



February 20, 2017

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## HOUSE BILL No. 1384

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DIGEST OF HB 1384 (Updated February 20, 2017 12:41 pm - DI 116)

**Citations Affected:** IC 20-18; IC 20-19; IC 20-20; IC 20-26; IC 20-31; IC 20-36; IC 20-51; IC 21-22.

**Synopsis:** Various education matters. Provides that in the case of a high school student who has not attended the same school within the school corporation for at least 90% of a school year, the department shall assign the student to the high school at which the student was enrolled for the greatest proportion of school days during the school year for purposes of calculating a school's graduation rate. Provides that before July 1, 2018, the state board of education (state board) shall establish a definition of a high mobility school for schools with a high concentration of mobile students. Provides that, after June 30, 2018, the state board shall, in addition to placing a school in a category or  
(Continued next page)

**Effective:** Upon passage; July 1, 2017.

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## Behning

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January 17, 2017, read first time and referred to Committee on Education.  
February 20, 2017, amended, reported — Do Pass.

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HB 1384—LS 7139/DI 129



## Digest Continued

designation of school improvement, assign a school grade for a high mobility school. Provides that the grade calculated is for informational purposes only and may not be used to calculate a school's category or designation of school improvement. Provides that \$50,000 is the maximum grant a school corporation or charter school may receive under the dual language immersion pilot program. Provides that appropriations to the department of education to provide grants to school corporations for high ability students must be for expenditures beyond those for regular educational programs. Makes changes to the definition of "teacher" to include a: (1) school nurse; and (2) school social worker. Makes changes to the composition of the board of trustees for Ivy Tech Community College of Indiana. Provides that the state board of education (state board) may accredit a nonpublic school that enters into a contract with the state board to become a freeway school at the time the nonpublic school enters the contract. Provides that a choice scholarship school may submit a request to the state board to waive or delay certain consequences if it is placed in the two lowest categories or designations of school improvement for a particular school year. Provides that the state board may grant a request to an eligible school that requests a delay or waiver if the choice scholarship school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. Makes technical corrections.

**HB 1384—LS 7139/DI 129**



February 20, 2017

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1384

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

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

- 1 SECTION 1. IC 20-18-2-22, AS AMENDED BY P.L.213-2015,  
2 SECTION 151, AND AS AMENDED BY P.L.219-2015, SECTION 1,  
3 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) "Teacher" means a  
5 professional person whose position in a school corporation requires  
6 certain educational preparation and licensing and whose primary  
7 responsibility is the instruction of students.  
8 (b) For purposes of IC 20-28, the term includes the following:  
9 (1) A superintendent who holds a license under IC 20-28-5.  
10 (2) A principal.  
11 (3) A teacher.  
12 (4) A librarian.  
13 (5) A school counselor.  
14 (6) *A school psychologist.*  
15 (7) **A school nurse.**  
16 (8) **A school social worker.**  
17 (c) *For purposes of IC 20-43-10-3, the term means a professional*

HB 1384—LS 7139/DI 129



1 *person whose position with a:*

2 *(1) school corporation;*

3 *(2) special education cooperative established under IC 20-35-5;*

4 *(3) cooperative career and technical education program;*

5 *(4) special education program established by an interlocal*  
6 *agreement under IC 36-1-7;*

7 *(5) joint program agreement established under IC 20-26-10; or*

8 *(6) charter school;*

9 *requires a license (as defined in IC 20-28-1-7) and whose primary*  
10 *responsibility is the instruction of students.*

11 SECTION 2. IC 20-19-2-10, AS AMENDED BY P.L.65-2012,  
12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2017]: Sec. 10. (a) It is the policy of the state that the state:

14 (1) recognizes that nonpublic schools provide education to  
15 children in Indiana;

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

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

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

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

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

26 (2) recognize the characteristics that distinguish nonpublic  
27 schools from public schools; and

28 (3) be a recognition system that is separate from the accreditation  
29 standards required of public schools and available to nonpublic  
30 schools under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

31 (d) This section does not prohibit a nonpublic school from seeking  
32 accreditation under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

33 ~~(e) The state board shall adopt rules under IC 4-22-2 to implement~~  
34 ~~this section.~~

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

39 (1) dropped out of high school;

40 (2) been expelled; or

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



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

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

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

13 SECTION 3. IC 20-20-19-1, AS ADDED BY P.L.1-2005,  
 14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2017]: Sec. 1. (a) An individual who obtains a position as a  
 16 school social worker for a school corporation must

17 ~~(1) hold a master's degree in social work. or~~

18 ~~(2) agree as a condition of employment to obtain a master's degree~~  
 19 ~~in social work not more than five (5) years after the individual~~  
 20 ~~begins employment as a school social worker.~~

21 (b) Subsection (a) does not apply to an individual who obtained a  
 22 position as a school social worker for a school corporation before July  
 23 1, 2001.

