

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1066

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AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-19-3-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 20. The department shall publish the following information on the department's Internet web site:**

- (1) **The information reported under IC 20-29-3-15(b)(20) in the most recent report prepared under IC 20-29-3-15.**
- (2) **The number of emergency permits granted by each school corporation, categorized by content area, during the school year or collective bargaining period covered by the most recent report prepared under IC 20-29-3-15.**
- (3) **The total number of teaching candidates who:**
  - (A) **are currently enrolled in a teacher preparation program; or**
  - (B) **have recently completed a teacher preparation program.**
- (4) **The increase or decrease in kindergarten through grade 12 student enrollments.**
- (5) **The total number of teachers in Indiana.**
- (6) **The teacher workforce growth.**
- (7) **The administrator workforce growth.**
- (8) **For each school corporation, the number of vacant**



teaching positions by:

- (A) grade;
- (B) subject; and
- (C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

SECTION 2. IC 20-19-3-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. (a) As used in this section, "eligible school" has the meaning set forth in IC 20-51-1-4.7.**

**(b) The department shall prepare a report that includes the following information from the 2019-2020 school year:**

**(1) The following information for each school corporation, charter school, and eligible school for the fall semester or its equivalent:**

**(A) The number of students who:**

- (i) were included in the fall count of ADM for the school corporation, charter school, or eligible school; and**
- (ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the fall semester.**

**(B) To the extent possible, the number of students described in clause (A) who completed a course in the fall semester at another school and the other school did not include the student in that other school's fall count of ADM.**

**(C) To the extent possible, the number of students described in clause (A) who:**

- (i) are not students described in clause (B); and**
- (ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the fall semester for known reasons, including moving out of state, withdrawing from school, or removal by a parent under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.**

**(2) The following information for each school corporation, charter school, and eligible school for the spring semester or its equivalent:**

**(A) The number of students who:**

- (i) were included in the spring count of ADM for the school corporation, charter school, or eligible school;**



and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the spring semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the spring semester at another school and the other school did not include the student in the school's spring count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the spring semester for known reasons, including moving out of state, completing graduation requirements between the September ADM and February ADM count dates, withdrawing from school, or removal by parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(3) The following information:

(A) The number of student testing numbers assigned for each school.

(B) The number of students for each grade who participated in the most recent statewide assessment, divided by the number of students enrolled in the same grade at that particular school who are not exempted from participation in the statewide assessment because of an individualized education plan or other special education plan.

(C) The number of students who initially enroll in a school during the current school year, and the number of students who initially enrolled in the school during the immediately preceding school year.

(D) The number of students enrolled in a school that are twenty (20) years of age or older who initially enrolled in the school after the particular student's cohort graduated.

(c) The department shall, not later than December 1, 2020:

(1) submit the report prepared under subsection (b) to the legislative council in an electronic format under IC 5-14-6;

(2) post the report on the department's Internet web site; and



**(3) provide notice of the posting and a link to the report's location on the department's Internet web site to each:**

**(A) school and the governing body of each school corporation;**

**(B) charter school and the organizer and authorizer of the charter school; and**

**(C) eligible school and the person or agency in active charge and management of the eligible school.**

**(d) This section expires July 1, 2021.**

**SECTION 3. IC 20-23-4-21.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21.5. (a) This section applies to a proposed community school corporation reorganization approved by the:**

**(1) state board; and**

**(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.**

**(b) A teacher who:**

**(1) is employed in a school corporation subject to this chapter;**

**(2) loses his or her job in the school corporation because of a reorganization under this chapter; and**

**(3) has received a rating of effective or highly effective on his or her most recent performance evaluation;**

**shall receive an employment preference over other candidates for the same vacant teaching position, for a period of not more than one (1) year after the teacher loses his or her job under subdivision (2), at the community school corporation created by a reorganization under this chapter. In order to qualify for a hiring preference for a vacant teaching position under this section, the teacher must meet the licensing or credential requirements necessary for the teacher to teach the particular grade or subject matter for that particular teaching position.**

