

# HOUSE BILL No. 1219

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-21-1-14; IC 20-19-3; IC 20-20-50; IC 20-25; IC 20-26; IC 20-28; IC 20-29; IC 20-30; IC 20-31; IC 20-32-4-14; IC 20-33-2-19; IC 20-36-2-1; IC 20-43.

**Synopsis:** Various education matters. Establishes the mastery based education pilot program (pilot program) to allow school corporations and charter schools selected by the department of education (department) to implement a mastery based education program. Establishes requirements and exemptions to certain laws and rules for schools participating in the pilot program. Changes the date by which formal collective bargaining may begin to October 1 and amends similar date requirement under the collective bargaining provisions to October 1. Establishes minimum minute instructional time requirements for each school year. Amends the instructional day and instructional time hour requirements for each instructional day. Provides that a governing body of a school corporation (governing body) may not enter into a contract with a superintendent on or after the date of the election for two or more members of the governing body (instead of one member) until January 1 of the year immediately following the year of the election. Establishes a minimum number of students that may receive an alternate diploma that may be counted for purposes of a school's or school corporation's graduation rate. Requires schools to adopt a teacher appreciation grant policy every four state fiscal years instead of every state fiscal year. Repeals or removes provisions that require: (1) a governing body to hold a public meeting on a proposed superintendent contract; (2) a governing body to post an employment contract entered into with a superintendent on the school corporation's website; (3) public schools to provide information concerning employees who are physically injured on the job by a student; (4) principals and school corporations to report aggregate  
(Continued next page)

**Effective:** July 1, 2024.

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## Teshka, Lehman, Steuerwald

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January 9, 2024, read first time and referred to Committee on Education.

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## Digest Continued

results of staff performance evaluations; (5) principals to complete a survey; (6) certain teachers to complete a form after the initial year of teaching at a particular school; (7) the department to report to each teacher preparation program regarding certain surveys and evaluations; and (8) a public hearing before privately negotiating matters during the formal collective bargaining time period. Repeals provisions concerning the following: (1) Strategic and continuous school improvement and achievement plans. (2) Cultural competency in educational environments. (3) The primetime program.



Introduced

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1219



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 10-21-1-14, AS ADDED BY P.L.150-2023,  
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 14. (a) Each school operated by a school  
4 corporation shall establish a safe school committee. ~~The committee~~  
5 ~~may be a subcommittee of the committee that develops the strategic~~  
6 ~~and continuous school improvement and achievement plan under~~  
7 ~~IC 20-31-5.~~ Each committee may include at least one (1) member who  
8 is a member of the support staff of the school or school corporation  
9 career and technical education school.

10 (b) Each school operated by a charter school shall establish a safe  
11 school committee. A charter school in operation on July 1, 2023, shall  
12 comply with this subsection not later than July 1, 2024.

13 (c) The safe school committee shall actively participate in and assist  
14 with the development of the school safety plan.

15 (d) The department of education, the school corporation's or charter



1 school's school safety specialist or specialists, and a school resource  
 2 officer, if one (1) is employed by the school corporation or charter  
 3 school, shall provide materials and guidelines to assist a safe school  
 4 committee in developing a policy for a particular school that addresses  
 5 the following issues:

6 (1) Implementation of the school safety plan.

7 (2) Addressing outside and internal threats to the physical safety  
 8 of students, faculty, staff, and the public, including unsafe  
 9 conditions, crime prevention, school violence, bullying and  
 10 cyberbullying, criminal organization activity, child abuse and  
 11 child sexual abuse, mental health and behavioral health, suicide  
 12 awareness and prevention, and other issues that prevent the  
 13 maintenance of a safe school.

14 (3) Addressing the professional development needs for faculty  
 15 and staff to implement methods that decrease problems identified  
 16 under subdivision (2).

17 (4) Identifying and implementing methods to encourage:

18 (A) involvement by the community, families, and students;

19 (B) development of relationships between students and school  
 20 faculty and staff; and

21 (C) use of problem solving teams.

22 (e) The guidelines developed under subsection (d) must include age  
 23 appropriate, research based information that assists school corporations  
 24 or charter schools and safe school committees in:

25 (1) developing and implementing bullying and cyberbullying  
 26 prevention programs;

27 (2) establishing investigation and reporting procedures related to  
 28 bullying and cyberbullying; and

29 (3) adopting discipline rules that comply with IC 20-33-8-13.5.

30 (f) In addition to developing guidelines under subsection (d), the  
 31 department of education shall establish categories of types of bullying  
 32 incidents to allow school corporations to use the categories in making  
 33 reports under IC 20-20-8-8 and IC 20-34-6-1.

34 (g) The materials and guidelines provided under subsection (d) must  
 35 include the model educational materials and model response policies  
 36 and reporting procedures on child abuse and child sexual abuse  
 37 developed or identified under IC 20-19-3-11.

38 SECTION 2. IC 20-19-3-12.2, AS AMENDED BY P.L.233-2015,  
 39 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2024]: Sec. 12.2. (a) The department shall make reduction of  
 41 absenteeism in schools a policy priority and provide assistance and  
 42 guidance to school corporations and schools in:



- 1 (1) identifying contributing factors of absenteeism; and  
 2 (2) developing chronic absence reduction plans. ~~that school~~  
 3 ~~corporations may elect to include as a component of the school~~  
 4 ~~improvement plans required under IC 20-31-5.~~

5 (b) The department shall provide resources and guidance to school  
 6 corporations concerning evidence based practices and effective  
 7 strategies that reduce absenteeism in schools. However, the department  
 8 may not mandate a particular policy within a chronic absence reduction  
 9 plan adopted by a school corporation or school.

10 SECTION 3. IC 20-19-3-27.5 IS REPEALED [EFFECTIVE JULY  
 11 1, 2024]. ~~Sec. 27.5: The department shall establish and maintain on the~~  
 12 ~~department's website a public data base of information provided by~~  
 13 ~~each public school in accordance with IC 20-26-5-42 concerning~~  
 14 ~~employees of each public school who were physically injured while on~~  
 15 ~~the job by students of the public school.~~

16 SECTION 4. IC 20-20-50 IS ADDED TO THE INDIANA CODE  
 17 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2024]:

19 **Chapter 50. Mastery Based Education Pilot Program**

20 **Sec. 1. As used in this chapter, "dedicated lead partner" means**  
 21 **an experienced and specialized individual or entity that provides**  
 22 **assistance in implementing mastery based education in a school.**

23 **Sec. 2. As used in this chapter, "mastery" means evidenced**  
 24 **attainment of predefined, rigorous learning objectives that:**

- 25 (1) are transferable; and  
 26 (2) qualify a student for advancement to subsequent  
 27 educational levels or competencies.

28 **Sec. 3. As used in this chapter, "mastery based education"**  
 29 **means an innovative, learner centered approach to teaching and**  
 30 **learning that focuses on the mastery of specific skills or knowledge**  
 31 **areas rather than the amount of time spent in a classroom.**

32 **Sec. 4. As used in this chapter, "pilot program" refers to the**  
 33 **mastery based education pilot program established by section 5 of**  
 34 **this chapter.**

35 **Sec. 5. (a) The mastery based education pilot program is**  
 36 **established to allow a school corporation or charter school that is**  
 37 **selected by the department under subsection (b) to implement a**  
 38 **mastery based education program in:**

- 39 (1) one (1) or more schools maintained by the school  
 40 corporation; or  
 41 (2) the charter school.

42 (b) The department shall:



1 (1) administer the pilot program; and

2 (2) select:

3 (A) school corporations;

4 (B) charter schools; or

5 (C) both, school corporations and charter schools;

6 that meet the requirements under section 6 of this chapter to  
7 participate in the pilot program.

8 Sec. 6. (a) To apply for participation in the pilot program, a  
9 school corporation or charter school must, not later than May 1,  
10 2025, do the following:

11 (1) Apply on a form and in a manner established by the  
12 department.

13 (2) Submit to the department a plan for the establishment and  
14 implementation of a mastery based education program in the  
15 school corporation or charter school that meets the  
16 requirements of sections 7 and 8 of this chapter.

17 (b) The department shall, not later than July 31, 2025, approve  
18 or deny a plan submitted by a school corporation or charter school  
19 under this section.

20 Sec. 7. (a) A school corporation or charter school must do the  
21 following to participate in the pilot program:

22 (1) Implement the mastery based education program at:

23 (A) one (1) or more schools maintained by the school  
24 corporation; or

25 (B) the charter school;

26 throughout at least one (1) school year.

27 (2) Contract with a dedicated lead partner approved by the  
28 state board under section 13 of this chapter to implement the  
29 plan submitted by the school corporation or charter school  
30 under section 6(a) of this chapter.