24 SECTION 4. IC 20-20-41-1, AS ADDED BY P.L.226-2015,  
 25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2017]: Sec. 1. The department, with the approval of the state  
 27 board, shall establish and maintain a dual language immersion pilot  
 28 program to provide grants, **in an amount not to exceed fifty thousand**  
 29 **dollars (\$50,000)**, to school corporations and charter schools that  
 30 establish dual language immersion programs in:

31 (1) Chinese;

32 (2) Spanish;

33 (3) French; or

34 (4) any other language approved by the department.

35 SECTION 5. IC 20-26-11-31, AS ADDED BY P.L.65-2012,  
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2017]: Sec. 31. (a) This section applies to a school corporation  
 38 that enrolls a student who has legal settlement in another school  
 39 corporation for the purpose of the student receiving services from an  
 40 accredited nonpublic alternative high school described in  
 41 ~~IC 20-19-2-10(f).~~ **IC 20-19-2-10(e).**

42 (b) A school corporation is entitled to receive state tuition support



1 for a student described in subsection (a) in an amount equal to:  
 2 (1) the amount received by the school corporation in which the  
 3 student is enrolled for ADM purposes; or  
 4 (2) the amount received by the school corporation in which the  
 5 student has legal settlement;  
 6 whichever is greater.

7 SECTION 6. IC 20-26-13-10, AS AMENDED BY P.L.268-2013,  
 8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2017]: Sec. 10. Except as provided in section 11 **or 11.5** of  
 10 this chapter, the four (4) year graduation rate for a cohort in a high  
 11 school is the percentage determined under STEP FIVE of the following  
 12 formula:

13 STEP ONE: Determine the grade 9 enrollment at the beginning of  
 14 the reporting year three (3) years before the reporting year for  
 15 which the graduation rate is being determined.

16 STEP TWO: Add:

17 (A) the number determined under STEP ONE; and

18 (B) the number of students who:

19 (i) have enrolled in the high school after the date on which  
 20 the number determined under STEP ONE was determined;  
 21 and

22 (ii) have the same expected graduation year as the cohort.

23 STEP THREE: Subtract from the sum determined under STEP  
 24 TWO the number of students who have left the cohort for any of  
 25 the following reasons:

26 (A) Transfer to another public or nonpublic school.

27 (B) Except as provided in IC 20-33-2-28.6, removal by the  
 28 student's parents under IC 20-33-2-28 to provide instruction  
 29 equivalent to that given in the public schools.

30 (C) Withdrawal because of a long term medical condition or  
 31 death.

32 (D) Detention by a law enforcement agency or the department  
 33 of correction.

34 (E) Placement by a court order or the department of child  
 35 services.

36 (F) Enrollment in a virtual school.

37 (G) Leaving school, if the student attended school in Indiana  
 38 for less than one (1) school year and the location of the student  
 39 cannot be determined.

40 (H) Leaving school, if the location of the student cannot be  
 41 determined and the student has been reported to the Indiana  
 42 clearinghouse for information on missing children and missing