**(c) This section expires July 1, 2023.**

**SECTION 4. IC 20-23-4-21.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21.6. (a) This section applies to a proposed community school corporation reorganization approved by the:**

**(1) state board; and**

**(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.**

**(b) A teacher who:**



**(1) is employed in a school corporation subject to this chapter;**  
**(2) loses his or her job in the school corporation because of a reorganization under this chapter; and**  
**(3) not later than one (1) year after the teacher loses his or her job as described in subdivision (2), is subsequently employed by a community school corporation created by a reorganization under this chapter;**  
**retains the rights and privileges under IC 20-28-6 through IC 20-28-10 that the teacher held at the time the teacher lost his or her job in the original school corporation.**

**(c) This section expires July 1, 2023.**

SECTION 5. IC 20-25-4-20, AS ADDED BY P.L.1-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. **(a)** The general school laws of Indiana and all laws and parts of laws applicable to the general system of common schools in school cities, so far as not inconsistent with this chapter and other provisions of this article, and unless made inapplicable by this article, are in full force and effect in a school city to which this chapter applies.

**(b) Notwithstanding IC 20-25-13, staff performance evaluation plans in a school city shall be developed and implemented as provided in IC 20-28-11.5-4.**

SECTION 6. IC 20-25.7-5-5, AS AMENDED BY P.L.130-2018, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) IC 20-24-5-5 (with the exception of IC 20-24-5-5(f)) does not apply to a participating innovation network charter school that enters into an agreement with the board to reconstitute or establish an eligible school.

(b) Except as provided in subsections (c) and (d), a participating innovation network charter school must enroll any eligible student who submits a timely application for enrollment.

(c) A participating innovation network charter school that reconstitutes or establishes an eligible school may limit new admissions to the participating innovation network charter school to:

- (1) ensure that any student with legal settlement in the attendance area, or in the school corporation if the school does not have a defined attendance area, may attend the charter school;
- (2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;
- (3) allow the siblings of a student **alumnus or a current student** who attends the participating innovation network charter school



to attend the charter school; ~~and~~

(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities;

**(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer; and**

**(6) allow each student who attended a turnaround academy under IC 20-31-9.5 or attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.**

(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for enrollment for:

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

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

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

(D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B)



through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

(e) A participating innovation network charter school may give enrollment preferences to children of the participating innovation network charter school's founders, governing board members, and participating innovation network charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the participating innovation charter school's total population and there is sufficient capacity for a program, class, grade level, or building to ensure that any student with legal settlement in the attendance area may attend the school.

**(f) This subsection applies to an existing charter school that enters into an innovation network agreement with the board. During the charter school's first year of operation as a participating innovation network charter school, the charter school may limit admission to:**

- (1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement;**
- and**
- (2) siblings of students described in subdivision (1).**

**(g)** This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a participating innovation network charter school receives a greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The participating innovation network charter school that is not in a county containing a consolidated city must determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by random drawing in a public meeting with each timely applicant limited to one (1) entry in the drawing. However, the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.

SECTION 7. IC 20-26-11-6.5, AS AMENDED BY P.L.241-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Notwithstanding this chapter, a school corporation shall accept a transferring student who does not have legal settlement in the school corporation ~~and who has a parent who is a current employee of the transferee school corporation:~~



(1) with an annual salary of at least eight thousand dollars (\$8,000); and

(2) who resides in Indiana;

if the transferee school corporation has the capacity to accept the student: if:

(1) the student's parent is a current employee of the transferee school corporation with an annual salary of at least:

(A) eight thousand dollars (\$8,000); or

(B) three thousand dollars (\$3,000) earned due to being included as an employee in the extracurricular portion of the transferee school corporation's current collective bargaining agreement;

(2) the student's parent currently resides in Indiana; and

(3) the transferee school corporation has the capacity to accept the student.