31 (b) A school corporation or charter school may phase in  
32 implementation of a mastery based education program over a four  
33 (4) year period.

34 Sec. 8. A mastery based education program implemented by a  
35 school corporation or charter school under this chapter must meet  
36 the following requirements:

37 (1) A student participating in the mastery based education  
38 program must:

39 (A) advance based upon mastery of the subject matter and  
40 not based on time in a classroom;

41 (B) receive timely, differentiated support based on the  
42 student's individual learning needs; and



- 1 (C) be empowered daily to make important decisions  
 2 about:  
 3 (i) the student's learning experiences and learning  
 4 environment;  
 5 (ii) how the student will create and apply knowledge; and  
 6 (iii) how the student will demonstrate learning.
- 7 (2) Standards in the mastery based education program must  
 8 be broken down into masteries that include rigorous, clear,  
 9 measurable, and transferable learning objectives that  
 10 empower students.
- 11 (3) Assessments administered under the mastery based  
 12 education program must focus on evaluating skills and not on  
 13 memorization.
- 14 (4) Learning outcomes for the mastery based education  
 15 program must emphasize masteries that include:  
 16 (A) application and creation of knowledge; and  
 17 (B) the development of work ready skills.
- 18 (5) Include in the culture, structure, and pedagogy of the  
 19 mastery based education program strategies to ensure fair  
 20 and impartial learning for all students.
- 21 **Sec. 9. A school maintained by a school corporation or charter**  
 22 **school participating in the pilot program shall do the following in**  
 23 **implementing a mastery based education program:**
- 24 (1) Establish partnerships with postsecondary educational  
 25 institutions, community organizations, and employers.
- 26 (2) For the purposes of curriculum development in grades 10  
 27 through 12, contract with employers in the school  
 28 corporation's or charter school's community to ensure  
 29 standards of learning in the mastery based education  
 30 program are relevant with regard to current workforce  
 31 demands.
- 32 (3) Admit all students who are attending a school maintained  
 33 by a school corporation or charter school that is participating  
 34 in the pilot program to the mastery based education program  
 35 regardless of a student's learning needs, race, gender, sex, and  
 36 ethnicity.
- 37 **Sec. 10. (a) Notwithstanding any other state law, the:**  
 38 (1) governing body of a school corporation; or  
 39 (2) equivalent authority for a charter school;  
 40 that participates in the pilot program may approve organizations  
 41 to provide credit or learning experiences for alternative programs  
 42 at schools participating in the pilot program in which a student



1 obtains credit counting toward the student's graduation  
 2 requirements from a nonschool educational experience that applies  
 3 or incorporates content area knowledge in lieu of a required or  
 4 elective course in the Core 40 curriculum model adopted under  
 5 IC 20-30-10.

6 (b) If a student:

- 7 (1) obtains a credit described in subsection (a); and  
 8 (2) subsequently transfers to another school corporation or  
 9 charter school in Indiana;

10 the school corporation or charter school to which the student  
 11 transfers shall count the credit that was approved under subsection  
 12 (a) by a previous school corporation or charter school that the  
 13 student attended toward the student's graduation requirements.

14 Sec. 11. (a) The department, in consultation with approved  
 15 dedicated lead partners and school corporations and charter  
 16 schools participating in the pilot program, shall do the following:

17 (1) Establish common masteries that must be used by each  
 18 school participating in the pilot program.

19 (2) Review annually the masteries established under  
 20 subdivision (1) and, as applicable, do the following:

21 (A) Amend or remove masteries.

22 (B) Establish new common masteries.

23 (3) Create criteria for masteries that are, when applicable,  
 24 transferable among different subject areas and courses to  
 25 ensure that a mastery can satisfy multiple requirements.

26 (b) The department may request information from a school  
 27 corporation or charter school participating in the pilot program  
 28 for the purpose of assessing the effectiveness of the pilot program.

29 Sec. 12. (a) Except as provided under subsection (b), if the  
 30 department requests information from a school corporation or  
 31 charter school under section 11(b) of this chapter, the school  
 32 corporation or charter school shall provide the information not  
 33 later than twenty-eight (28) business days after the date the  
 34 department makes the request.

35 (b) If a school corporation or charter school is unable to provide  
 36 the information in the time period established under subsection (a),  
 37 the school corporation or charter school shall provide the  
 38 information by a date established by the department.

39 Sec. 13. The department shall do the following:

- 40 (1) Approve dedicated lead partners that a school corporation  
 41 or charter schools participating in the pilot program may  
 42 contract with in accordance with this chapter.





- 1           (2) Create and maintain a list of the approved dedicated lead  
2           partners on the state board's website.
- 3           **Sec. 14. The commission for higher education shall work with**  
4           **school corporations and charter schools participating in the pilot**  
5           **program and the applicable dedicated lead partners to ensure that:**  
6           (1) credits earned through the pilot program are included on  
7           the student's high school transcript; and  
8           (2) a student enrolled in the pilot program has access to early  
9           college credit.
- 10          **Sec. 15. A school maintained by a school corporation or charter**  
11          **school that participates in the pilot program:**  
12          (1) is exempt from all requirements of this title except for  
13          requirements under this chapter or requirements established  
14          under federal law; and  
15          (2) may not award graduation waivers under IC 20-32-3 or  
16          IC 20-32-5.1.
- 17          **Sec. 16. (a) Each dedicated lead partner shall, for each school**  
18          **corporation or charter school with which the dedicated lead**  
19          **partner contracts to implement a mastery based education**  
20          **program under this chapter, annually prepare and submit a report**  
21          **to the department and state board, by a date established by the**  
22          **department, that provides an overview of the mastery based**  
23          **education program and the implementation of the master based**  
24          **education program in the school corporation or charter school.**
- 25          **(b) Not later than November 1, 2025, and not later than**  
26          **November 1 each year thereafter, the department shall:**  
27          (1) compile and prepare a report that includes the  
28          information provided in the reports submitted under  
29          subsection (a); and  
30          (2) submit the report to the legislative council in an electronic  
31          format under IC 5-14-6.
- 32          **Sec. 17. (a) The mastery based education pilot program fund is**  
33          **established for the purpose of providing funds for the planning and**  
34          **development costs for the pilot program.**  
35          **(b) The department shall administer the fund.**  
36          **(c) The fund consists of the following:**  
37          (1) Appropriations by the general assembly.  
38          (2) Interest deposited in the fund under subsection (d).  
39          **(d) The treasurer of state shall invest money in the fund not**  
40          **currently needed to meet the obligations of the fund in the same**  
41          **manner as other public money may be invested. Interest that**  
42          **accrues from these investments shall be deposited in the fund.**



1           **(e) Money in the fund at the end of a state fiscal year does not**  
 2 **revert to the state general fund.**

3           **Sec. 18. The state board may adopt rules under IC 4-22-2**  
 4 **necessary to implement this chapter.**

5           SECTION 5. IC 20-25-10-1, AS AMENDED BY P.L.211-2021,  
 6 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2024]: Sec. 1. (a) The board shall modify, develop, and  
 8 implement a plan for the improvement of student achievement in the  
 9 schools in the school city.

10           (b) A plan modified, developed, and implemented under this chapter  
 11 must be consistent with this article and with IC 20-31-1, IC 20-31-2,  
 12 ~~IC 20-31-5, IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10.

13           SECTION 6. IC 20-25-10-3, AS AMENDED BY P.L.211-2021,  
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2024]: Sec. 3. The board shall:

16           (1) modify, develop, and publish the plan required under this  
 17 chapter; and

18           (2) implement the modified plan;

19 in compliance with the timelines of IC 20-31-1, ~~IC 20-31-5~~;  
 20 ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10.

21           SECTION 7. IC 20-25-10-5, AS AMENDED BY P.L.211-2021,  
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2024]: Sec. 5. (a) The board shall annually assess and evaluate  
 24 educational programs offered by the school city to determine:

25           (1) the relationship of the programs to improved student  
 26 achievement; and

27           (2) the educational value of the programs in relation to cost.

28           (b) The board may obtain information from:

29           (1) educators in the schools offering a program;

30           (2) students participating in a program; and

31           (3) the parents of students participating in a program;

32 in preparing an assessment and evaluation under this section. The  
 33 assessment must include the performance of the school's students in  
 34 achieving student performance improvement levels under IC 20-31-1,  
 35 ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, IC 20-31-10, and IC 20-25-11.

