools.  
 38 SECTION 34. IC 20-26.5-2-3, AS ADDED BY P.L.190-2018,  
 39 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2019]: Sec. 3. (a) Notwithstanding any other law, the  
 41 following may be suspended for a coalition member in accordance with  
 42 the coalition's plan:



- 1 (1) Subject to section 1(c) of this chapter, IC 20-30, concerning  
 2 curriculum.  
 3 (2) The following statutes and rules concerning curricular  
 4 materials:  
 5 IC 20-26-12-1.  
 6 IC 20-26-12-2.  
 7 IC 20-26-12-24.  
 8 IC 20-26-12-26.  
 9 511 IAC 6.1-5-5.  
 10 (3) The following rules concerning teacher licenses:  
 11 511 IAC 16.  
 12 511 IAC 17.  
 13 (4) ~~IC 20-31-4~~, **IC 20-31-4.1**, concerning the performance based  
 14 accreditation system.  
 15 (5) Except as provided in subsection (b), any other statute in  
 16 IC 20 or rule in 511 IAC requested to be suspended as part of the  
 17 plan that is approved by the state board under section 1 of this  
 18 chapter.  
 19 (b) A coalition member may not suspend under subsection (a)(5)  
 20 any of the following:  
 21 (1) IC 20-26-5-10 (criminal history and child protection index  
 22 check).  
 23 (2) IC 20-28 (school teachers).  
 24 (3) IC 20-29 (collective bargaining).  
 25 (4) IC 20-31 (accountability for performance and improvement),  
 26 except for ~~IC 20-31-4~~, **IC 20-31-4.1**.  
 27 (5) Subject to subsection (c), IC 20-32-4 (graduation  
 28 requirements).  
 29 (6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment  
 30 Readiness Network (ILEARN) program).  
 31 (7) IC 20-33 (students).  
 32 (8) IC 20-34 (student health and safety measures).  
 33 (9) IC 20-35 (special education).  
 34 (10) IC 20-36 (high ability students).  
 35 (11) IC 20-39 (accounting and financial reporting procedures).  
 36 (12) IC 20-40 (government funds and accounts).  
 37 (13) IC 20-41 (extracurricular funds and accounts).  
 38 (14) IC 20-42 (fiduciary funds and accounts).  
 39 (15) IC 20-42.5 (allocation of expenditures to student instruction  
 40 and learning).  
 41 (16) IC 20-43 (state tuition support).  
 42 (17) IC 20-44 (property tax levies).



- 1 (18) IC 20-46 (levies other than general fund levies).  
 2 (19) IC 20-47 (related entities; holding companies; lease  
 3 agreements).  
 4 (20) IC 20-48 (borrowing and bonds).  
 5 (21) IC 20-49 (state management of common school funds; state  
 6 advances and loans).  
 7 (22) IC 20-50 (homeless children and foster care children).

8 (c) A coalition member must comply with the postsecondary  
 9 readiness competency requirements under IC 20-32-4-1.5(b)(1).  
 10 However, a coalition member may establish flexible course  
 11 requirements pursuant to the coalition's plan that are not aligned with  
 12 the course and credit requirements adopted by the state board under  
 13 IC 20-30-10. If the coalition member school offers courses that are not  
 14 aligned with requirements adopted by the state board under  
 15 IC 20-30-10, a parent of a student and the student who intends to enroll  
 16 in a course that is not aligned with requirements adopted by the state  
 17 board under IC 20-30-10 must provide consent to the coalition member  
 18 school to enroll in the course. The consent form used by the coalition,  
 19 which shall be developed in collaboration with the commission for  
 20 higher education, must notify the parent and the student that enrollment  
 21 in the course may affect the student's ability to attend a particular  
 22 postsecondary educational institution or enroll in a particular course at  
 23 a particular postsecondary educational institution because the course  
 24 does not align with requirements established by the state board under  
 25 IC 20-30-10.

26 SECTION 35. IC 20-28-3-3.5, AS ADDED BY P.L.220-2015,  
 27 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2019]: Sec. 3.5. The guidelines developed under section 3 of  
 29 this chapter must incorporate methods that assist individuals in  
 30 developing competency in employing approaches to create positive  
 31 classroom and school climates that are culturally responsive, including:

- 32 (1) classroom management strategies;  
 33 (2) restorative justice;  
 34 (3) positive behavioral interventions and supports;  
 35 (4) social and emotional training as described in IC 12-21-5-2,  
 36 ~~IC 20-19-2-10~~, IC 20-19-3-12, and IC 20-26-5-34.2; and  
 37 (5) conflict resolution.

38 SECTION 36. IC 20-28-3-4.5, AS ADDED BY P.L.183-2017,  
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2019]: Sec. 4.5. (a) Each school corporation, charter school,  
 41 and **state** accredited nonpublic school shall require each school  
 42 employee likely to have direct, ongoing contact with children within



1 the scope of the employee's employment to attend or participate in  
2 training on child abuse and neglect, including:

- 3 (1) training on the duty to report suspected child abuse or neglect  
4 under IC 31-33-5; and  
5 (2) training on recognizing possible signs of child abuse or  
6 neglect;

7 at least once every two (2) years.

8 (b) The format of training under this section may include:

- 9 (1) an in-person presentation;  
10 (2) an electronic or technology based medium, including  
11 self-review modules available on an online system;  
12 (3) an individual program of study of designated materials; or  
13 (4) any other method approved by the governing body that is  
14 consistent with current professional development standards.

15 (c) The training required under this section must count toward the  
16 requirements for professional development required by the governing  
17 body.

18 (d) The training required under this section must be during the  
19 school employee's contracted day or at a time chosen by the employee.

20 SECTION 37. IC 20-28-3-6, AS AMENDED BY P.L.56-2018,  
21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2019]: Sec. 6. (a) For purposes of this section, "teacher"  
23 includes the following:

- 24 (1) A superintendent who holds a license under IC 20-28-5.  
25 (2) A principal.  
26 (3) A teacher.  
27 (4) A librarian.  
28 (5) A school counselor.  
29 (6) A school psychologist.  
30 (7) A school nurse.  
31 (8) A school social worker.

32 (b) Beginning after June 30, 2018, each school corporation, charter  
33 school, and **state** accredited nonpublic school:

- 34 (1) shall require all teachers; and  
35 (2) may require any other appropriate school employees;

36 who are employed at schools that provide instruction to students in any  
37 combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate  
38 in at least two (2) hours of research based inservice youth suicide  
39 awareness and prevention training every three (3) school years. The  
40 training required under this subsection must be during the teacher's or  
41 school employee's contracted day or at a time chosen by the teacher or  
42 employee.



1 (c) Subject to subsection (e), the format of training required under  
2 this section may include:

- 3 (1) an in-person presentation;  
4 (2) an electronic or technology based medium, including  
5 self-review modules available on an online system;  
6 (3) an individual program of study of designated materials; or  
7 (4) any other method approved by the governing body that is  
8 consistent with current professional development standards.

9 (d) The inservice training required under this section shall count  
10 toward the requirements for professional development required by the  
11 governing body.

12 (e) The research based youth suicide awareness and prevention  
13 training program required under subsection (b) must be:

- 14 (1) demonstrated to be an effective or promising program; and  
15 (2) recommended by the Indiana Suicide Prevention Network  
16 Advisory Council.

17 (f) A school or school corporation may leverage any:

- 18 (1) existing or new state and federal grant funds; or  
19 (2) free or reduced cost evidence based youth suicide awareness  
20 and prevention training provided by any state agency or qualified  
21 statewide or local organization;

22 to cover the costs of the training required under this section.