- 1                   endangered adults.
- 2                   (I) Withdrawing from school before graduation, if the student
- 3                   is a high ability student (as defined in IC 20-36-1-3) who is a
- 4                   full-time student at an accredited institution of higher
- 5                   education during the semester in which the cohort graduates.
- 6                   STEP FOUR: Determine the total number of students determined
- 7                   under STEP TWO who have graduated during the current
- 8                   reporting year or a previous reporting year.
- 9                   STEP FIVE: Divide:
- 10                  (A) the number determined under STEP FOUR; by
- 11                  (B) the remainder determined under STEP THREE.
- 12                  SECTION 7. IC 20-26-15-13, AS ADDED BY P.L.1-2005,
- 13                  SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14                  JULY 1, 2017]: Sec. 13. (a) A nonpublic school may enter into a
- 15                  contract with the state board to become a freeway school.
- 16                  (b) The state board and the governing body of a nonpublic school
- 17                  must enter into a contract that complies with this chapter to designate
- 18                  the nonpublic school as a freeway school if the nonpublic school:
- 19                    (1) petitions the state board for designation as a freeway school;
- 20                    and
- 21                    (2) agrees to comply with this chapter.
- 22                  (c) A nonpublic school becomes a freeway school when the contract
- 23                  is signed by:
- 24                    (1) the state superintendent, acting for the state board after a
- 25                    majority of the members of the board have voted in a public
- 26                    session to enter into the contract; and
- 27                    (2) the president of the governing body of the nonpublic school,
- 28                    acting for the governing body of the nonpublic school after a
- 29                    majority of the members of the governing body have voted to
- 30                    enter into the contract.
- 31                  (d) The state board shall accredit a nonpublic school that:
- 32                    (1) becomes a freeway school under this chapter; and
- 33                    (2) complies with the terms of the contract.
- 34                  **(e) The state board may accredit a nonpublic school under this**
- 35                  **section at the time the nonpublic school enters into the contract**
- 36                  **under subsection (a).**
- 37                  SECTION 8. IC 20-26-13-11.5 IS ADDED TO THE INDIANA
- 38                  CODE AS A NEW SECTION TO READ AS FOLLOWS
- 39                  [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. In the case of a high school**
- 40                  **student who has not attended the same school within the school**
- 41                  **corporation for at least ninety percent (90%) of a school year, the**
- 42                  **department, in order to calculate the graduation rate under section**



1 **10 of this chapter, shall assign the applicable student to the high**  
 2 **school at which the student was enrolled for the greatest**  
 3 **proportion of school days during the school year.**

4 SECTION 9. IC 20-31-8-8 IS ADDED TO THE INDIANA CODE  
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2017]: **Sec. 8. (a) Before July 1, 2018, the state board shall**  
 7 **establish a definition of a high mobility school for schools with a**  
 8 **high concentration of mobile students.**

9 **(b) After June 30, 2018, the state board shall, in addition to**  
 10 **placing a school in a category or designation of school**  
 11 **improvement under section 4 of this chapter, assign a school grade**  
 12 **for a high mobility school. The grade shall be based on the**  
 13 **individual student performance and growth to proficiency of**  
 14 **students who have been enrolled at the high mobility school**  
 15 **(including a school within the same school corporation that**  
 16 **provides instruction for students in the grade immediately**  
 17 **preceding the student's current grade) for at least one (1) school**  
 18 **year. A grade calculated under this section is for informational**  
 19 **purposes only and may not be used to calculate a school's category**  
 20 **or designation of school improvement under this chapter.**

21 SECTION 10. IC 20-36-2-1, AS AMENDED BY P.L.84-2007,  
 22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2017]: **Sec. 1. (a) The department shall establish a state**  
 24 **resources program using designated state resources that:**

- 25 (1) supports school corporations in the development of local  
 26 programs for high ability students;  
 27 (2) enables educational opportunities that encourage high ability  
 28 students to reach the highest possible level at every stage of the  
 29 students' development; and  
 30 (3) provides state integrated services that include the following:  
 31 (A) Information and materials resource centers.  
 32 (B) Professional development plan and programs.  
 33 (C) Research and development services.  
 34 (D) Technical assistance that includes the following:  
 35 (i) Student assessment.  
 36 (ii) Program assessment.  
 37 (iii) Program development and implementation.  
 38 (E) Support for educators pursuing professional development  
 39 leading to endorsement or licensure in high ability education.

40 (b) In addition to the program established under subsection (a), the  
 41 department shall use appropriations to provide grants to school  
 42 corporations for **expenditures beyond those for regular educational**





1 **programs and specific to** programs for high ability students under  
 2 section 2 of this chapter in an amount determined by the department  
 3 that is based upon a set minimum amount increased by an additional  
 4 amount for each student in the program. A school corporation's  
 5 program must align with the strategic and continuous school  
 6 improvement and achievement plans under IC 20-31-5-4 for the  
 7 schools within the school corporation. A school that receives a grant  
 8 under this subsection shall submit an annual report to the department  
 9 that includes the following:

10 (1) The programs for which the grant is used.

11 (2) The results of the programs for which the grant is used,  
 12 including student general assessment results, program  
 13 effectiveness, or student achievement.