36           SECTION 8. IC 20-25-11-1, AS AMENDED BY P.L.211-2021,  
 37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2024]: Sec. 1. The board shall establish annual student  
 39 performance improvement levels for each school that are not less  
 40 rigorous than the student performance improvement levels under  
 41 IC 20-31-1, ~~IC 20-31-6~~, IC 20-31-7, IC 20-31-8, and IC 20-31-10,  
 42 including the following:



- 1 (1) For students:  
 2 (A) improvement in results on assessment tests and assessment  
 3 programs;  
 4 (B) improvement in attendance rates; and  
 5 (C) improvement in progress toward graduation.  
 6 (2) For teachers:  
 7 (A) improvement in student results on assessment tests and  
 8 assessment programs;  
 9 (B) improvement in the number and percentage of students  
 10 achieving:  
 11 (i) state achievement standards; and  
 12 (ii) if applicable, performance levels set by the board;  
 13 on assessment tests;  
 14 (C) improvement in student progress toward graduation;  
 15 (D) improvement in student attendance rates for the school  
 16 year;  
 17 (E) improvement in individual teacher attendance rates;  
 18 (F) improvement in:  
 19 (i) communication with parents; and  
 20 (ii) parental involvement in classroom and extracurricular  
 21 activities; and  
 22 (G) other objectives developed by the board.  
 23 (3) For the school and school administrators:  
 24 (A) improvement in student results on assessment tests, totaled  
 25 by class and grade;  
 26 (B) improvement in the number and percentage of students  
 27 achieving:  
 28 (i) state achievement standards; and  
 29 (ii) if applicable, performance levels set by the board;  
 30 on assessment tests, totaled by class and grade;  
 31 (C) improvement in:  
 32 (i) student graduation rates; and  
 33 (ii) progress toward graduation;  
 34 (D) improvement in student attendance rates;  
 35 (E) management of:  
 36 (i) education fund expenditures;  
 37 (ii) operations fund expenditures; and  
 38 (iii) total expenditures;  
 39 per student;  
 40 (F) improvement in teacher attendance rates; and  
 41 (G) other objectives developed by the board.

42 SECTION 9. IC 20-25-12-1, AS AMENDED BY P.L.211-2021,



1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2024]: Sec. 1. (a) IC 20-31-1, IC 20-31-2, ~~IC 20-31-5,~~  
3 ~~IC 20-31-6,~~ IC 20-31-7, IC 20-31-8, and IC 20-31-10 apply to the  
4 school city. The composition of a local school improvement committee  
5 is determined under IC 20-31-1, IC 20-31-2, ~~IC 20-31-5,~~ ~~IC 20-31-6,~~  
6 IC 20-31-7, IC 20-31-8, and IC 20-31-10.

7 (b) The plan developed and implemented by the board under  
8 IC 20-25-10 must contain general guidelines for decisions by the  
9 educators in each school to improve student achievement in the school.

10 (c) The board's plan shall provide for the publication to other  
11 schools in the school city and to the general community those:

- 12 (1) processes;
- 13 (2) innovations; and
- 14 (3) approaches;

15 that have led individual schools to significant improvement in student  
16 achievement.

17 SECTION 10. IC 20-25-13-7, AS AMENDED BY P.L.211-2021,  
18 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2024]: Sec. 7. IC 20-28-6-4 and IC 20-28-6-5 apply to  
20 certificated employees in the school city. A teacher's students'  
21 performance improvement levels under the assessment tests and  
22 programs of IC 20-31-1, ~~IC 20-31-5,~~ ~~IC 20-31-6,~~ IC 20-31-7,  
23 IC 20-31-8, and IC 20-31-10 may be used as a factor, but not the only  
24 factor, to evaluate the performance of a teacher in the school city.

25 SECTION 11. IC 20-26-5-4.3 IS REPEALED [EFFECTIVE JULY  
26 1, 2024]. Sec. 4.3: (a) At least seven (7) days before a contract for  
27 employment is entered into by a governing body and a school  
28 superintendent, the governing body shall hold a public meeting on the  
29 proposed contract at which public comment is heard. The governing  
30 body is not required to disclose the identity of the candidate for  
31 superintendent at the public meeting.

32 (b) Notice of the meeting on the proposed contract shall be given in  
33 accordance with IC 5-3-1 and posted on the school corporation's  
34 Internet web site.

35 (c) The notice provided in subsection (b) must:

- 36 (1) state that on a given day, time, and place the governing body  
37 will meet to discuss and hear objections to and support for the  
38 proposed contract; and
- 39 (2) set forth the details of the proposed contract, including the  
40 actual monetary value of the contract, benefits, and any additional  
41 forms of compensation for each year of the contract.

42 (d) A governing body shall post the provisions of an employment



1 contract that the governing body enters into with a superintendent of  
2 the school corporation on the school corporation's Internet web site:

3 SECTION 12. IC 20-26-5-42 IS REPEALED [EFFECTIVE JULY  
4 1, 2024]. Sec. 42: (a) This section applies to the following:

5 (1) A public school, including a charter school:

6 (2) Physical injuries that occur after June 30, 2023:

7 (b) Each public school shall provide to the department, in a manner  
8 prescribed by the department, information concerning an employee of  
9 the public school who was physically injured while on the job by a  
10 student of the public school if the injury:

11 (1) is required to be reported to the public school's worker's  
12 compensation carrier;

13 (2) causes the employee to miss all or part of one (1) or more  
14 work days; or

15 (3) is required to be reported to the public school pursuant to the  
16 public school's reporting policy:

17 (c) A public school may not provide information under subsection  
18 (b) that identifies the employee or the student.

19 (d) Nothing in this section shall be construed to prohibit a public  
20 school from providing identifying information otherwise required by  
21 law or rule.

22 SECTION 13. IC 20-26-11-11.5, AS AMENDED BY P.L.108-2019,  
23 SECTION 213, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2024]: Sec. 11.5. (a) The following definitions  
25 apply to this section:

26 (1) "ADM" means average daily membership (as defined in  
27 IC 20-18-2-2).

28 (2) "Facility" means a secure private facility described in  
29 IC 31-9-2-115(a)(1).

30 (3) "School corporation" means the Indiana school or charter  
31 school that is receiving state tuition support for the student at the  
32 time of the student's admission to the facility.

33 (4) "Student" means an individual who:

34 (A) is more than five (5) years of age and less than  
35 twenty-three (23) years of age;

36 (B) has been admitted to a facility; and

37 (C) was enrolled in a school corporation during the school year  
38 immediately preceding the student's admission to the facility.

39 (b) This section applies to a student if:

40 (1) the student is placed in a facility under the written order of a  
41 physician licensed under IC 25-22.5;

42 (2) the written order of the physician licensed under IC 25-22.5



1 is based on medical necessity, as determined by a physician  
2 licensed under IC 25-22.5; and

3 (3) the student receives educational services provided by the  
4 facility.

5 (c) A facility shall provide written notice to the school corporation  
6 not later than five (5) business days (excluding weekends and holidays)  
7 after a student described in subsection (b) is admitted to the facility.

8 The written notice must include the following:

9 (1) The student's name, address, and date of birth.

10 (2) The date on which the student was admitted to the facility.

11 (3) A copy of the physician's written order.

12 (4) A statement that the student has opted out of attending school  
13 under ~~IC 20-26-11-8~~: **section 8 of this chapter**.

14 (5) A statement that the facility will provide all educational  
15 services to the student during the student's admission in the  
16 facility.

17 (d) The school corporation shall pay the facility a daily per diem as  
18 determined under subsection (e) for the educational services provided  
19 by the facility to the student during the student's admission in the  
20 facility. The school corporation may not be required to pay for any  
21 educational services provided to the student by the facility exceeding  
22 ~~one hundred eighty (180) the minutes of instructional days time~~  
23 **required under IC 20-30-2** or an amount exceeding the student's  
24 proportionate share of state distributions paid to the school corporation,  
25 as determined under subsection (e).

26 (e) A school corporation shall pay to the facility an amount, prorated  
27 according to the ~~number~~ **amount** of instructional ~~days~~ **time** for which  
28 the student receives the educational services, equal to:

29 (1) the student's proportionate share (as compared to the school  
30 corporation's total ADM) of basic tuition support (as determined  
31 under IC 20-43-6-3) distributions that are made to the school  
32 corporation for the school year; and

33 (2) any special education grants received by the school  
34 corporation for the student under IC 20-43-7.

35 Upon request of a facility, the department shall verify the amounts  
36 described in this subsection for a student admitted to the facility.

37 (f) A school corporation responsible for making a per diem payment  
38 under this section shall pay the facility not later than sixty (60) days  
39 after receiving an invoice from the facility. The school corporation and  
40 the facility are entitled to the same remedies for disagreements over  
41 amounts or nonpayment of an amount due as are provided under the  
42 laws governing transfer tuition.