23 SECTION 38. IC 20-28-3-7, AS ADDED BY P.L.211-2018(ss),  
24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2019]: Sec. 7. (a) Each school corporation and **state**  
26 accredited nonpublic school shall require all school employees likely  
27 to have direct, ongoing contact with children within the scope of the  
28 employee's employment to attend or participate in at least one (1) hour  
29 of inservice training every two (2) school years pertaining to the  
30 identification and reporting of human trafficking.

31 (b) The format of the inservice training required under this section  
32 may include:

- 33 (1) an in-person presentation;  
34 (2) an electronic or technology based medium, including  
35 self-review modules available on an online system;  
36 (3) an individual program of study of designated materials; or  
37 (4) any other method approved by the governing body, or the  
38 equivalent authority for ~~an~~ **a state** accredited nonpublic school,  
39 that is consistent with current professional development  
40 standards.

41 (c) The inservice training required under this section shall count  
42 toward the requirements for professional development required by the



1 governing body or the equivalent authority for ~~an~~ a state accredited  
2 nonpublic school.

3 SECTION 39. IC 20-28-4-10, AS AMENDED BY P.L.205-2013,  
4 SECTION 251, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) The state board may adopt  
6 rules under IC 4-22-2 to administer this chapter.

7 (b) Rules adopted under this section must include a requirement that  
8 entities approved to offer the program submit an annual report to the  
9 department of the number of individuals who:

10 (1) enroll in; and

11 (2) complete;

12 the program.

13 (c) Rules adopted under this section may not require that there be a  
14 shortage of other licensed teachers in order for the governing body of  
15 a school corporation, including a charter school, or the appointing  
16 authority of ~~an~~ a state accredited nonpublic school to employ a  
17 program participant.

18 (d) Rules adopted under this section may not impose program  
19 requirements, participant qualification requirements, or licensing  
20 requirements that are in addition to the requirements set forth in this  
21 chapter.

22 SECTION 40. IC 20-30-1-1, AS ADDED BY P.L.1-2005,  
23 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2019]: Sec. 1. This article applies only to the following:

25 (1) Public schools.

26 (2) ~~Nonpublic schools that voluntarily have become accredited~~  
27 ~~under IC 20-19-2-8.~~ **State accredited nonpublic schools.**

28 SECTION 41. IC 20-30-2-1, AS ADDED BY P.L.1-2005,  
29 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2019]: Sec. 1. (a) As used in this chapter, "instructional time"  
31 is time during which students are participating in:

32 (1) an approved course;

33 (2) a curriculum; or

34 (3) an educationally related activity;

35 under the direction of a teacher, including a reasonable amount of  
36 passing time between classes. Instructional time does not include lunch  
37 or recess.

38 (b) **The term described in subsection (a) includes:**

39 (1) **virtual education or electronic learning days (E-Learning**  
40 **days); or**

41 (2) **other virtual instructional:**

42 (A) **opportunities;**



- 1           **(B) courses;**  
 2           **(C) curricula; or**  
 3           **(D) related activities.**

4           SECTION 42. IC 20-30-2-2, AS AMENDED BY P.L.201-2013,  
 5           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6           JULY 1, 2019]: Sec. 2. (a) A student instructional day in grades 1  
 7           through 6 consists of at least five (5) hours of instructional time. Except  
 8           as provided in subsection (b), (c), or (d), a student instructional day in  
 9           grades 7 through 12 consists of at least six (6) hours of instructional  
 10          time.

11          (b) ~~Except as provided in subsection (c);~~ An instructional day for a  
 12          school flex program under section 2.2 of this chapter consists of a  
 13          minimum of three (3) hours of instructional time.

14          ~~(c) A student instructional day for a qualified high school (as~~  
 15          ~~defined in IC 20-24.2-1-3) consists of any amount of instructional time.~~

16          ~~(d)~~ (c) A high school student who is enrolled in at least twelve (12)  
 17          credit hours of on-campus dual credit courses (as described in  
 18          IC 21-43-1-2.5) is not required to comply with subsection (a) during  
 19          the semester in which the student is enrolled in at least twelve (12)  
 20          credit hours.

21          **(d) If a school corporation:**

22               **(1) delays the start of the school day by not more than two (2)**  
 23               **hours later than the normal school start time; or**

24               **(2) releases students not more than two (2) hours earlier than**  
 25               **the normal student release time;**

26          **because of weather or to otherwise ensure the safety of the**  
 27          **students, the school day shall count as a full instructional day.**

28          SECTION 43. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017,  
 29          SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30          JULY 1, 2019]: Sec. 5.7. (a) Not later than December 15, 2018, and  
 31          each December 15 thereafter, each public school, including a charter  
 32          school, and **state** accredited nonpublic school shall provide age  
 33          appropriate and research and evidence based instruction on child abuse  
 34          and child sexual abuse to students in kindergarten through grade 12.

35          (b) The department, in consultation with school safety specialists  
 36          and school counselors, shall identify outlines or materials for the  
 37          instruction described in subsection (a) and incorporate the instruction  
 38          in kindergarten through grade 12.

39          (c) Instruction on child abuse and child sexual abuse may be  
 40          delivered by a school safety specialist, school counselor, or any other  
 41          person with training and expertise in the area of child abuse and child  
 42          sexual abuse.



1 SECTION 44. IC 20-30-5-7, AS AMENDED BY P.L.132-2018,  
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2019]: Sec. 7. (a) Each school corporation shall include in the  
 4 school corporation's curriculum the following studies:

5 (1) Language arts, including:

6 (A) English;

7 (B) grammar;

8 (C) composition;

9 (D) speech; and

10 (E) second languages.

11 (2) Mathematics.

12 (3) Social studies and citizenship, including the:

13 (A) constitutions;

14 (B) governmental systems; and

15 (C) histories;

16 of Indiana and the United States, including a study of the  
 17 Holocaust in each high school United States history course.

18 (4) Sciences, including, after June 30, 2021, computer science.

19 (5) Fine arts, including music and art.

20 (6) Health education, physical fitness, safety, and the effects of  
 21 alcohol, tobacco, drugs, and other substances on the human body.

22 (7) Additional studies selected by each governing body, subject  
 23 to revision by the state board.

24 (b) Each:

25 (1) school corporation;

26 (2) charter school; and

27 (3) **state** accredited nonpublic school;

28 shall offer the study of ethnic and racial groups as a one (1) semester  
 29 elective course in its high school curriculum at least once every school  
 30 year.

31 (c) The course described in subsection (b) may be offered by the  
 32 school corporation, charter school, or **state** accredited nonpublic school  
 33 through a course access program administered by the department.

34 SECTION 45. IC 20-30-5-19, AS ADDED BY P.L.154-2009,  
 35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2019]: Sec. 19. (a) Each school corporation, charter school,  
 37 and **state** accredited nonpublic school shall include in its curriculum  
 38 for all students in grades 6 through 12 instruction concerning personal  
 39 financial responsibility.

40 (b) A school corporation, a charter school, and ~~an~~ **a state** accredited  
 41 nonpublic school may meet the requirements of subsection (a) by:

42 (1) integrating, within its curriculum, instruction; or





1 (2) conducting a seminar;  
2 that is designed to foster overall personal financial responsibility.

3 (c) The state board shall adopt a curriculum that ensures personal  
4 financial responsibility is taught:

5 (1) in a manner appropriate for each grade level; and

6 (2) as a separate subject or as units incorporated into appropriate  
7 subjects;

8 as determined by the state board.

9 SECTION 46. IC 20-30-5-20, AS AMENDED BY P.L.228-2017,  
10 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2019]: Sec. 20. (a) As used in this section, "charter school"  
12 does not include a virtual charter school, as defined in IC 20-24-7-13.

13 (b) As used in this section, "psychomotor skills" means skills using  
14 hands on practice to support cognitive learning.