(b) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by random drawing in a public meeting. However, the governing body of a school corporation located in a county with a consolidated city shall determine which students will be admitted by using a publicly verifiable random selection process.

**(c) Notwithstanding this chapter and IC 20-43, if a school corporation has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation, the school corporation may not enroll and may not report for purposes of state tuition support a student under this section whose parent does not meet the requirements described in subsection (a).**

SECTION 8. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) This section applies to a school corporation **and to a charter school** that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(e).

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

(1) the amount received by the school corporation **or charter school** in which the student is enrolled for ADM purposes; or





(2) the amount received by the school corporation in which the student has legal settlement;  
whichever is greater.

SECTION 9. IC 20-27-9-2, AS AMENDED BY P.L.144-2019, SECTION 13, AND AS AMENDED BY P.L.270-2019, SECTION 20, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The governing body of a school corporation may allow, by written authorization, the use of a school bus or a special purpose bus for the transportation of adults at least sixty-five (65) years of age or *adults with developmental or physical disabilities.* ~~*disabled adults.*~~

SECTION 10. IC 20-27-9-5, AS AMENDED BY P.L.144-2019, SECTION 14, AND AS AMENDED BY P.L.270-2019, SECTION 21, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A special purpose bus may be used:

- (1) by a school corporation to provide regular transportation of a student between one (1) school and another school but not between the student's residence and the school;
- (2) to transport students and their supervisors, including coaches, managers, and sponsors to athletic or other extracurricular school activities and field trips;
- (3) by a school corporation to provide transportation between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;
- (4) to transport homeless students under IC 20-27-12; ~~and~~
- (5) *by a school corporation to provide regular transportation of an individual described in section 4 or 7 of this chapter between the individual's residence and the school; and*
- ~~(5) to transport adults under section 2 of this chapter.~~
- (6) to transport students to career and technical education programs under IC 20-27-12.1.**

(b) The mileage limitation of section 3 of this chapter does not apply to special purpose buses.

(c) The operator of a special purpose bus must be at least twenty-one (21) years of age, be authorized by the school corporation, and meet the following requirements:

- (1) *Except as provided in subdivision (2)(B) and in addition to the license required under this subdivision,* if the special purpose bus has a capacity of less than sixteen (16) passengers, the operator



must hold a valid:

- (A) operator's;
- (B) chauffeur's;
- (C) public passenger chauffeur's; or
- (D) commercial driver's;

license.

(2) If the special purpose bus:

- (A) has a capacity of more than fifteen (15) passengers; or
- (B) is used to provide transportation to an individual described in subsection (a)(3) or (a)(5);

the operator must meet the requirements for a school bus driver set out in IC 20-27-8.

(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the committee.

(e) An owner or operator of a special purpose bus, other than a special purpose bus owned or operated by a school corporation or a nonpublic school, is subject to IC 8-2.1.

SECTION 11. IC 20-27-12.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

**Chapter 12.1. Transportation of Students for Career and Technical Education Training**

**Sec. 1. As used in this chapter, "appropriate vehicle" has the meaning set forth in IC 20-27-12-0.1.**

**Sec. 2. As used in this chapter, "career and technical education" has the meaning set forth in IC 20-20-38-1.**

**Sec. 3. (a) A school corporation may use the following types of vehicles in transporting a student to and from a career and technical education program:**

**(1) If more than seven (7) students are being transported to or from a career and technical education program, a special purpose bus must be used to transport the students.**

**(2) If seven (7) or fewer students are being transported to or from a career and technical education program, an appropriate vehicle may be used to transport the students.**

**(b) The driver of a vehicle used to transport students to or from career and technical education programs under subsection (a) must meet the qualifications set forth in IC 20-27-9-5(c).**

SECTION 12. IC 20-28-8-6, AS AMENDED BY P.L.208-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A contract entered into by a governing body



and its superintendent is subject to the following conditions:

- (1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.
- (2) The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and section 7 of this chapter.
- (3) If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract. However, if a right of a superintendent as a teacher under any other law conflicts with the conditions under subsection (b), subsection (b) governs.
- (4) For a contract entered into or renewed after June 30, 2017, the conditions set forth under subsection (b).