- 1 (g) For each student admitted to a facility, the facility shall provide
- 2 the following in accordance with rules adopted by the state board:
- 3 (1) An educational opportunity, including special education and
- 4 related services, that is comparable to that of a student attending
- 5 a school in the school corporation.
- 6 (2) A level of educational services from the facility that is
- 7 comparable to that of a student attending a school in the school
- 8 corporation.
- 9 (3) Unless otherwise provided in a student's individualized
- 10 education program (as defined in IC 20-18-2-9), educational
- 11 services that include at least the following:
- 12 ~~(A) An instructional day that meets the requirements of~~
- 13 ~~IC 20-30-2-2.~~
- 14 ~~(B) (A) A school year with at least one hundred eighty (180)~~
- 15 ~~student instructional days as provided that meets the~~
- 16 ~~instructional time and instruction day requirements under~~
- 17 ~~IC 20-30-2-3. IC 20-30-2.~~
- 18 ~~(C) (B) Educationally appropriate textbooks and other~~
- 19 ~~materials.~~
- 20 ~~(D) (C) Educational services provided by licensed teachers.~~
- 21 (h) The state board shall adopt a rule that addresses the
- 22 responsibilities of the school corporation and the facility with regard to
- 23 a student with an individualized education program.
- 24 (i) This section does not limit a student's right to attend a school as
- 25 provided in ~~IC 20-26-11-8. section 8 of this chapter.~~
- 26 (j) The state board shall adopt rules under IC 4-22-2 as necessary to
- 27 implement this section.
- 28 (k) The state board may adopt emergency rules in the manner
- 29 provided in IC 4-22-2-37.1 to implement this section.
- 30 SECTION 14. IC 20-28-8-6, AS AMENDED BY P.L.155-2020,
- 31 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2024]: Sec. 6. (a) A contract entered into by a governing body
- 33 and its superintendent is subject to the following conditions:
- 34 (1) If the superintendent holds a license under IC 20-28-5, the
- 35 basic contract must be in the form of the regular teacher's
- 36 contract.
- 37 (2) The contract may be altered or rescinded for a new one at any
- 38 time by mutual consent of the governing body and the
- 39 superintendent. The consent of both parties must be in writing and
- 40 must be expressed in a manner consistent with this section and
- 41 section 7 of this chapter.
- 42 (3) If the superintendent holds a license under IC 20-28-5, the



1 rights of a superintendent as a teacher under any other law are not  
 2 affected by the contract. However, if a right of a superintendent  
 3 as a teacher under any other law conflicts with the conditions  
 4 under subsection (b), subsection (b) governs.

5 (4) For a contract entered into or renewed after June 30, 2017, the  
 6 conditions set forth under subsection (b).

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

10 (1) The contract must be for a term of at least one (1) year and not  
 11 more than three (3) years. However, a contract may be extended  
 12 for not more than an additional five (5) years beyond the term of  
 13 the original contract.

14 (2) If the contract contains a provision that establishes an amount  
 15 the governing body must pay to the superintendent to buy out the  
 16 contract, the amount may not be more than an amount equal to the  
 17 lesser of:

18 (A) the superintendent's salary for any one (1) year under the  
 19 contract; or

20 (B) two hundred fifty thousand dollars (\$250,000).

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

25 (c) This subsection applies to a governing body in which at least ~~one~~  
 26 ~~(1) member is two (2) members are~~ elected. After June 30, ~~2021,~~  
 27 **2024**, a governing body may not enter into a contract with a  
 28 superintendent under this section on or after the date of the election for  
 29 ~~one (1) two (2)~~ or more members of the governing body until January  
 30 1 of the year immediately following the year of the election. However,  
 31 this subsection does not apply if the membership of the governing body  
 32 does not change as a result of the particular election.

33 SECTION 15. IC 20-28-9-15, AS ADDED BY P.L.1-2005,  
 34 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2024]: Sec. 15. If during the term of the teacher's contract:

36 (1) the school is closed by order of the:

37 (A) school corporation; or

38 (B) health authorities; or

39 (2) school cannot be conducted through no fault of the teacher;  
 40 the teacher shall receive regular payments during that time. If a  
 41 canceled student instructional day (as ~~defined~~ **described** in  
 42 IC 20-30-2-2) is rescheduled to comply with IC 20-30-2, each teacher





1 and (notwithstanding IC 20-27-8-7) each school bus driver shall work  
 2 on that rescheduled day without additional compensation.

3 SECTION 16. IC 20-28-11.5-9 IS REPEALED [EFFECTIVE JULY  
 4 1, 2024]. Sec. 9: (a) The principal of a school in a school corporation  
 5 shall report in the aggregate the results of staff performance evaluations  
 6 for the school for the previous school year to the superintendent and the  
 7 governing body for the school corporation before August 15 of each  
 8 year on the schedule determined by the governing body. The report  
 9 must be presented in a public meeting of the governing body. Before  
 10 presentation to the governing body, the superintendent of the school  
 11 corporation shall discuss the report of completed evaluations with the  
 12 teachers. This discussion is not subject to the open door law (IC  
 13 5-14-1.5). The report of completed evaluations is not subject to  
 14 bargaining.

15 (b) A school corporation annually shall provide the disaggregated  
 16 results of staff performance evaluations by teacher identification  
 17 numbers to the department:

- 18 (1) after completing the presentations required under subsection
- 19 (a) for all schools for the school corporation; and
- 20 (2) before November 15 of that year.

21 Before November 15 of each year, each charter school (including a  
 22 virtual charter school) shall provide the disaggregated results of staff  
 23 performance evaluations by teacher identification numbers to the  
 24 department.

25 (c) Not before the beginning of the second semester (or the  
 26 equivalent) of the school year and not later than August 1 of each year,  
 27 the principal at each school described in subsection (b) shall complete  
 28 a survey that provides information regarding the principal's assessment  
 29 of the quality of instruction by each particular teacher preparation  
 30 program located in Indiana for teachers employed at the school who  
 31 initially received their teaching license in Indiana in the previous two  
 32 (2) years. The survey shall be adopted by the state board and prescribed  
 33 on a form developed not later than July 30, 2016, by the department  
 34 that is aligned with the matrix system established under  
 35 IC 20-28-3-1(i). The school shall provide the surveys to the department  
 36 in a manner prescribed by the department. The department shall  
 37 compile the information contained in the surveys, broken down by each  
 38 teacher preparation program located in Indiana. The department shall  
 39 include information relevant to a particular teacher preparation  
 40 program located in Indiana in the department's report under subsection  
 41 (f).

42 (d) During the second semester (or the equivalent) of the school



1 year and not later than August 1 of each year; each teacher employed  
 2 by a school described in subsection (b) in Indiana who initially  
 3 received a teacher's license in Indiana in the previous three (3) years  
 4 shall complete a form after the teacher completes the teacher's initial  
 5 year teaching at a particular school. The information reported on the  
 6 form must:

- 7 (1) provide the year in which the teacher was hired by the school;
- 8 (2) include the name of the teacher preparation program that
- 9 recommended the teacher for an initial license;
- 10 (3) describe subjects taught by the teacher;
- 11 (4) provide the location of different teaching positions held by the
- 12 teacher since the teacher initially obtained an Indiana teaching
- 13 license;
- 14 (5) provide a description of any mentoring the teacher has
- 15 received while teaching in the teacher's current teaching position;
- 16 (6) describe the teacher's current licensure status; and
- 17 (7) include an assessment by the teacher of the quality of
- 18 instruction of the teacher preparation program in which the
- 19 teacher participated.

20 The form shall be prescribed by the department. The forms shall be  
 21 submitted to the department in a manner prescribed by the department.  
 22 Upon receipt of the information provided in this subsection, the  
 23 department shall compile the information contained in the forms and  
 24 include an aggregated summary of the report on the department's  
 25 Internet web site: website.