15 (c) Except as provided in subsection (f), each school corporation,  
16 charter school, and **state** accredited nonpublic school shall include in  
17 the charter school's, school corporation's, or **state** accredited nonpublic  
18 school's high school health education curriculum instruction in  
19 cardiopulmonary resuscitation and use of an automated external  
20 defibrillator for its students. The instruction must incorporate the  
21 psychomotor skills necessary to perform cardiopulmonary resuscitation  
22 and use an automated external defibrillator and must include either of  
23 the following:

24 (1) An instructional program developed by the American Heart  
25 Association or the American Red Cross.

26 (2) An instructional program that is nationally recognized and is  
27 based on the most current national evidence based emergency  
28 cardiovascular care guidelines for cardiopulmonary resuscitation  
29 and the use of an automated external defibrillator.

30 (d) A school corporation, charter school, or ~~an~~ **state** accredited  
31 nonpublic school may offer the instruction required in subsection (c)  
32 or may arrange for the instruction to be provided by available  
33 community based providers. The instruction is not required to be  
34 provided by a teacher. If instruction is provided by a teacher, the  
35 teacher is not required to be a certified trainer of cardiopulmonary  
36 resuscitation.

37 (e) This section shall not be construed to require a student to  
38 become certified in cardiopulmonary resuscitation and the use of an  
39 automated external defibrillator. However, if a school corporation,  
40 charter school, or **state** accredited nonpublic school chooses to offer a  
41 course that results in certification being earned, the course must be  
42 taught by an instructor authorized to provide the instruction by the



1 American Heart Association, the American Red Cross, or a similar  
2 nationally recognized association.

3 (f) A school administrator may waive the requirement that a student  
4 receive instruction under subsection (c) if the student has a disability  
5 or is physically unable to perform the psychomotor skill component of  
6 the instruction required under subsection (c).

7 SECTION 47. IC 20-30-5-22, AS ADDED BY P.L.162-2017,  
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2019]: Sec. 22. (a) Each:

- 10 (1) school corporation;  
11 (2) charter school; and  
12 (3) **state** accredited nonpublic school;

13 shall offer Indiana studies as a one (1) semester elective course in its  
14 high school curriculum at least once every school year.

15 (b) The course described in subsection (a) may be offered by the  
16 school corporation, charter school, or **state** accredited nonpublic school  
17 through a course access program administered by the department.

18 SECTION 48. IC 20-30-7-5, AS ADDED BY P.L.1-2005,  
19 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2019]: Sec. 5. A school corporation may enter into an  
21 agreement with:

- 22 (1) another school corporation;  
23 (2) ~~an~~ a **state** accredited nonpublic school; or  
24 (3) both entities described in subdivisions (1) and (2);

25 to offer a joint summer school program for high school students.

26 SECTION 49. IC 20-30-14.5-3, AS ADDED BY P.L.226-2015,  
27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2019]: Sec. 3. (a) The state certificate of biliteracy is created  
29 to:

- 30 (1) encourage students to study languages;  
31 (2) certify the attainment of biliteracy;  
32 (3) provide employers with a method of identifying individuals  
33 with language and biliteracy skills;  
34 (4) provide postsecondary educational institutions with an  
35 additional method to recognize applicants for admission;  
36 (5) prepare students with twenty-first century skills;  
37 (6) recognize the value of foreign language and native language  
38 instruction in public schools; and  
39 (7) strengthen intergroup relationships, affirm the value of  
40 diversity, and honor the multiple cultures and languages of a  
41 community.

42 (b) The receipt of the certificate demonstrates the attainment of a



1 high level of proficiency by a graduate of a public or ~~an~~ **a state**  
 2 accredited nonpublic high school, sufficient for meaningful use in  
 3 college and a career, in one (1) or more languages in addition to  
 4 English.

5 (c) A school corporation, a charter school, or ~~an~~ **a state** accredited  
 6 nonpublic high school is not required to participate in the certificate  
 7 program.

8 SECTION 50. IC 20-30-14.5-4, AS ADDED BY P.L.226-2015,  
 9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2019]: Sec. 4. The state board shall:

11 (1) establish the criteria for earning a certificate, including:

12 (A) the number of credits a student must earn in English and  
 13 language arts and in a language other than English; and

14 (B) assessments of foreign language and English proficiency  
 15 the state board considers necessary;

16 (2) direct the department to prepare and deliver to participating  
 17 school corporations, charter schools, and **state** accredited  
 18 nonpublic high schools an appropriate mechanism for awarding  
 19 the certificate and designating on a student's transcript that the  
 20 student has been awarded a certificate; and

21 (3) direct the department to provide any other information the  
 22 state board considers necessary for school corporations, charter  
 23 schools, and **state** accredited nonpublic high schools to  
 24 successfully participate in the certificate program.

25 SECTION 51. IC 20-30-14.5-5, AS ADDED BY P.L.226-2015,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2019]: Sec. 5. A participating school corporation, charter  
 28 school, or **state** accredited nonpublic high school shall:

29 (1) maintain appropriate records to identify students who have  
 30 earned a certificate; and

31 (2) make the appropriate designation on the transcript of each  
 32 student who earns a certificate.

33 SECTION 52. IC 20-31-1-1, AS AMENDED BY P.L.169-2016,  
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2019]: Sec. 1. This article applies only to the following:

36 (1) Except as provided in ~~IC 20-31-4-1.1~~, **IC 20-31-4.1-3**, public  
 37 schools.

38 (2) Except as provided in IC 20-31-7 and IC 20-31-9, ~~nonpublic~~  
 39 ~~schools that voluntarily become accredited under IC 20-19-2-8.~~  
 40 **state accredited nonpublic schools.**

41 SECTION 53. IC 20-31-2-8, AS ADDED BY P.L.1-2005,  
 42 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 8. "School" refers to a public school or ~~an a state~~  
2 accredited nonpublic school.

3 SECTION 54. IC 20-31-4 IS REPEALED [EFFECTIVE JULY 1,  
4 2019]. (Performance Based Accreditation).

5 SECTION 55. IC 20-31-4.1 IS ADDED TO THE INDIANA CODE  
6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2019]:

8 **Chapter 4.1. Performance Based Accreditation**

9 **Sec. 1. As used in this chapter, "legal standards" means Indiana**  
10 **statutes and rules adopted by the state board that apply to each**  
11 **school for accreditation.**

12 **Sec. 2. (a) A school in Indiana shall be accredited under the**  
13 **system established by this chapter if the school meets legal**  
14 **standards as determined by the state board. The state board may**  
15 **take not more than one (1) year to determine if a school meets the**  
16 **legal standards under this chapter.**

17 **(b) The state board shall establish a performance based**  
18 **accreditation system for accrediting schools in Indiana under this**  
19 **chapter.**

20 **(c) The department shall waive accreditation standards for an**  
21 **accredited nonpublic alternative school that enters into a contract**  
22 **with a school corporation to provide alternative education services**  
23 **for students who have:**

24 **(1) dropped out of high school;**

25 **(2) been expelled; or**

26 **(3) been sent to the nonpublic alternative school due to the**  
27 **students' lack of success in the public school environment;**  
28 **to accommodate the nonpublic alternative school's program and**  
29 **student population. A nonpublic alternative school to which this**  
30 **subsection applies is not subject to being placed in a category or**  
31 **designation under IC 20-31-8-4. However, the nonpublic**  
32 **alternative school must comply with all state reporting**  
33 **requirements and submit a school improvement growth model on**  
34 **the anniversary date of the nonpublic alternative school's original**  
35 **accreditation.**

36 **(d) The state board may accredit a nonpublic school under this**  
37 **chapter at the time the nonpublic school begins operation in**  
38 **Indiana.**

39 **Sec. 3. (a) The state board shall accredit a school that:**

40 **(1) becomes a charter school under IC 20-24; and**

41 **(2) complies with the requirements under IC 20-24.**

42 **(b) An authorizer (as defined in IC 20-24-1-2.5) of a charter**



1 school is responsible for ensuring that the charter school is in  
 2 compliance with applicable legal standards as determined by the  
 3 state board.