(b) This subsection applies to contracts entered into or renewed after June 30, 2017. A contract entered into by a governing body and its superintendent is subject to the following conditions:

- (1) The contract must be for a term of at least one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.
- (2) If the contract contains a provision that establishes an amount the governing body must pay to the superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:
  - (A) the superintendent's salary for any one (1) year under the contract; or
  - (B) two hundred fifty thousand dollars (\$250,000).

A superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the superintendent receives as payment under the contract other than the superintendent's salary.

**(c) This subsection applies to a governing body in which at least one (1) member is elected. After June 30, 2021, a governing body may not enter into a contract with a superintendent under this section on or after the date of the election for one (1) or more members of the governing body until January 1 of the year immediately following the year of the election. However, this subsection does not apply if the membership of the governing body does not change as a result of the particular election.**



SECTION 13. IC 20-29-3-15, AS ADDED BY P.L.161-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The board shall prepare an annual report covering the previous school year or collective bargaining period that includes at least the information described in subsection (b). Before November 15 each year, the board shall:

- (1) submit the report to the budget committee, department of education, state board, and legislative council in an electronic format under IC 5-14-6; and
- (2) publish the report on the state's interactive and searchable Internet web site containing local government information (the Indiana gateway for governmental units).

(b) The report must cover at least the following information:

- (1) The total number of full-time public school teachers and the number of nonteaching full-time district level administrators.
- (2) The average tenure of all full-time public school teachers.
- (3) The number of first-year, full-time teachers hired during the previous calendar year.
- (4) The number of full-time teachers who retired during the interval between the immediately preceding collective bargaining period and the previous calendar year's collective bargaining period.
- (5) The overall average salary of nonteaching full-time district level administrators.
- (6) The overall average salary of full-time public school teachers.
- (7) The statewide average total compensation of full-time public school teachers, the statewide average daily teacher salary rate, and the statewide average annual teacher contract days.
- (8) The statewide average total compensation of full-time public school administrators, the statewide average daily nonteaching, full-time, district level administrator salary rate, and the statewide average annual administrator contract days.
- (9) The average salary and total compensation of full-time public school teachers for each school corporation.
- (10) The average salary and total compensation of nonteaching, full-time district level administrators, including separately the superintendent, for each school corporation.
- (11) The minimum full-time public school teacher salary.
- (12) The maximum full-time public school teacher salary.
- (13) The minimum nonteaching full-time district level administrative salary.
- (14) The maximum nonteaching full-time district level



administrative salary.

(15) The number of full-time public school teachers earning a salary under the statewide average.

(16) The number of full-time public school teachers earning a salary in excess of the statewide average.

(17) For each school corporation, the average salary paid to full-time public school teachers in each of the following tenure benchmarks:

(A) First year.

(B) Fifth year.

(C) Tenth year.

(D) Fifteenth year.

(E) Twentieth year.

(F) Twenty-fifth year.

(G) Thirty (30) or more years of service.

(18) For each school corporation, the nominal dollar figures for subdivisions (5), (6), (11), (12), (13), (14), and (17) in nationally recognized, open-source, state-specific cost of living index-adjusted dollars to compare to the figures described in subdivision (19).

(19) Comparative data on overall full-time public school teacher salary averages and by each of the tenure benchmarks listed in subdivision (17) in both nominal dollars and nationally recognized, open-source, state-specific cost of living index-adjusted dollars for each of the following states:

(A) Illinois.

(B) Kentucky.

(C) Michigan.

(D) Ohio.

(E) Wisconsin.

(20) The total number of full-time teachers retained from the previous year.

(21) The total number of newly hired teachers with previous work experience in teaching.

(22) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(23) The increase or decrease in kindergarten through grade 12 student enrollments.