26 (e) Before December 15 of each year, the department shall report  
 27 the results of staff performance evaluations in the aggregate to the state  
 28 board; and to the public via the department's Internet web site website  
 29 for:

- 30 (1) the aggregate of certificated employees of each school and
- 31 school corporation;
- 32 (2) the aggregate of graduates of each teacher preparation
- 33 program in Indiana;
- 34 (3) for each school described in subsection (b); the annual rate of
- 35 retention for certificated employees for each school within the
- 36 charter school or school corporation; and
- 37 (4) the aggregate results of staff performance evaluations for each
- 38 category described in section 4(c)(3) section 4(b) of this chapter.  
 39 In addition to the aggregate results; the results must be broken  
 40 down:
- 41 (A) by the content area of the initial teacher license received
- 42 by teachers upon completion of a particular teacher



1                   preparation program; or  
2                   (B) as otherwise requested by a teacher preparation program;  
3                   as approved by the state board.  
4           (f) Beginning November 1, 2016, and before September 1 of each  
5 year thereafter, the department shall report to each teacher preparation  
6 program in Indiana for teachers with three (3) or fewer years of  
7 teaching experience:  
8           (1) information from the surveys relevant to that particular teacher  
9 education program provided to the department under subsection  
10 (c);  
11           (2) information from the forms relevant to that particular teacher  
12 preparation program compiled by the department under  
13 subsection (d); and  
14           (3) the results from the most recent school year for which data are  
15 available of staff performance evaluations for each category  
16 described in section 4(c)(3) section 4(b) of this chapter with three  
17 (3) or fewer years of teaching experience for that particular  
18 teacher preparation program. The report to the teacher preparation  
19 program under this subdivision shall be in the aggregate form and  
20 shall be broken down by the teacher preparation program that  
21 recommended an initial teaching license for the teacher.  
22           SECTION 17. IC 20-29-5-7, AS AMENDED BY P.L.86-2018,  
23 SECTION 179, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) This section does not apply  
25 to the bargaining team for the exclusive representative.  
26           (b) The percentage of teacher positions the exclusive representative  
27 may appoint to serve on a statutory or locally created district wide  
28 committee may not exceed the percentage of teachers in the school  
29 corporation who are members of the exclusive representative. If  
30 multiplying the number of teacher positions on the committee by the  
31 percentage of teachers in the school corporation who are members of  
32 the exclusive representative does not produce a whole number, the  
33 product must be rounded up to the nearest whole number. The  
34 percentage of positions applies to the number of teacher positions on  
35 a committee and not to the total number of positions on a committee.  
36           (c) The percentage of teacher positions the exclusive representative  
37 may appoint to serve on a statutory or locally created school wide  
38 committee may not exceed the percentage of teachers in the school who  
39 are members of the exclusive representative. If multiplying the number  
40 of teacher positions on the committee by the percentage of teachers in  
41 the school who are members of the exclusive representative does not  
42 produce a whole number, the product must be rounded up to the nearest



1 whole number. The percentage of positions applies to the number of  
2 teacher positions on a committee and not to the total number of  
3 positions on a committee.

4 (d) A committee to which this section applies may not address  
5 subjects of bargaining under this article. A school employer's  
6 appointment of a teacher to a committee is not an unfair practice as it  
7 relates to the appointment of the teacher committee members.

8 (e) By ~~September 15~~ **October 1** of each school year, the local  
9 president or other officer or designee of the exclusive representative  
10 shall certify by affidavit to the school employer the number of teachers  
11 in each school and in the entire school corporation who are members  
12 of the exclusive representative.

13 (f) By October 1 of each school year, the school employer shall  
14 provide the board with a copy of the affidavit submitted to the school  
15 employer under subsection (e). The board shall compile information  
16 included in the affidavit from each school corporation and post the  
17 information on the board's ~~Internet web site-~~ **website**. The information  
18 posted by the board under this subsection may only include aggregate  
19 data for each school corporation and may not include any information  
20 that would identify a particular school employee.

21 SECTION 18. IC 20-29-6-1, AS AMENDED BY P.L.200-2023,  
22 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2024]: Sec. 1. ~~(a)~~ School employers and school employees  
24 shall:

- 25 (1) have the obligation and the right to bargain collectively the  
26 items set forth in section 4 of this chapter; and  
27 (2) enter into a contract embodying any of the matters listed in  
28 section 4 of this chapter on which they have bargained  
29 collectively.

30 ~~(b) Notwithstanding any other law, before a school employer and  
31 school employees may privately negotiate the matters described in  
32 subsection (a)(1) during the time period for formal collective  
33 bargaining established in section 12 of this chapter, the parties must  
34 hold at least one (1) public hearing and take public testimony to discuss  
35 the items described in subsection (a). A school employer may allow  
36 governing body members or the public to participate in a public  
37 hearing under this subsection by means of electronic communication.~~

38 SECTION 19. IC 20-29-6-3, AS AMENDED BY P.L.254-2019,  
39 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2024]: Sec. 3. (a) It is unlawful for a school employer to enter  
41 into any agreement that would place the employer in a position of  
42 deficit financing due to a reduction in the employer's actual general



1 fund (before January 1, 2019) or education fund (after December 31,  
 2 2018) revenue or an increase in the employer's expenditures when the  
 3 expenditures exceed the employer's current year actual general fund  
 4 (before January 1, 2019) or education fund (after December 31, 2018)  
 5 revenue. Except as provided in subsection (c), revenue does not include  
 6 money estimated to be or actually transferred from the school  
 7 corporation's operations fund to its education fund.

8 (b) A contract that provides for deficit financing is void to that  
 9 extent, and an individual teacher's contract executed under the contract  
 10 is void to that extent.

11 (c) Notwithstanding subsection (a), before ~~September 15~~ **October**  
 12 **1** of any year, a governing body may pass a one (1) year resolution  
 13 indicating that a portion or percentage of money transferred from the  
 14 operations fund to the education fund may be considered education  
 15 fund revenue for purposes of funding a contract under this chapter and  
 16 to determine whether an agreement would place the employer in a  
 17 position of deficit financing. The resolution shall expire within one (1)  
 18 year of the resolution's adoption by the governing body.

19 SECTION 20. IC 20-29-6-6, AS AMENDED BY P.L.216-2021,  
 20 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2024]: Sec. 6. (a) The obligation to bargain collectively does  
 22 not include the final approval of a contract concerning any items.  
 23 Agreements reached through collective bargaining are binding as a  
 24 contract only if ratified by the governing body of the school corporation  
 25 and the exclusive representative. The obligation to bargain collectively  
 26 does not require the school employer or the exclusive representative to  
 27 agree to a proposal of the other or to make a concession to the other.

28 (b) This subsection applies to a collective bargaining agreement  
 29 ratified after June 30, 2021. A ratified collective bargaining agreement  
 30 shall include a provision specifying the date on which ~~the public~~  
 31 ~~hearing described in section 1(b) of this chapter~~ and the public meeting  
 32 described in section 19 of this chapter occurred as well as an attestation  
 33 signed by both parties attesting that ~~the public hearing described in~~  
 34 ~~section 1(b) of this chapter~~ and the public meeting described in section  
 35 19 of this chapter occurred on the dates specified in the ratified  
 36 collective bargaining agreement. The governing body shall indicate as  
 37 part of the attestation whether governing body members or members of  
 38 the public were allowed to participate in the public hearing or public  
 39 meeting by means of electronic communication.

40 SECTION 21. IC 20-29-6-12, AS AMENDED BY P.L.214-2017,  
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2024]: Sec. 12. Formal collective bargaining between a school



1 corporation and the exclusive representative shall not begin before:

2 (1) ~~September 15~~ **October 1** in the first year of the state budget  
3 biennium; or

4 (2) ~~September 15~~ **October 1** in the second year of the state budget  
5 biennium if the parties agreed to a one (1) year contract during the  
6 first year of the state budget biennium or the contract provides for  
7 renegotiating certain financial items the second year of a two (2)  
8 year contract.

9 Informal negotiations may be held before ~~September 15~~ **October 1**.

10 SECTION 22. IC 20-29-6-12.5, AS AMENDED BY P.L.159-2020,  
11 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2024]: Sec. 12.5. (a) Before ~~September 15~~ **October 1** of the  
13 first year of the state budget biennium, the department shall provide the  
14 parties with an estimate of the general fund (before January 1, 2019) or  
15 education fund (after December 31, 2018) revenue available for  
16 bargaining in the school corporation from the school funding formula.

17 (b) Within thirty (30) days after the date of the fall count of ADM  
18 of the school year in the first year of the state budget biennium, the  
19 department shall provide the parties with a certification of estimated  
20 general fund (before January 1, 2019) or education fund (after  
21 December 31, 2018) revenue available for bargaining from the school  
22 funding formula. If the parties do not receive a certified estimate from  
23 the department within thirty (30) days after the fall count of ADM, the  
24 parties may use the school corporation's estimate of the general fund  
25 (before January 1, 2019) or education fund (after December 31, 2018)  
26 revenue available based on the school corporation's fall count of ADM  
27 for purposes of collective bargaining. However, if the parties  
28 subsequently receive the certification of estimated general fund (before  
29 January 1, 2019) or education fund (after December 31, 2018) revenue  
30 available for bargaining before an impasse is declared, the parties shall  
31 use the certified general fund (before January 1, 2019) or education  
32 fund (after December 31, 2018) revenue from the school funding  
33 formula for purposes of collective bargaining.