4 (c) This chapter, with the exception of this section, does not  
 5 apply to a charter school.

6 Sec. 4. (a) Notwithstanding any other law and subject to  
 7 subsection (c), a school corporation or school accredited under this  
 8 chapter may waive compliance to any provision in this title or 511  
 9 IAC for a particular school that is placed in any of the three (3)  
 10 highest categories or designations of school improvement under  
 11 IC 20-31-8.

12 (b) Notwithstanding any other law and subject to subsection (c),  
 13 a school corporation or school accredited under this chapter may  
 14 submit a request to the state board, in a manner prescribed by the  
 15 state board, to waive compliance to any provision in this title or  
 16 511 IAC for a particular school that is placed in either of the two  
 17 (2) lowest categories or designations of school improvement under  
 18 IC 20-31-8. The state board may approve the request for the  
 19 particular school. If a school that received a waiver under  
 20 subsection (a) subsequently is placed in either of the two (2) lowest  
 21 categories or designations of school improvement under  
 22 IC 20-31-8, the school corporation or school must submit a request  
 23 for the particular school to the state board, in a manner prescribed  
 24 by the state board, to waive a statute or rule for the particular  
 25 school under this subsection. The state board may approve the  
 26 school corporation's or school's request.

27 (c) A public school accredited under this chapter may not  
 28 suspend any of the following:

- 29 (1) IC 20-23 (organization of school corporations).
- 30 (2) IC 20-26-5-10 (criminal history and child protection index  
 31 check).
- 32 (3) IC 20-28 (school teachers).
- 33 (4) IC 20-29 (collective bargaining).
- 34 (5) IC 20-31 (accountability for performance and  
 35 improvement).
- 36 (6) IC 20-32-4 (graduation requirements).
- 37 (7) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment  
 38 Readiness Network (ILEARN) program).
- 39 (8) IC 20-32-8.5 (reading deficiency remediation).
- 40 (9) IC 20-33 (students).
- 41 (10) IC 20-34 (student health and safety measures).
- 42 (11) IC 20-35 (special education).



- 1 (12) IC 20-36 (high ability students).  
 2 (13) IC 20-39 (accounting and financial reporting  
 3 procedures).  
 4 (14) IC 20-40 (government funds and accounts).  
 5 (15) IC 20-41 (extracurricular funds and accounts).  
 6 (16) IC 20-42 (fiduciary funds and accounts).  
 7 (17) IC 20-42.5 (allocation of expenditures to student  
 8 instruction and learning).  
 9 (18) IC 20-43 (state tuition support).  
 10 (19) IC 20-44 (property tax levies).  
 11 (20) IC 20-46 (levies other than general fund levies).  
 12 (21) IC 20-47 (related entities; holding companies; lease  
 13 agreements).  
 14 (22) IC 20-48 (borrowing and bonds).  
 15 (23) IC 20-49 (state management of common school funds;  
 16 state advances and loans).  
 17 (24) IC 20-50 (homeless children and foster care children).  
 18 (25) IC 20-51 (school scholarships).

19 (d) If a nonpublic school that is accredited under this chapter is  
 20 placed in the lowest category or designation of school improvement  
 21 for four (4) consecutive years, the state board shall revoke the  
 22 nonpublic school's accreditation under this chapter. However, a  
 23 nonpublic school may submit a request to the state board to waive  
 24 or delay the revocation of the school's accreditation for a  
 25 particular school year. The state board may grant a request to a  
 26 nonpublic school that requests a waiver or delay under this  
 27 subsection if the nonpublic school demonstrates that a majority of  
 28 students in the eligible school demonstrated academic  
 29 improvement during the preceding school year. A waiver or delay  
 30 granted to a nonpublic school under this subsection is for one (1)  
 31 school year only. A nonpublic school must make an additional  
 32 request under this subsection to the state board to receive an  
 33 additional delay or waiver of the accreditation revocation.

34 **Sec. 5. The state board shall adopt rules under IC 4-22-2**  
 35 **necessary to implement this chapter.**

36 SECTION 56. IC 20-32-1-1, AS ADDED BY P.L.1-2005,  
 37 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2019]: Sec. 1. This article applies only to the following:

- 39 (1) Public schools.  
 40 (2) Nonpublic schools that voluntarily have become accredited  
 41 under ~~IC 20-19-2-8~~. **State accredited nonpublic schools.**

42 SECTION 57. IC 20-32-2-3, AS ADDED BY P.L.1-2005,



1 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2019]: Sec. 3. "Student" means an individual who is enrolled  
3 in:

- 4 (1) a public school;  
5 (2) ~~an~~ a state accredited nonpublic school; or  
6 (3) another nonpublic school that has requested and received from  
7 the state board specific approval of the school's educational  
8 program.

9 SECTION 58. IC 20-32-3-2, AS AMENDED BY P.L.233-2015,  
10 SECTION 238, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter, "student"  
12 refers to a student who meets the following conditions:

- 13 (1) Is enrolled in a public school, ~~an~~ a state accredited nonpublic  
14 school, or a nonpublic school that has requested and received  
15 from the state board specific approval for the school's education  
16 program.  
17 (2) Is in at least grade 9.  
18 (3) If the student is a student with a disability (as defined in  
19 IC 20-35-1-8), would benefit from the participation under this  
20 chapter as determined by the individualized education program  
21 for the student.

22 SECTION 59. IC 20-32-4-1.5, AS AMENDED BY P.L.192-2018,  
23 SECTION 25, AND AS AMENDED BY P.L.174-2018, SECTION 4,  
24 AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL  
25 OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND  
26 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:  
27 Sec. 1.5. (a) *This section applies after June 30, 2018. This subsection*  
28 *expires July 1, 2022. Except as provided in subsection (f) and sections*  
29 *4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is required to meet:*

- 30 (1) *the academic standards tested in the graduation examination;*  
31 (2) *the Core 40 course and credit requirements adopted by the*  
32 *state board under IC 20-30-10; and*  
33 (3) *any additional requirements established by the governing*  
34 *body;*

35 *to be eligible to graduate.*

36 (b) Except as provided in *subsection (f) and sections 4, 4.1, 5, 6, 7,*  
37 *8, 9, and 10 of this chapter, beginning with the class of students who*  
38 *expect to graduate during the 2022-2023 school year, each student*  
39 *shall:*

- 40 (1) demonstrate college or career readiness through a pathway  
41 established by the state board, in consultation with the department  
42 of workforce development and the commission for higher



- 1 education;
- 2 (2) meet the Core 40 course and credit requirements adopted by
- 3 the state board under IC 20-30-10; and
- 4 (3) meet any additional requirements established by the governing
- 5 body;
- 6 to be eligible to graduate.
- 7 (c) The state board shall establish graduation pathway requirements
- 8 under subsection (b)(1) in consultation with the department of
- 9 workforce development and the commission for higher education. A
- 10 graduation pathway requirement may include the following *options*
- 11 *postsecondary readiness competencies* approved by the state board:
- 12 ~~(1) End of course assessments measuring academic standards in~~
- 13 ~~subjects determined by the state board.~~
- 14 ~~(2) (1) International baccalaureate exams.~~
- 15 ~~(3) (2) Nationally recognized college entrance assessments.~~
- 16 ~~(4) (3) Advanced placement exams.~~
- 17 ~~(5) (4) Assessments necessary to receive college credit for dual~~
- 18 ~~credit courses.~~
- 19 ~~(6) (5) Industry recognized certificates.~~
- 20 ~~(7) (6) The Armed Services Vocational Aptitude Battery.~~
- 21 ~~(8) (7) Any other *pathway competency* approved by the state~~
- 22 ~~board.~~
- 23 (d) If the state board establishes a nationally recognized college
- 24 entrance exam as a graduation pathway requirement, the nationally
- 25 recognized college entrance exam must be offered to a student at the
- 26 school in which the student is enrolled and during the normal school
- 27 day.
- 28 (e) When an apprenticeship is established as a graduation pathway
- 29 requirement, the state board shall establish as an apprenticeship only
- 30 an apprenticeship program registered under the federal National
- 31 Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal
- 32 apprenticeship program administered by the United States Department
- 33 of Labor.
- 34 (f) *Notwithstanding subsection (a), a school corporation, charter*
- 35 *school, or **state** accredited nonpublic school may voluntarily elect to*
- 36 *use graduation pathways described in subsection (b) in lieu of the*
- 37 *graduation examination requirements specified in subsection (a) prior*
- 38 *to July 1, 2022.*
- 39 (g) *The state board, in consultation with the department of*
- 40 *workforce development and the commission for higher education, shall*
- 41 *approve college and career pathways relating to career and technical*
- 42 *education, including sequences of courses leading to student*