(24) The total number of teachers in Indiana.

(25) The teacher workforce growth.

(26) The administrator workforce growth.



**(27) For each school corporation, the number of vacant teaching positions by:**

- (A) grade;**
- (B) subject; and**
- (C) required credential;**

**with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.**

As used in this subsection, total compensation includes the monetary value of salary, wages, bonuses, stipends, supplemental payments, commissions, employment benefits, and any other form of remuneration paid for personal services.

(c) The board may require schools to submit any school corporation specific information needed to complete the report. Parties to a collective bargaining agreement shall comply with the board's requests for information necessary to complete the report.

SECTION 14. IC 20-30-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) Subject to subsection (b), each school corporation and charter school may place a durable poster or framed picture representing:**

- (1) the national motto of the United States, "In God We Trust"; and**
- (2) an accurate representation of the:**
  - (A) United States flag; and**
  - (B) Indiana state flag;**

**which may be positioned under the national motto described in subdivision (1);**

**in each school library and classroom within the school corporation or charter school.**

**(b) The durable poster or framed picture described in subsection (a) may be at least eleven (11) inches in height by seventeen (17) inches in width. The dimensions of the national motto described in subsection (a)(1) may be at least four (4) inches in height by fifteen (15) inches in width and include print large enough to fill the dimensions established by this subdivision.**

**(c) If a school corporation or charter school places a poster or framed picture under subsection (a), the representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.**

SECTION 15. IC 20-30-6.1-3 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3. A school corporation, charter school, or nonpublic school with at least one (1) employee may provide a presentation or instruction to students explaining aspects of autism, including behaviors that students with autism may exhibit as well as student interaction with students with autism.**

SECTION 16. IC 20-32-5.1-17, AS AMENDED BY P.L.269-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (c). The benchmark, formative, interim, or similar assessments must show alignment, verified by a third party, to Indiana's academic standards. **The majority of the assessment reporting must indicate the degree to which students are on track for grade level proficiency and college and career readiness.** Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(b) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(c) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out



this section.

(d) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

SECTION 17. IC 20-33-2-10, AS AMENDED BY P.L.144-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

- (1) the name and address of the school the student last attended; and
- (2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

**(b) Each public school, charter school, and nonpublic school with at least one (1) employee shall provide upon request of another school a copy of a particular student's disciplinary records that are relevant to the safety of students, if the particular student currently attends the requesting school and is currently enrolled in the requesting school.**

~~(b)~~ (c) Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

~~(c)~~ (d) If the document described in subsection (a)(2):

- (1) is not provided to the school not more than thirty (30) days after the student's enrollment; or
- (2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults established under IC 10-13-5-5 and determine if the student has been reported missing.

~~(d)~~ (e) A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

- (1) shall immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults;
- (2) may not send the school records without the authorization of the clearinghouse; and
- (3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

~~(e)~~ (f) Notwithstanding subsection ~~(d)~~; (e), if a parent of a child who





has enrolled in an accredited nonpublic school is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees, the accredited nonpublic school shall provide a requesting school sufficient verbal information to permit the requesting school to make an appropriate placement decision regarding the child. **However, the accredited nonpublic school must provide the information described in subsection (b) to the requesting school.**

SECTION 18. IC 20-33-8-18, AS AMENDED BY P.L.94-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A principal may suspend a student for not more than ten (10) school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

- (1) A written or an oral statement of the charges against the student.
- (2) If the student denies the charges, a summary of the evidence against the student.
- (3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

- (1) The student's misconduct.
- (2) The action taken by the principal.

(e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives:

- (1) notice of any assignments or school work due; ~~and~~
- (2) teacher contact information in the event the student has questions regarding the assignments or school work; ~~and~~
- (3) **credit, in the same manner that a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes.**



A student may be allowed to make up missed tests or quizzes when the student returns to school.