34 (c) A school employer that passes a resolution under section 3(c) of  
35 this chapter to consider a portion or percentage of money transferred  
36 from the school employer's operations fund to the education fund as  
37 education fund revenue for purposes of determining whether an  
38 agreement places a school corporation in a position of deficit financing  
39 must submit a copy of the resolution to the department of local  
40 government finance on or before November 1. The resolution shall  
41 include:

42 (1) all transfers between the operations fund and the education



1 fund; and

2 (2) a statement regarding whether or not the transfer is for the  
3 purpose of funding teacher contracts.

4 (d) The certifications or estimate described in subsection (b) must  
5 be the basis for determinations throughout impasse proceedings under  
6 this chapter.

7 SECTION 23. IC 20-29-6-19, AS AMENDED BY P.L.216-2021,  
8 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2024]: Sec. 19. (a) ~~In addition to holding at least one (1)~~  
10 ~~public hearing with public testimony as described in section 1(b) of this~~  
11 ~~chapter,~~ The school employer must conduct a public meeting to discuss  
12 a tentative collective bargaining agreement at least seventy-two (72)  
13 hours before it is ratified by the school employer. A school employer  
14 may allow governing body members or the public to participate in a  
15 public meeting under this section by means of electronic  
16 communication.

17 (b) Notice of the time and the location of the public meeting and a  
18 tentative collective bargaining agreement established under this chapter  
19 must be posted on the school employer's ~~Internet web site~~ **website** at  
20 least seventy-two (72) hours prior to the public meeting described in  
21 subsection (a).

22 (c) A school employer must allow for public comment at the  
23 meeting at which a tentative collective bargaining agreement is ratified.

24 (d) Not later than fourteen (14) business days after the parties have  
25 reached an agreement under this chapter, the school employer shall  
26 post the contract upon which the parties have agreed on the school  
27 employer's ~~Internet web site.~~ **website.**

28 SECTION 24. IC 20-30-2-2, AS AMENDED BY P.L.201-2013,  
29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2024]: Sec. 2. (a) A student instructional day in grades 1  
31 through 6 consists of at least five (5) hours **and not more than seven**  
32 **(7) hours** of instructional time. Except as provided in subsection (b),  
33 (c), or (d), a student instructional day in grades 7 through 12 consists  
34 of at least six (6) hours **and not more than seven (7) hours** of  
35 instructional time.

36 (b) Except as provided in subsection (c), an instructional day for a  
37 school flex program under section 2.2 of this chapter consists of a  
38 minimum of three (3) hours of instructional time.

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

41 (d) A high school student who is enrolled in at least twelve (12)  
42 credit hours of on-campus dual credit courses (as described in



1 IC 21-43-1-2.5) is not required to comply with subsection (a) during  
 2 the semester in which the student is enrolled in at least twelve (12)  
 3 credit hours.

4 SECTION 25. IC 20-30-2-2.2, AS AMENDED BY P.L.147-2020,  
 5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2024]: Sec. 2.2. (a) As used in this section, "eligible student"  
 7 means a student in grade 11 or 12 who has:

- 8 (1) failed the graduation exam (before July 1, 2022) or is not on  
 9 track to complete a postsecondary readiness competency;
- 10 (2) been determined to be chronically absent, by missing ten  
 11 percent (10%) or more of a school year for any reason;
- 12 (3) been determined to be a habitual truant, as identified under  
 13 IC 20-33-2-11;
- 14 (4) been significantly behind in credits for graduation, as  
 15 identified by an individual's school principal;
- 16 (5) previously undergone at least a second suspension from school  
 17 for the school year under IC 20-33-8-14 or IC 20-33-8-15;
- 18 (6) previously undergone an expulsion from school under  
 19 IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16; or
- 20 (7) been determined by the individual's principal and the  
 21 individual's parent or guardian to benefit by participating in the  
 22 school flex program.

23 (b) An eligible student who participates in a school flex program  
 24 must:

- 25 (1) attend school for at least:
  - 26 (A) three (3) hours of instructional time per school day; and
  - 27 (B) **thirty-two thousand four hundred (32,400) minutes**  
 28 **each school year;**
- 29 (2) pursue a timely graduation;
- 30 (3) provide evidence of college or technical career education  
 31 enrollment and attendance or proof of employment and labor that  
 32 is aligned with the student's career academic sequence under rules  
 33 established by the bureau of youth employment;
- 34 (4) not be suspended or expelled while participating in a school  
 35 flex program;
- 36 (5) pursue course and credit requirements for an Indiana diploma  
 37 with a general designation; and
- 38 (6) maintain a ninety-five percent (95%) attendance rate.

39 (c) **Subject to subsection (b)**, a school may allow an eligible  
 40 student in grade 11 or 12 to complete an instructional day that consists  
 41 of three (3) hours of instructional time if the student participates in the  
 42 school flex program.





1 SECTION 26. IC 20-30-2-3, AS ADDED BY P.L.1-2005,  
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2024]: Sec. 3. For each school year; **(a) Except as provided**  
 4 **under section 2 of this chapter and subject to subsection (b)**, a  
 5 school corporation shall conduct at least ~~one hundred eighty (180)~~ **one**  
 6 **hundred seventy-five (175)** student instructional days.

7 **(b) A school corporation shall conduct at least the following**  
 8 **each school year:**

9 **(1) Fifty-four thousand (54,000) minutes of instructional time**  
 10 **for students in grades 1 through 6.**

11 **(2) Sixty-four thousand eight hundred (64,800) minutes of**  
 12 **instructional time for students in grades 7 through 12.**

13 **(c)** Not later than June 15 of each school year, the superintendent of  
 14 each school corporation shall certify to the department the number of:

15 **(1) minutes of student instructional days time; and**

16 **(2) instructional days;**

17 conducted during that school year

18 SECTION 27. IC 20-30-2-4, AS AMENDED BY P.L.178-2022(ts),  
 19 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2024]: Sec. 4. (a) Subject to subsection (c), if a school  
 21 corporation fails to conduct the minimum number of student  
 22 instructional ~~days~~ **minutes** during a school year as required under  
 23 section 3 of this chapter, the department shall reduce the August tuition  
 24 support distribution to that school corporation for a school year by an  
 25 amount determined as follows:

26 **STEP ONE: Determine the remainder of:**

27 **(A) the amount of the total tuition support allocated to the**  
 28 **school corporation for the particular school year; minus**

29 **(B) that part of the total tuition support allocated to the school**  
 30 **corporation for that school year with respect to student**  
 31 **instructional days one hundred seventy-six (176) through one**  
 32 **hundred eighty (180).**

33 **STEP TWO: Subtract the number of student instructional days**  
 34 **that the school corporation conducted from one hundred eighty**  
 35 **(180):**

36 **STEP THREE: Determine the lesser of five (5) or the remainder**  
 37 **determined under STEP TWO:**

38 **STEP FOUR: Divide the amount subtracted under STEP ONE (B)**  
 39 **by five (5):**

40 **STEP FIVE: Multiply the quotient determined under STEP FOUR**  
 41 **by the number determined under STEP THREE:**

42 **STEP SIX: Subtract the number determined under STEP THREE**



1 from the remainder determined under STEP TWO.

2 STEP SEVEN: Divide the remainder determined under STEP  
3 ONE by one hundred seventy-five (175).

4 STEP EIGHT: Multiply the quotient determined under STEP  
5 SEVEN by the remainder determined under STEP SIX.

6 STEP NINE: Add the product determined under STEP FIVE to  
7 the product determined under STEP EIGHT.

8 **STEP ONE: Subtract the number of student instructional**  
9 **minutes that the school corporation conducted for students in**  
10 **grades 1 through 6 from fifty-four thousand (54,000) for the**  
11 **particular school year.**

12 **STEP TWO: Divide the amount of the total tuition support**  
13 **allocated to the school corporation for the particular school**  
14 **year for students in grades 1 through 6 by fifty-four thousand**  
15 **(54,000).**

16 **STEP THREE: Multiply the result determined under STEP**  
17 **ONE by the result determined under STEP TWO.**

18 **STEP FOUR: Subtract the number of student instructional**  
19 **minutes that the school corporation conducted for students in**  
20 **grades 7 through 12 from sixty-four thousand eight hundred**  
21 **(64,800) for the particular school year.**

22 **STEP FIVE: Divide the amount of the total tuition support**  
23 **allocated to the school corporation for the particular school**  
24 **year for students in grades 7 through 12 by sixty-four**  
25 **thousand eight hundred (64,800).**

26 **STEP SIX: Multiply the result determined under STEP**  
27 **FOUR by the result determined under STEP FIVE.**

28 **STEP SEVEN: Add the result determined under STEP**  
29 **THREE to the result determined under STEP SIX.**

30 (b) If the total amount of state tuition support that a school  
31 corporation receives or will receive during a school year decreases  
32 under this section by an amount that is equal to or more than two  
33 hundred fifty thousand dollars (\$250,000) from the amount the school  
34 corporation would otherwise be eligible to receive during the school  
35 year as determined under IC 20-43, the budget committee shall review  
36 the amount of and the reason for the decrease before implementation  
37 of the decrease.