1 *concentrators.*

2 SECTION 60. IC 20-32-4-4.1, AS ADDED BY P.L.192-2018,  
3 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2019]: Sec. 4.1. (a) Subject to subsection (b), a student may  
5 receive a waiver from the postsecondary readiness competency  
6 requirements established under section 1.5(c) of this chapter:

7 (1) if:

8 (A) the student was unsuccessful in completing a  
9 postsecondary readiness competency requirement established  
10 by the state board under section 1.5(c) of this chapter by the  
11 conclusion of the student's senior year, including a student  
12 who was in the process of completing a competency at one (1)  
13 school that was not offered by the school to which the student  
14 transferred; and

15 (B) the student attempted to achieve at least three (3) separate  
16 postsecondary readiness competencies established by the state  
17 board under section 1.5(c) of this chapter; or

18 (2) if a student transfers to a school subject to the requirements of  
19 this chapter during the student's senior year from a nonaccredited  
20 nonpublic school **that has at least one (1) employee** or a school  
21 out of state and the student:

22 (A) attempted to achieve at least one (1) postsecondary  
23 readiness competency requirement established by the state  
24 board under section 1.5(c) of this chapter; and

25 (B) was unsuccessful in completing the attempted  
26 postsecondary readiness competency described in clause (A).

27 (b) For a student to receive a waiver described in subsection (a), the  
28 student must:

29 (1) maintain at least a "C" average, or its equivalent, throughout  
30 the student's high school career in courses comprising credits  
31 required for the student to graduate;

32 (2) maintain a school attendance rate of at least ninety-five  
33 percent (95%) with excused absences not counting against the  
34 student's attendance;

35 (3) satisfy all other state and local graduation requirements  
36 beyond the postsecondary readiness competency requirements  
37 established by the state board under section 1.5(c) of this chapter;  
38 and

39 (4) demonstrate postsecondary planning, including:

40 (A) college acceptance;

41 (B) acceptance in an occupational training program;

42 (C) workforce entry; or



- 1 (D) military enlistment;  
 2 that is approved by the principal of the student's school.
- 3 SECTION 61. IC 20-33-2-10, AS AMENDED BY P.L.144-2012,  
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2019]: Sec. 10. (a) Each public school shall and each private  
 6 school may require a student who initially enrolls in the school to  
 7 provide:
- 8 (1) the name and address of the school the student last attended;  
 9 and  
 10 (2) a certified copy of the student's birth certificate or other  
 11 reliable proof of the student's date of birth.
- 12 (b) Not more than fourteen (14) days after initial enrollment in a  
 13 school, the school shall request the student's records from the school  
 14 the student last attended.
- 15 (c) If the document described in subsection (a)(2):  
 16 (1) is not provided to the school not more than thirty (30) days  
 17 after the student's enrollment; or  
 18 (2) appears to be inaccurate or fraudulent;  
 19 the school shall notify the Indiana clearinghouse for information on  
 20 missing children and missing endangered adults established under  
 21 IC 10-13-5-5 and determine if the student has been reported missing.
- 22 (d) A school in Indiana receiving a request for records shall send the  
 23 records promptly to the requesting school. However, if a request is  
 24 received for records to which a notice has been attached under  
 25 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:  
 26 (1) shall immediately notify the Indiana clearinghouse for  
 27 information on missing children and missing endangered adults;  
 28 (2) may not send the school records without the authorization of  
 29 the clearinghouse; and  
 30 (3) may not inform the requesting school that a notice under  
 31 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached  
 32 to the records.
- 33 (e) Notwithstanding subsection (d), if a parent of a child who has  
 34 enrolled in ~~an a state~~ accredited nonpublic school is in breach of a  
 35 contract that conditions release of student records on the payment of  
 36 outstanding tuition and other fees, the ~~state~~ accredited nonpublic  
 37 school shall provide a requesting school sufficient verbal information  
 38 to permit the requesting school to make an appropriate placement  
 39 decision regarding the child.
- 40 SECTION 62. IC 20-33-2-47, AS ADDED BY P.L.1-2005,  
 41 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2019]: Sec. 47. (a) A school corporation may develop and



1 implement a system of notifying the parent of a student when:

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

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

4 (b) A school corporation or ~~an~~ a **state** accredited nonpublic school  
5 shall report to the local health department the percentage of student  
6 absences above a threshold determined by the department by rule  
7 adopted under IC 4-22-2.

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

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

17 SECTION 63. IC 20-33-3-7, AS ADDED BY P.L.1-2005,  
18 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2019]: Sec. 7. (a) This chapter applies to a child less than  
20 eighteen (18) years of age who is employed or is seeking employment  
21 in Indiana.

22 (b) A child less than eighteen (18) years of age who is a resident of  
23 Indiana and who requires an employment certificate shall obtain the  
24 employment certificate from the issuing officer of the:

25 (1) **state** accredited school (~~as described in IC 20-19-2-8(a)(5))~~  
26 that the child attends; or

27 (2) school corporation in which the child resides.

28 (c) A child less than eighteen (18) years of age who is not a resident  
29 of Indiana and who requires an employment certificate to work in  
30 Indiana shall obtain the certificate from the issuing officer of the school  
31 corporation in which the child is:

32 (1) employed; or

33 (2) seeking employment.

34 The judge of a court with juvenile jurisdiction may suspend the  
35 application of this chapter in cases involving juvenile delinquents or  
36 incorrigibles whenever, in the opinion of the judge, the welfare of a  
37 child warrants this action.

38 SECTION 64. IC 20-33-3-8, AS AMENDED BY P.L.1-2007,  
39 SECTION 147, IS AMENDED TO READ AS FOLLOWS  
40 [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) The issuing officer in each  
41 **state** accredited school (~~as described in IC 20-19-2-8(a)(5))~~ shall be an  
42 individual who is:



1 (1) a guidance counselor;  
 2 (2) a school social worker; or  
 3 (3) an attendance officer for the school corporation and a teacher  
 4 licensed by the division of professional standards of the  
 5 department under IC 20-28-4 or IC 20-28-5;  
 6 and designated in writing by the principal.

7 (b) During the times in which the individual described in subsection  
 8 (a) is not employed by the school or when school is not in session, there  
 9 shall be an issuing officer available:

- 10 (1) who is a teacher licensed by the division of professional  
 11 standards of the department under IC 20-28-4 or IC 20-28-5; and  
 12 (2) whose identity and hours of work shall be determined by the  
 13 principal.

14 SECTION 65. IC 20-33-5-9, AS AMENDED BY P.L.286-2013,  
 15 SECTION 114, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) If a parent of a child or an  
 17 emancipated minor who is enrolled in ~~an~~ **a state** accredited nonpublic  
 18 school meets the financial eligibility standard under section 2 of this  
 19 chapter, the parent or the emancipated minor may receive a  
 20 reimbursement from the department as provided in this chapter for the  
 21 costs or some of the costs incurred by the parent or emancipated minor  
 22 in fees that are reimbursable under section 7 of this chapter.