SECTION 19. IC 20-43-4-6, AS AMENDED BY P.L.169-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) In determining ADM, each pupil enrolled in a public school, including a charter school, and a nonpublic school is to be counted on a full-time equivalency basis if the pupil:

- (1) is enrolled in a public school and a nonpublic school;
- (2) has legal settlement in a school corporation; and
- (3) receives instructional services from ~~the~~ a school corporation.

(b) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:

- (A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by
- (B) one hundred eighty (180).

STEP TWO: Determine the result of:

- (A) the pupil's public school instructional time (as defined in IC 20-30-2-1); divided by
- (B) the actual public school regular instructional day (as defined in IC 20-30-2-2).

STEP THREE: Determine the result of:

- (A) the STEP ONE result; multiplied by
- (B) the STEP TWO result.

STEP FOUR: Determine the lesser of one (1) or the result of:

- (A) the STEP THREE result; multiplied by
- (B) one and five hundredths (1.05).

However, the state board may, by rules adopted under IC 4-22-2, specify an equivalent formula if the state board determines that the equivalent formula would more accurately reflect the instructional services provided by a school corporation during a period that a particular ADM count is in effect for the school corporation.

SECTION 20. IC 35-31.5-2-144, AS AMENDED BY P.L.170-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 144. (a) "Governmental entity" means:

- (1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation;
- (2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or



(3) a state assisted college or state assisted university.

(b) For purposes of IC 35-33-5, "governmental entity" also includes a person authorized to act on behalf of a state or local agency.

(c) For purposes of IC 35-44.1, "governmental entity" also includes a charter school (as defined in IC 20-24-1-4) and an organizer (as defined in IC 20-24-1-7).

SECTION 21. [EFFECTIVE UPON PASSAGE] (a) The provisions of SEA 2-2020 apply to an adult high school (as defined under IC 20-24-1-2.3).

(c) This SECTION expires July 1, 2023.

SECTION 22. [EFFECTIVE JULY 1, 2020] (a) The following definitions apply throughout this SECTION:

(1) "Utility career cluster" means a list:

(A) compiled for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and

(B) setting forth industries or occupational fields that:

(i) are related to the provision of utility services; and

(ii) share similar knowledge and skill training requirements.

(2) "Utility services" includes:

(A) production, transmission, or distribution of electricity;

(B) acquisition, transportation, distribution, or storage of natural gas;

(C) provision of communications service (as defined in IC 8-1-32.5-3);

(D) treatment, storage, or distribution of water; and

(E) collection or treatment of wastewater.

(b) The general assembly finds the following:

(1) Careers in utility services provide rewarding, highly stable employment in jobs that offer high wages and benefits.

(2) The number of individuals entering the utility services workforce is insufficient to keep pace with industry demand.

(3) Current Indiana college and career pathways relating to career and technical education are not presently aligned to guide students toward and into careers in utility services and meet utility services industry demand.

(c) The general assembly:

(1) urges the state board of education to approve a utility career cluster for purposes of developing sequences of courses leading to student concentrators in industries or occupational fields related to the provision of utility services under



**IC 20-32-4-1.5(g);**

**(2) urges the governor's workforce cabinet, in consultation with the state board of education, the department of education, and the department of workforce development:**

**(A) to create one (1) or more course sequences:**

**(i) each of which is comprised of courses approved by the state board of education for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and**

**(ii) each of which provides students with knowledge and skills necessary for employment in an industry or occupational field in the utility career cluster; and**

**(B) in creating course sequences under clause (A):**

**(i) to consider the impact of course sequences on the long term outcomes of students; and**

**(ii) to prioritize course sequences that lead to high wage, high demand jobs; and**

**(3) urges the governor's workforce cabinet to:**

**(A) collect data regarding career clusters approved under subdivision (1) and course sequences created under subdivision (2) to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements; and**

**(B) report to the general assembly regarding data collected under clause (A).**

**(d) This SECTION expires July 1, 2021.**

**SECTION 23. An emergency is declared for this act.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

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

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