14 SECTION 11. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013,  
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2017]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B),  
 17 IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual who  
 18 initially meets the income requirements under IC 20-51-1-4.3(3)(B),  
 19 IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii) and is a member of  
 20 a household whose income subsequently increases is considered to  
 21 meet the income requirements for as long as the individual is enrolled  
 22 in a ~~participating~~ **an eligible** school and is a member of a household  
 23 with an annual income of not more than two hundred percent (200%)  
 24 of the amount required for the individual to qualify for the federal free  
 25 or reduced price lunch program.

26 SECTION 12. IC 20-51-4-9, AS ADDED BY P.L.92-2011,  
 27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 UPON PASSAGE]: Sec. 9. (a) **Except as provided in subsection (b)**,  
 29 the department shall enforce the following consequences for an eligible  
 30 school that is nonpublic:

31 (1) If the school is placed in either of the lowest two (2)  
 32 categories or designations under IC 20-31-8-3 for two (2)  
 33 consecutive years, the department shall suspend choice  
 34 scholarship payments for one (1) year for new students who  
 35 would otherwise use a choice scholarship to attend the school.

36 (2) If the school is placed in either of the lowest two (2)  
 37 categories or designations under IC 20-31-8-3 for three (3)  
 38 consecutive years, the department shall suspend choice  
 39 scholarship payments for new students who would otherwise use  
 40 a choice scholarship to attend the school until the school is placed  
 41 in the middle category or higher category or designation, for two  
 42 (2) consecutive years.



1 (3) If the school is placed in the lowest category or designation  
 2 under IC 20-31-8-3 for three (3) consecutive years, the  
 3 department shall suspend choice scholarship payments for new  
 4 students who would otherwise use a choice scholarship to attend  
 5 the school until the school is placed in the middle category or  
 6 higher category or designation, for three (3) consecutive years.

7 (4) Students who:

8 (A) are currently enrolled at a school described in subdivision  
 9 (1), (2), or (3); and

10 (B) qualify for a choice scholarship for the upcoming school  
 11 year;

12 may continue to receive a choice scholarship at the school.

13 **(b) An eligible school may submit a request to the state board to**  
 14 **waive or delay consequences imposed under subsection (a) for a**  
 15 **particular school year. The state board may grant a request to an**  
 16 **eligible school that requests a waiver or delay under this subsection**  
 17 **if the eligible school demonstrates that a majority of students in the**  
 18 **eligible school demonstrated academic improvement during the**  
 19 **preceding school year. A waiver or delay granted to an eligible**  
 20 **school under this subsection is for one (1) school year only. An**  
 21 **eligible school must make an additional request under this**  
 22 **subsection to the state board to receive further delay or waiver of**  
 23 **consequences imposed under subsection (a).**

24 ~~(b)~~ (c) This section may not be construed to prevent a student  
 25 enrolled in a school subject to this section from applying for a choice  
 26 scholarship in the future at another participating school.

27 SECTION 13. IC 21-22-3-3, AS ADDED BY P.L.2-2007,  
 28 SECTION 263, IS AMENDED TO READ AS FOLLOWS  
 29 [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The number of members of  
 30 the state board of trustees must equal **fifteen (15) members. the**  
 31 **number of regions established by the state board of trustees.** Each  
 32 member of the state board of trustees must have knowledge or  
 33 experience in one (1) or more of the following areas:

34 (1) Manufacturing.

35 (2) Commerce.

36 (3) Labor.

37 (4) Agriculture.

38 (5) State and regional economic development needs.

39 (6) Indiana's educational delivery system.

40 One (1) member of the state board of trustees must reside in each  
 41 region established by the state board of trustees. **The remaining**  
 42 **members of the state board of trustees may reside in any region**



1 **established by the state board of trustees and serve as at-large**  
2 **members.** Appointments shall be for three (3) year terms, on a  
3 staggered basis.

4 (b) An individual who holds an elective or appointed office of the  
5 state is not eligible to serve as a member of the state board of trustees.  
6 A member of a regional board may be appointed to the state board of  
7 trustees but must then resign from the regional board.