23 (b) The department shall provide each **state** accredited nonpublic  
 24 school with sufficient application forms for assistance, prescribed by  
 25 the state board of accounts.

26 (c) Each **state** accredited nonpublic school shall provide the parents  
 27 or emancipated minors who wish to apply for assistance with:

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

30 (d) The parent or emancipated minor shall submit the application to  
 31 the **state** accredited nonpublic school. The **state** accredited nonpublic  
 32 school shall make a determination of financial eligibility subject to  
 33 appeal by the parent or emancipated minor.

34 (e) If a determination is made that the applicant is eligible for  
 35 assistance, subsection (a) applies.

36 (f) To be guaranteed some level of reimbursement from the  
 37 department, the principal or other designee shall submit the  
 38 reimbursement request before November 1 of a school year.

39 (g) In its request, the principal or other designee shall certify to the  
 40 department:

- 41 (1) the number of students who are enrolled in the **state**  
 42 accredited nonpublic school and who are eligible for assistance



- 1 under this chapter;
- 2 (2) the costs incurred in providing:
- 3 (A) curricular materials (including curricular materials used in
- 4 special education and high ability classes); and
- 5 (B) workbooks, digital content, and consumable curricular
- 6 materials (including workbooks, consumable curricular
- 7 materials, and other consumable teaching materials that are
- 8 used in special education and high ability classes) that are
- 9 used by students for not more than one (1) school year;
- 10 (3) that the curricular materials described in subdivision (2)(A)
- 11 (except any curricular materials used in special education classes
- 12 and high ability classes) have been adopted by the governing
- 13 body; and
- 14 (4) any other information required by the department.
- 15 (h) The amount of reimbursement that a parent or emancipated
- 16 minor is entitled to receive shall be determined as provided in section
- 17 9.5 of this chapter.
- 18 (i) The **state** accredited nonpublic school shall distribute the money
- 19 received under this chapter to the appropriate eligible parents or
- 20 emancipated minors.
- 21 (j) Section 7(f) of this chapter applies to parents or emancipated
- 22 minors as described in this section.
- 23 (k) The **state** accredited nonpublic school and the department shall
- 24 maintain complete and accurate information concerning the number of
- 25 applicants determined to be eligible for assistance under this section.
- 26 (l) The state board shall adopt rules under IC 4-22-2 to implement
- 27 this section.
- 28 SECTION 66. IC 20-33-5-9.5, AS AMENDED BY P.L.205-2013,
- 29 SECTION 258, IS AMENDED TO READ AS FOLLOWS
- 30 [EFFECTIVE JULY 1, 2019]: Sec. 9.5. (a) This section applies to
- 31 reimbursements made under this chapter in the state fiscal year
- 32 beginning after June 30, 2013.
- 33 (b) The amount of reimbursement that a school corporation or ~~an~~ a
- 34 **state** accredited nonpublic school is entitled to receive under section
- 35 7 of this chapter in a state fiscal year is equal to the amount determined
- 36 in the following STEPS:
- 37 STEP ONE: Determine the amount appropriated to make
- 38 reimbursements under this chapter for the state fiscal year.
- 39 STEP TWO: Determine the total number of eligible students for
- 40 which reimbursement was requested under either section 7 or 9
- 41 of this chapter before November 1 of the previous calendar year
- 42 by all school corporations and **state** accredited nonpublic schools.



1 STEP THREE: Divide the result determined in STEP ONE by the  
2 number determined in STEP TWO.

3 STEP FOUR: Multiply:

4 (A) the STEP THREE result; by

5 (B) the number of eligible students for which reimbursement  
6 was requested under section 7 or 9 of this chapter before  
7 November 1 of the state fiscal year by the school corporation  
8 or the **state** accredited nonpublic school.

9 SECTION 67. IC 20-33-5-14, AS AMENDED BY P.L.286-2013,  
10 SECTION 116, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2019]: Sec. 14. (a) The school curricular  
12 materials reimbursement contingency fund is established to reimburse  
13 school corporations, eligible parents of children who attend **state**  
14 accredited nonpublic schools, and emancipated minors who attend  
15 **state** accredited nonpublic schools as provided in section 9 of this  
16 chapter for assistance provided under this chapter. The fund consists  
17 of money appropriated to the fund by the general assembly. The state  
18 superintendent shall administer the fund.

19 (b) The treasurer of state shall invest the money in the school  
20 curricular materials reimbursement contingency fund not currently  
21 needed to meet the obligations of the fund in the same manner as other  
22 public funds may be invested.

23 SECTION 68. IC 20-33-9-10.5, AS AMENDED BY P.L.25-2016,  
24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2019]: Sec. 10.5. (a) This section does not apply to a charter  
26 school or ~~an~~ a **state** accredited nonpublic school.

27 (b) A school employee shall report any incidence of suspected  
28 criminal organization activity, criminal organization intimidation, or  
29 criminal organization recruitment to the principal and the school safety  
30 specialist.

31 (c) The principal and the school safety specialist may take  
32 appropriate action to maintain a safe and secure school environment,  
33 including providing appropriate intervention services.

34 SECTION 69. IC 20-34-3-23, AS ADDED BY P.L.211-2018(ss),  
35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2019]: Sec. 23. (a) Each charter school and **state** accredited  
37 nonpublic school shall adopt a local school safety and emergency plan  
38 that includes:

- 39 (1) safety and emergency training and educational opportunities  
40 for school employees; and  
41 (2) periodic safety and emergency preparedness and evacuation  
42 drills.



1 (b) Each charter school and **state** accredited nonpublic school shall  
 2 provide a copy of the floor plans for each building located on the  
 3 school's property that clearly indicates each exit, the interior rooms and  
 4 hallways, and the location of any hazardous materials located in the  
 5 building to the law enforcement agency and the fire department that  
 6 have jurisdiction over the school.

7 SECTION 70. IC 20-34-4.5-0.6, AS ADDED BY P.L.117-2017,  
 8 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2019]: Sec. 0.6. As used in this chapter, "school" means **a**:

- 10 (1) ~~a~~ public school;  
 11 (2) ~~a~~ charter school; or  
 12 (3) ~~an~~ **state** accredited nonpublic school.

13 SECTION 71. IC 20-34-5-8, AS ADDED BY P.L.166-2007,  
 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2019]: Sec. 8. As used in this chapter, "school employee"  
 16 means an individual employed by:

- 17 (1) a public school, including a charter school, or ~~an~~ **a state**  
 18 accredited nonpublic school;  
 19 (2) a local health department working with a school under this  
 20 chapter; or  
 21 (3) another entity with which a school has contracted to perform  
 22 the duties required under this chapter.

23 SECTION 72. IC 20-34-7-1.6, AS ADDED BY P.L.135-2016,  
 24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2019]: Sec. 1.6. As used in this chapter, "school" refers to a  
 26 public school and ~~an~~ **a state** accredited nonpublic school.

27 SECTION 73. IC 20-34-8-3, AS ADDED BY P.L.139-2014,  
 28 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2019]: Sec. 3. As used in this chapter, "school" refers to a  
 30 public school and ~~an~~ **a state** accredited nonpublic school.

31 SECTION 74. IC 20-34-8-5, AS ADDED BY P.L.139-2014,  
 32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2019]: Sec. 5. (a) ~~Before July 1, 2015~~, The department shall  
 34 disseminate guidelines, information sheets, and forms to each **state**  
 35 accredited nonpublic school, charter school, and each school  
 36 corporation for distribution to schools to inform and educate coaches,  
 37 student athletes, and parents and legal guardians of student athletes of  
 38 the nature and risk of sudden cardiac arrest to student athletes.