38 (c) If fewer than all of the schools in a school corporation fail to  
39 conduct the minimum number of **minutes of student instructional days**  
40 **time** during a school year as required under section 3 of this chapter,  
41 the reduction in August tuition support required by this section shall  
42 take into account only the schools in the school corporation that failed



1 to conduct the minimum number of **minutes of** student instructional  
 2 ~~days time~~ and only the grades for which the required number of  
 3 **minutes of** student instructional ~~days time~~ was not conducted.

4 SECTION 28. IC 20-30-2-5, AS ADDED BY P.L.1-2005,  
 5 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2024]: Sec. 5. The department may grant a waiver of the  
 7 penalty imposed under section 4 of this chapter for a particular number  
 8 of canceled student instructional ~~days~~ **minutes** if:

9 (1) the school corporation applies to the department for a waiver  
 10 of the penalty imposed under section 4 of this chapter for a  
 11 specific number of canceled student instructional ~~days~~; **minutes**;  
 12 and

13 (2) each of the particular number of student instructional ~~days~~  
 14 **minutes** requested to be waived under this section was canceled  
 15 due to extraordinary circumstances.

16 SECTION 29. IC 20-30-8-7, AS AMENDED BY P.L.286-2013,  
 17 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2024]: Sec. 7. The program organizer may request the  
 19 approval from the department for the following:

20 (1) To receive the grant for alternative education programs under  
 21 IC 20-20-33.

22 (2) To be granted waivers from rules adopted by the state board  
 23 that may otherwise interfere with the objectives of the alternative  
 24 education program, including waivers of:

25 (A) certain high school graduation requirements;

26 (B) the ~~length of the student~~ **number of minutes of**  
 27 ~~instructional day as set forth in IC 20-30-2-2;~~ **time required**  
 28 **under IC 20-30-2;**

29 (C) required curriculum and curricular materials;

30 (D) teacher certification requirements; and

31 (E) physical facility requirements.

32 SECTION 30. IC 20-31-2-4 IS REPEALED [EFFECTIVE JULY 1,  
 33 2024]. Sec. 4. "~~Committee~~" refers to the committee that develops the  
 34 strategic and continuous school improvement and achievement plan  
 35 ~~under IC 20-31-5.~~

36 SECTION 31. IC 20-31-5 IS REPEALED [EFFECTIVE JULY 1,  
 37 2024]. (Strategic and Continuous School Improvement and  
 38 Achievement Plan).

39 SECTION 32. IC 20-31-6 IS REPEALED [EFFECTIVE JULY 1,  
 40 2024]. (Cultural Competency in Educational Environments).

41 SECTION 33. IC 20-32-4-14, AS AMENDED BY P.L.160-2023,  
 42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 14. (a) The state board shall create an alternate  
 2 diploma for students with significant cognitive disabilities. The  
 3 diploma must be:

4 (1) standards-based; and

5 (2) aligned with Indiana's requirements for an Indiana diploma.

6 (b) The alternate diploma must comply with the federal Every  
 7 Student Succeeds Act (ESSA) (20 U.S.C. 6311).

8 (c) For purposes of determining a school's or school corporation's  
 9 graduation rate under IC 20-26-13 or 511 IAC 6.2-10, not more than  
 10 **the greater of:**

11 (1) one percent (1%) of a school's or school corporation's  
 12 graduation cohort; **or**

13 (2) **three (3) students;**

14 that ~~receives~~ **receive** an alternate diploma may be counted as having  
 15 graduated.

16 (d) Not later than December 1, 2021, the state board shall adopt  
 17 rules under IC 4-22-2 that are necessary to carry out this section.

18 SECTION 34. IC 20-33-2-19, AS AMENDED BY P.L.226-2019,  
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2024]: Sec. 19. (a) When the parent of a student who is  
 21 enrolled in a public school makes a written request, the principal may  
 22 allow the student to attend a school for religious instruction that is  
 23 conducted by a church, an association of churches, or an association  
 24 that is organized for religious instruction and incorporated under  
 25 Indiana law.

26 (b) If a principal grants permission under subsection (a), the  
 27 principal shall specify a period or periods, not to exceed one hundred  
 28 twenty (120) minutes in total in any week, for the student to receive  
 29 religious instruction. The permission is valid only for the year in which  
 30 it is granted. Decisions made by a principal under this section may be  
 31 reviewed by the superintendent.

32 (c) A school for religious instruction that receives students under  
 33 this section:

34 (1) shall maintain attendance records and allow inspection of  
 35 these records by attendance officers; and

36 (2) may not be supported, in whole or in part, by public funds.

37 (d) A student who attends a school for religious instruction under  
 38 this section shall receive the same attendance credit that the student  
 39 would receive for attendance in the public schools for the same length  
 40 of time.

41 (e) A public secondary school may award academic credit to a  
 42 student who attends religious instruction under this section if the



1 governing body of the school corporation adopts a policy that allows  
 2 the awarding of credit. A policy adopted under this subsection must  
 3 provide the following:

4 (1) Classes in religious instruction are evaluated on the basis of  
 5 purely secular criteria in substantially the same manner as similar  
 6 classes taken by a student at a nonpublic secondary school who  
 7 transfers to a public secondary school are evaluated to determine  
 8 whether the student receives transfer credit for the classes.  
 9 Secular criteria may include the following in addition to other  
 10 secular criteria established by the governing body:

11 (A) The number of hours of classroom instructional time.

12 (B) A review of the course syllabus that reflects the course  
 13 requirements and materials.

14 (C) Methods of assessment used in the course.

15 (D) Whether the course is taught by a licensed teacher.

16 (2) The decision of whether to award academic credit is neutral  
 17 as to, and does not involve any test for, religious content or  
 18 denominational affiliation.

19 (3) A provision that a student who attends religious instruction  
 20 under this section shall first seek to use a time period during a  
 21 student instructional day (as ~~defined~~ **described** in IC 20-30-2-2)  
 22 that is not devoted to student instructional time to attend religious  
 23 instruction. If a student is not able to attend religious instruction  
 24 at a time other than during student instructional time, the student  
 25 may not be released to attend religious instruction for an amount  
 26 of time per week that exceeds the amount established in  
 27 subsection (b).

28 A student may be awarded a total of not more than two (2) elective  
 29 academic credits under this subsection.

30 SECTION 35. IC 20-36-2-1, AS AMENDED BY P.L.251-2017,  
 31 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2024]: Sec. 1. (a) The department shall establish a state  
 33 resources program using designated state resources that:

34 (1) supports school corporations in the development of local  
 35 programs for high ability students;

36 (2) enables educational opportunities that encourage high ability  
 37 students to reach the highest possible level at every stage of the  
 38 students' development; and

39 (3) provides state integrated services that include the following:

40 (A) Information and materials resource centers.

41 (B) Professional development plan and programs.

42 (C) Research and development services.



- 1 (D) Technical assistance that includes the following:  
 2 (i) Student assessment.  
 3 (ii) Program assessment.  
 4 (iii) Program development and implementation.  
 5 (E) Support for educators pursuing professional development  
 6 leading to endorsement or licensure in high ability education.  
 7 (b) In addition to the program established under subsection (a), the  
 8 department shall use appropriations to provide grants to school  
 9 corporations for expenditures beyond those for regular educational  
 10 programs and specific to programs for high ability students under  
 11 section 2 of this chapter in an amount determined by the department  
 12 that is based upon a set minimum amount increased by an additional  
 13 amount for each student in the program. ~~A school corporation's~~  
 14 ~~program must align with the strategic and continuous school~~  
 15 ~~improvement and achievement plans under IC 20-31-5-4 for the~~  
 16 ~~schools within the school corporation.~~ A school that receives a grant  
 17 under this subsection shall submit an annual report to the department  
 18 that includes the following:  
 19 (1) The programs for which the grant is used.  
 20 (2) The results of the programs for which the grant is used,  
 21 including student general assessment results, program  
 22 effectiveness, or student achievement.  
 23 SECTION 36. IC 20-43-1-14, AS ADDED BY P.L.2-2006,  
 24 SECTION 166, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2024]: Sec. 14. "Full-time equivalency" refers  
 26 to the ~~amount~~ **amounts** determined under IC 20-43-4-6.  
 27 SECTION 37. IC 20-43-1-22 IS REPEALED [EFFECTIVE JULY  
 28 1, 2024]. ~~Sec. 22. "Primetime program" refers to the program~~  
 29 ~~established under IC 20-43-9-1.~~  
 30 SECTION 38. IC 20-43-4-6, AS AMENDED BY P.L.155-2020,  
 31 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2024]: Sec. 6. (a) In determining ADM, each pupil enrolled  
 33 in a public school, including a charter school, and a nonpublic school  
 34 is to be counted on a full-time equivalency basis if the pupil:  
 35 (1) is enrolled in a public school and a nonpublic school;  
 36 (2) has legal settlement in a school corporation; and  
 37 (3) receives instructional services from a school corporation.  
 38 (b) For purposes of this section, full-time equivalency is calculated  
 39 as follows:  
 40 **(1) For students in grades 1 through 6, as follows:**  
 41 STEP ONE: Determine the result of:  
 42 (A) the number of ~~days~~ **minutes** instructional services will