39 (b) The department:

- 40 (1) may consult with an association, medical professionals, and  
 41 others with expertise in diagnosing and treating sudden cardiac  
 42 arrest; and



- 1 (2) may request the assistance of an association in disseminating  
 2 the guidelines, information sheets, and forms required under  
 3 subsection (a).
- 4 (c) The department may disseminate the guidelines, information  
 5 sheets, and forms required under this section in an electronic format.
- 6 SECTION 75. IC 21-7-13-4 IS REPEALED [EFFECTIVE JULY 1,  
 7 2019]. ~~Sec. 4: "Accredited nonpublic school" means a nonpublic school~~  
 8 ~~that has voluntarily become accredited under IC 20-19-2-8.~~
- 9 SECTION 76. IC 21-7-13-31.5 IS ADDED TO THE INDIANA  
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2019]: **Sec. 31.5. "State accredited nonpublic**  
 12 **school" means a nonpublic school that has voluntarily become**  
 13 **accredited under IC 20-31-4.1.**
- 14 SECTION 77. IC 21-12-6-5, AS AMENDED BY P.L.165-2016,  
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2019]: Sec. 5. (a) Unless a student qualifies under subsection  
 17 (b), to qualify to participate in the program, a student must meet the  
 18 following requirements:
- 19 (1) Be a resident of Indiana.
- 20 (2) Be:
- 21 (A) enrolled in grade 7 or 8 at a:
- 22 (i) public school; or
- 23 (ii) nonpublic school that is accredited either by the state  
 24 board of education or by a national or regional accrediting  
 25 agency whose accreditation is accepted as a school  
 26 improvement plan under ~~IC 20-31-4-2~~; **IC 20-31-4.1-2**; or
- 27 (B) otherwise qualified under the rules of the commission that  
 28 are adopted under IC 21-18.5-4-9(2) to include students who  
 29 are in grades other than grade 8 as eligible students.
- 30 (3) Be a member of a household with an annual income of not  
 31 more than the amount required for the individual to qualify for  
 32 free or reduced priced lunches under the national school lunch  
 33 program, as determined for the immediately preceding taxable  
 34 year for the household for which the student was claimed as a  
 35 dependent.
- 36 (4) Agree, in writing, together with the student's custodial parents  
 37 or guardian, that the student will:
- 38 (A) graduate from a secondary school located in Indiana that  
 39 meets the admission criteria of an eligible institution;
- 40 (B) not illegally use controlled substances (as defined in  
 41 IC 35-48-1-9);
- 42 (C) not commit a crime or an infraction described in





- 1 IC 9-30-5;
- 2 (D) not commit any other crime or delinquent act (as described
- 3 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
- 4 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
- 5 repeal));
- 6 (E) timely apply, when the eligible student is a senior in high
- 7 school:
- 8 (i) for admission to an eligible institution; and
- 9 (ii) for any federal and state student financial assistance
- 10 available to the eligible student to attend an eligible
- 11 institution;
- 12 (F) achieve a cumulative grade point average upon graduation
- 13 of:
- 14 (i) at least 2.0, if the student graduates from high school
- 15 before July 1, 2014; and
- 16 (ii) at least 2.5, if the student graduates from high school
- 17 after June 30, 2014;
- 18 on a 4.0 grading scale (or its equivalent if another grading
- 19 scale is used) for courses taken during grades 9, 10, 11, and
- 20 12; and
- 21 (G) complete an academic success program required under the
- 22 rules adopted by the commission, if the student initially enrolls
- 23 in high school after June 30, 2013.
- 24 (b) A student qualifies to participate in the program if the student:
- 25 (1) before or during grade 7 or grade 8, is placed by or with the
- 26 consent of the department of child services, by a court order, or by
- 27 a child placing agency in:
- 28 (A) a foster family home;
- 29 (B) the home of a relative or other unlicensed caretaker;
- 30 (C) a child caring institution; or
- 31 (D) a group home;
- 32 (2) meets the requirements in subsection (a)(1) through (a)(2);
- 33 and
- 34 (3) agrees in writing, together with the student's caseworker (as
- 35 defined in IC 31-9-2-11) or legal guardian, to the conditions set
- 36 forth in subsection (a)(4).
- 37 (c) The commission may require that an applicant apply
- 38 electronically to participate in the program using an online Internet
- 39 application on the commission's web site.

40 SECTION 78. IC 21-12-8-9, AS AMENDED BY P.L.174-2018,

41 SECTION 8, AND AS AMENDED BY P.L.178-2018, SECTION 6, IS

42 CORRECTED AND AMENDED TO READ AS FOLLOWS

**HB 1640—LS 7082/DI 116**



1 [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) This section applies to an  
 2 applicant who attends or has attended any of the following:

- 3 (1) An approved secondary school.  
 4 (2) ~~An~~ **A state** accredited nonpublic school.  
 5 (3) A nonaccredited nonpublic school.

6 (b) An applicant is eligible to receive a high value workforce ready  
 7 credit-bearing grant if the following conditions are met:

8 (1) The applicant is domiciled in Indiana, as defined by the  
 9 commission.

10 (2) The applicant:

11 (A) has received a diploma of graduation from a school  
 12 described in subsection (a);

13 (B) has been granted a:

14 (i) high school equivalency certificate before July 1, 1995;  
 15 or

16 (ii) state of Indiana general educational development (GED)  
 17 diploma under IC 20-10.1-12.1 (before its repeal),  
 18 IC 20-20-6 (before its repeal), or IC 22-4.1-18; or

19 (C) is a student in good standing who is completing a final  
 20 year of study at a school described in subsection (a) and will  
 21 be eligible upon graduation to attend an approved institution  
 22 of higher learning.

23 (3) The applicant is enrolled in an eligible certificate program, as  
 24 determined under ~~IC 21-12-8-2(4)~~, **section 2(4) of this chapter**,  
 25 at Ivy Tech Community College or Vincennes University.

26 (4) The applicant enrolls at least half-time for purposes of federal  
 27 financial aid.

28 (5) The applicant has not received any grant for the maximum  
 29 number of academic terms specified for the grant in  
 30 IC 21-12-13-1 or IC 21-12-13-2.

31 (6) The applicant is not eligible for any state financial aid  
 32 program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).

33 (7) The applicant is identified as financially independent from the  
 34 applicant's parents as determined by the Free Application for  
 35 Federal Student Aid (FAFSA).

36 (8) The applicant has correctly filed the FAFSA and, if eligible  
 37 for aid, accepts all offered federal scholarships and grants.

38 (9) *Except as provided under subsection (c), the applicant*  
 39 *maintains satisfactory academic progress, as determined by the*  
 40 *eligible institution. unless one (1) or more of the following*  
 41 *conditions is met:*

42 (A) *The applicant has not attended an eligible institution for*



1           *the immediately preceding two (2) academic years.*

2           *(B) The applicant attended an eligible institution at any time*  
 3           *during the immediately preceding two (2) academic years and*  
 4           *the applicant maintained satisfactory academic progress*  
 5           *during the period in which the applicant attended the eligible*  
 6           *institution.*

7           (10) The applicant has not previously received a baccalaureate  
 8           degree, an associate degree, or an eligible certificate.

9           (11) The applicant meets any other minimum criteria established  
 10          by the commission.

11          (c) *This subsection applies to an applicant who does not maintain*  
 12          *satisfactory academic progress under subsection (b)(9) but meets all*  
 13          *the other conditions required under subsection (b). An applicant is*  
 14          *eligible to receive a high value workforce ready credit-bearing grant*  
 15          *if the applicant meets one (1) of the following:*

16           (1) *The applicant has not attended an eligible institution for the*  
 17           *immediately preceding two (2) academic years.*

18           (2) *The applicant:*

19            (A) *attended an eligible institution at any time during the*  
 20            *immediately preceding two (2) academic years; and*

21            (B) *maintained satisfactory academic progress, as determined*  
 22            *by the eligible institution, during the period described in*  
 23            *clause (A) in which the applicant attended the eligible*  
 24            *institution.*

25          ~~(c)~~ (d) *If an applicant is identified as dependent as determined by*  
 26          *the Free Application for Federal Student Aid (FAFSA), the applicant*  
 27          *must:*

28           (1) *meet the criteria specified in subsection (b), except for*  
 29            *subsection (b)(4), (b)(7), and (b)(9);*

30           (2) *enroll full time for purposes of federal financial aid;*

31           (3) *maintain satisfactory academic progress, as determined by*  
 32            *the eligible institution; and*

33           (4) *complete a workforce ready grant success program, as*  
 34            *determined by the commission, if the applicant graduates from*  
 35            *high school after December 31, 2018.*

36          ~~(d)~~ (e) *If the demand for high value workforce ready credit-bearing*  
 37          *grants exceeds the available appropriation, as determined by the*  
 38          *commission, the commission shall prioritize the applicants identified*  
 39          *as independent as determined by the Free Application for Federal*  
 40          *Student Aid (FAFSA).*

41          SECTION 79. IC 21-12-16-5, AS ADDED BY P.L.105-2016,  
 42          SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 5. (a) An applicant who is enrolled in an  
 2 accredited postsecondary educational institution after June 30, 2017,  
 3 may qualify for a scholarship under this chapter. To qualify for a  
 4 scholarship, an applicant must:

- 5 (1) apply for a scholarship on a form supplied by the commission;  
 6 (2) except as provided in subsection (b), have graduated from an  
 7 Indiana nonaccredited nonpublic or **state** accredited high school  
 8 **accredited under IC 20-31-4.1** and either:

9 (A) graduated in the highest twenty percent (20%) of students  
 10 in the applicant's high school graduating class; or

11 (B) received a score in the top twentieth percentile on the SAT  
 12 or ACT examination;

13 (3) have participated in school activities and community service  
 14 activities during high school;

15 (4) have applied to and been accepted for enrollment in an  
 16 accredited postsecondary educational institution approved by the  
 17 commission under section 10 of this chapter;

18 (5) agree in writing to:

19 (A) obtain a license to teach under IC 20-28-5; and

20 (B) teach for at least five (5) consecutive years in a public  
 21 school or an eligible school (as defined in IC 20-51-1-4.7) in  
 22 Indiana after graduating with a baccalaureate degree from the  
 23 accredited postsecondary educational institution described in  
 24 subdivision (4); and

25 (6) meet any other criteria established by the commission.

26 (b) A student who graduates from a nonaccredited nonpublic school  
 27 must meet the requirement described in subsection (a)(2)(B) in order  
 28 to meet the eligibility requirement described in subsection (a)(2).

29 SECTION 80. IC 21-18-12-1, AS ADDED BY P.L.111-2013,  
 30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2019]: Sec. 1. (a) The Indiana e-transcript program is created  
 32 to allow students at all **state** accredited high schools **accredited under**  
 33 **IC 20-31-4.1** located in Indiana to request that the student's school  
 34 transcripts be transmitted electronically to state educational  
 35 institutions, participating Indiana not-for-profit or privately endowed  
 36 institutions, and participating Indiana institutions authorized by the  
 37 board for proprietary education established by IC 21-18.5-5-1.

38 (b) The commission shall administer the program.

39 (c) Beginning July 1, 2013, the department of education established  
 40 by IC 20-19-3-1, in collaboration with the state educational institutions  
 41 and the commission, shall develop a common electronic transcript,  
 42 using common data fields and formats that are required by state



1 educational institutions.

2 (d) Not later than July 1, 2015, all public secondary schools shall  
3 use the common electronic transcript developed by the department of  
4 education.

5 (e) The governing body of ~~an~~ **a state** accredited nonpublic  
6 secondary school may elect to use the common electronic transcript  
7 developed by the department of education.

8 SECTION 81. IC 22-4.1-25-1.5, AS ADDED BY P.L.191-2018,  
9 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2019]: Sec. 1.5. As used in this chapter, "school" includes a  
11 public school, a charter school, ~~an~~ **a state** accredited nonpublic school  
12 **(as defined in IC 20-18-2-18.7)**, and a nonaccredited nonpublic  
13 school.

14 SECTION 82. IC 34-31-10-6, AS ADDED BY P.L.220-2013,  
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2019]: Sec. 6. As used in this chapter, "school" means **a:**

- 17 (1) ~~a~~ public school (as defined in IC 20-18-2-15); or  
18 (2) ~~an~~ **a state** accredited nonpublic school (as defined in  
19 ~~IC 20-18-2-12~~; **IC 20-18-2-18.7**).

20 SECTION 83. [EFFECTIVE JULY 1, 2019] **(a) Notwithstanding**  
21 **any other law, 511 IAC 6.1 expires on the date the state board of**  
22 **education establishes rules under IC 20-31-4.1-5, as added by this**  
23 **act.**

24 **(b) This SECTION expires July 1, 2021.**

25 SECTION 84. **An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1640, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 19, line 26, delete "May 14, 2019." and insert "**June 30, 2019.**".

Page 20, line 31, delete "May 14, 2019." and insert "**June 30, 2019.**".

Page 21, line 18, delete "May 14, 2019." and insert "**June 30, 2019.**".

Page 21, line 21, delete "May" and insert "**June 30, 2024.**".

Page 21, delete line 22.

Page 28, between lines 27 and 28, begin a new paragraph and insert:  
"SECTION 42. IC 20-30-2-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. **(a)** As used in this chapter, "instructional time" is time during which students are participating in:

- (1) an approved course;
- (2) a curriculum; or
- (3) an educationally related activity;

under the direction of a teacher, including a reasonable amount of passing time between classes. Instructional time does not include lunch or recess.

**(b) The term described in subsection (a) includes:**

- (1) virtual education or electronic learning days (E-Learning days); or**
- (2) other virtual instructional:**
  - (A) opportunities;**
  - (B) courses;**
  - (C) curricula; or**
  - (D) related activities."**

Page 28, line 32, delete "(b) or (c),".

Page 28, line 32, reset in roman "(b), (c), or (d),".

Page 29, between lines 2 and 3, begin a new paragraph and insert:  
**"(d) If a school corporation:**

- (1) delays the start of the school day by not more than two (2) hours later than the normal school start time; or**
- (2) releases students not more than two (2) hours earlier than the normal student release time;**

**because of weather or to otherwise ensure the safety of the**



students, the school day shall count as a full instructional day."

Page 33, line 31, after "board." insert "**The state board may take not more than one (1) year to determine if a school meets the legal standards under this chapter.**".

Page 34, line 42, after "A" insert "**public**".

Page 35, between lines 32 and 33, begin a new line block indented and insert:

**"(25) IC 20-51 (school scholarships).**

**(d) If a nonpublic school that is accredited under this chapter is placed in the lowest category or designation of school improvement for four (4) consecutive years, the state board shall revoke the nonpublic school's accreditation under this chapter. However, a nonpublic school may submit a request to the state board to waive or delay the revocation of the school's accreditation for a particular school year. The state board may grant a request to a nonpublic school that requests a waiver or delay under this subsection if the nonpublic school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. A waiver or delay granted to a nonpublic school under this subsection is for one (1) school year only. A nonpublic school must make an additional request under this subsection to the state board to receive an additional delay or waiver of the accreditation revocation."**

Page 50, delete lines 19 through 23, begin a new paragraph and insert:

**"SECTION 82. [EFFECTIVE JULY 1, 2019] (a) Notwithstanding any other law, 511 IAC 6.1 expires on the date the state board of education establishes rules under IC 20-31-4.1-5, as added by this act.**

**(b) This SECTION expires July 1, 2021."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1640 as introduced.)

BEHNING

Committee Vote: yeas 10, nays 0.