- 1 be provided to the pupil, not to exceed **one hundred eighty**  
 2 **(180); fifty-four thousand (54,000) minutes**; divided by  
 3 **(B) one hundred eighty (180); fifty-four thousand (54,000).**
- 4 **STEP TWO: Determine the result of:**  
 5 **(A) the pupil's public school instructional time (as defined**  
 6 **in IC 20-30-2-1); divided by**  
 7 **(B) the actual public school regular instructional day (as**  
 8 **defined in IC 20-30-2-2).**
- 9 **STEP THREE: Determine the result of:**  
 10 **(A) the STEP ONE result; multiplied by**  
 11 **(B) the STEP TWO result.**
- 12 **STEP FOUR: TWO: Determine the lesser of one (1) or the**  
 13 **result of:**  
 14 **(A) the STEP THREE ONE result; multiplied by**  
 15 **(B) one and five-hundredths (1.05).**
- 16 **(2) For students in grades 7 through 12, as follows:**  
 17 **STEP ONE: Determine the result of:**  
 18 **(A) the number of minutes instructional services will be**  
 19 **provided to the pupil, not to exceed sixty-four thousand**  
 20 **eight hundred (64,800) minutes; divided by**  
 21 **(B) sixty-four thousand eight hundred (64,800).**
- 22 **STEP TWO: Determine the lesser of one (1) or the result**  
 23 **of:**  
 24 **(A) the STEP ONE result; multiplied by**  
 25 **(B) one and five-hundredths (1.05).**
- 26 However, the state board may, by rules adopted under IC 4-22-2,  
 27 specify an equivalent formula if the state board determines that the  
 28 equivalent formula would more accurately reflect the instructional  
 29 services provided by a school corporation during a period that a  
 30 particular ADM count is in effect for the school corporation.
- 31 SECTION 39. IC 20-43-9 IS REPEALED [EFFECTIVE JULY 1,  
 32 2024]. (Primetime Program).
- 33 SECTION 40. IC 20-43-10-3.5, AS AMENDED BY P.L.201-2023,  
 34 SECTION 210, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) As used in this section,  
 36 "school" means a school corporation, charter school, and a virtual  
 37 charter school.
- 38 (b) Subject to the requirements of this section, a school qualifies for  
 39 a teacher appreciation grant as provided in this section for a state fiscal  
 40 year if one (1) or more licensed teachers:  
 41 (1) employed in the classroom by the school; or  
 42 (2) directly providing virtual education;



1 were rated as effective or as highly effective, using the most recently  
2 completed teacher ratings.

3 (c) A school may not receive a teacher appreciation grant under this  
4 section unless:

5 (1) the school has ~~in the~~ **within the previous three (3)** state fiscal  
6 **year years** in which the teacher appreciation grants are made  
7 under this section:

8 (A) adopted an annual policy concerning the distribution of  
9 teacher appreciation grants; and

10 (B) submitted the policy to the department for approval; and

11 (2) the department has approved the policy.

12 The department shall specify the date by which a policy described in  
13 subdivision (1) must be submitted to the department.

14 (d) The amount of a teacher appreciation grant for a qualifying  
15 school corporation or virtual charter school is equal to:

16 (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by

17 (2) the school's current ADM.

18 However, the grant amount for a virtual charter school may not exceed  
19 the statewide average grant amount.

20 (e) The following apply to the distribution of teacher appreciation  
21 grants:

22 (1) If the total amount to be distributed as teacher appreciation  
23 grants for a particular state fiscal year exceeds the amount  
24 appropriated by the general assembly for teacher appreciation  
25 grants for that state fiscal year, the total amount to be distributed  
26 as teacher appreciation grants to schools shall be proportionately  
27 reduced so that the total reduction equals the amount of the  
28 excess. The amount of the reduction for a particular school is  
29 equal to the total amount of the excess multiplied by a fraction.  
30 The numerator of the fraction is the amount of the teacher  
31 appreciation grant that the school would have received if a  
32 reduction were not made under this section. The denominator of  
33 the fraction is the total amount that would be distributed as  
34 teacher appreciation grants to all schools if a reduction were not  
35 made under this section.

36 (2) If the total amount to be distributed as teacher appreciation  
37 grants for a particular state fiscal year is less than the amount  
38 appropriated by the general assembly for teacher appreciation  
39 grants for that state fiscal year, the total amount to be distributed  
40 as teacher appreciation grants to schools for that particular state  
41 fiscal year shall be proportionately increased so that the total  
42 amount to be distributed equals the amount of the appropriation





1 for that particular state fiscal year.

2 (f) The annual teacher appreciation grant to which a school is  
3 entitled for a state fiscal year shall be distributed to the school before  
4 December 5 of that state fiscal year.

5 (g) The following apply to a school's policy under subsection (c)  
6 concerning the distribution of teacher appreciation grants:

7 (1) The governing body shall differentiate between a teacher rated  
8 as a highly effective teacher and a teacher rated as an effective  
9 teacher. The policy must provide that the amount of a stipend  
10 awarded to a teacher rated as a highly effective teacher must be  
11 at least twenty-five percent (25%) more than the amount of a  
12 stipend awarded to a teacher rated as an effective teacher.

13 (2) The governing body of a school may differentiate between  
14 school buildings.

15 (3) A stipend to an individual teacher in a particular year is not  
16 subject to collective bargaining and is in addition to the minimum  
17 salary or increases in salary set under IC 20-28-9-1.5. The  
18 governing body may provide that an amount not exceeding fifty  
19 percent (50%) of the amount of a stipend to an individual teacher  
20 in a particular state fiscal year becomes a permanent part of and  
21 increases the base salary of the teacher receiving the stipend for  
22 school years beginning after the state fiscal year in which the  
23 stipend is received. The addition to base salary is not subject to  
24 collective bargaining.

25 (h) A teacher appreciation grant received by a school shall be  
26 allocated among and used only to pay cash stipends to all licensed  
27 teachers employed in the classroom who are rated as effective or as  
28 highly effective and employed by the school as of December 1. A  
29 school may allocate up to twenty percent (20%) of the grant received  
30 by the school to provide a supplemental award to teachers with less  
31 than five (5) years of service who are rated as effective or as highly  
32 effective. A school may allocate up to ten percent (10%) of the grant  
33 received by the school to provide a supplemental award to teachers  
34 who serve as mentors to teachers who have less than two (2) years of  
35 service. The supplemental awards are in addition to the award made  
36 from the part of the grant that is allocated to all eligible teachers.

37 (i) The lead school corporation or interlocal cooperative  
38 administering a cooperative or other special education program or  
39 administering a career and technical education program, including  
40 programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or  
41 IC 36-1-7, shall award teacher appreciation grant stipends to and carry  
42 out the other responsibilities of an employing school corporation under



- 1 this section for the teachers in the special education program or career  
2 and technical education program.
- 3 (j) A school shall distribute all stipends from a teacher appreciation  
4 grant to individual teachers within twenty (20) business days of the  
5 date the department distributes the teacher appreciation grant to the  
6 school. Any part of the teacher appreciation grant not distributed as  
7 stipends to teachers before February must be returned to the  
8 department on the earlier of the date set by the department or June 30  
9 of that state fiscal year.
- 10 (k) The department, after review by the budget committee, may  
11 waive the December 5 deadline under subsection (f) to distribute an  
12 annual teacher appreciation grant to the school under this section for  
13 that state fiscal year and approve an extension of that deadline to a later  
14 date within that state fiscal year, if the department determines that a  
15 waiver and extension of the deadline are in the public interest.
- 16 (l) The state board may adopt rules under IC 4-22-2, including  
17 emergency rules in the manner provided in IC 4-22-2-37.1, as  
18 necessary to implement this section.
- 19 (m) This section expires June 30, 2025.