8 **SECTION 14. An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1384, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 13, begin a new paragraph and insert:

"SECTION 1. IC 20-18-2-22, AS AMENDED BY P.L.213-2015, SECTION 151, AND AS AMENDED BY P.L.219-2015, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

(b) For purposes of IC 20-28, the term includes the following:

- (1) A superintendent who holds a license under IC 20-28-5.
- (2) A principal.
- (3) A teacher.
- (4) A librarian.
- (5) A school counselor.
- (6) *A school psychologist.*
- (7) A school nurse.**
- (8) A school social worker.**

(c) *For purposes of IC 20-43-10-3, the term means a professional person whose position with a:*

- (1) school corporation;*
- (2) special education cooperative established under IC 20-35-5;*
- (3) cooperative career and technical education program;*
- (4) special education program established by an interlocal agreement under IC 36-1-7;*
- (5) joint program agreement established under IC 20-26-10; or*
- (6) charter school;*

*requires a license (as defined in IC 20-28-1-7) and whose primary responsibility is the instruction of students.*

SECTION 2. IC 20-19-2-10, AS AMENDED BY P.L.65-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) It is the policy of the state that the state:

- (1) recognizes that nonpublic schools provide education to children in Indiana;
- (2) has an interest in ensuring that all Indiana children are well educated in both curricular and extracurricular programs; and
- (3) should facilitate the transferability of comparable academic



credit between appropriate nonpublic schools and state supported educational institutions.

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

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

- (1) be voluntary in nature with respect to the nonpublic school;
- (2) recognize the characteristics that distinguish nonpublic schools from public schools; and
- (3) be a recognition system that is separate from the accreditation standards required of public schools and available to nonpublic schools under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

(d) This section does not prohibit a nonpublic school from seeking accreditation under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

~~(e) The state board shall adopt rules under IC 4-22-2 to implement this section.~~

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

- (1) dropped out of high school;
- (2) been expelled; or
- (3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;

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

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

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

SECTION 3. IC 20-20-19-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) An individual who obtains a position as a school social worker for a school corporation must

- ~~(1)~~ hold a master's degree in social work. ~~or~~
- ~~(2)~~ agree as a condition of employment to obtain a master's degree



~~in social work not more than five (5) years after the individual begins employment as a school social worker.~~

(b) Subsection (a) does not apply to an individual who obtained a position as a school social worker for a school corporation before July 1, 2001.

SECTION 4. IC 20-20-41-1, AS ADDED BY P.L.226-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. The department, with the approval of the state board, shall establish and maintain a dual language immersion pilot program to provide grants, **in an amount not to exceed fifty thousand dollars (\$50,000)**, to school corporations and charter schools that establish dual language immersion programs in:

- (1) Chinese;
- (2) Spanish;
- (3) French; or
- (4) any other language approved by the department.

SECTION 5. IC 20-26-11-31, AS ADDED BY P.L.65-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 31. (a) This section applies to a school corporation 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(f)~~. **IC 20-19-2-10(e)**.

(b) A school corporation 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 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."

Page 3, delete lines 2 through 19, begin a new paragraph and insert:

"SECTION 7. IC 20-26-15-13, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) A nonpublic school may enter into a contract with the state board to become a freeway school.

(b) The state board and the governing body of a nonpublic school must enter into a contract that complies with this chapter to designate the nonpublic school as a freeway school if the nonpublic school:

- (1) petitions the state board for designation as a freeway school;
- and
- (2) agrees to comply with this chapter.

(c) A nonpublic school becomes a freeway school when the contract



is signed by:

- (1) the state superintendent, acting for the state board after a majority of the members of the board have voted in a public session to enter into the contract; and
- (2) the president of the governing body of the nonpublic school, acting for the governing body of the nonpublic school after a majority of the members of the governing body have voted to enter into the contract.
- (d) The state board shall accredit a nonpublic school that:
  - (1) becomes a freeway school under this chapter; and
  - (2) complies with the terms of the contract.

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

SECTION 8. IC 20-26-13-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. In the case of a high school student who has not attended the same school within the school corporation for at least ninety percent (90%) of a school year, the department, in order to calculate the graduation rate under section 10 of this chapter, shall assign the applicable student to the high school at which the student was enrolled for the greatest proportion of school days during the school year.**

SECTION 9. IC 20-31-8-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. (a) Before July 1, 2018, the state board shall establish a definition of a high mobility school for schools with a high concentration of mobile students.**

**(b) After June 30, 2018, the state board shall, in addition to placing a school in a category or designation of school improvement under section 4 of this chapter, assign a school grade for a high mobility school. The grade shall be based on the individual student performance and growth to proficiency of students who have been enrolled at the high mobility school (including a school within the same school corporation that provides instruction for students in the grade immediately preceding the student's current grade) for at least one (1) school year. A grade calculated under this section is for informational purposes only and may not be used to calculate a school's category or designation of school improvement under this chapter.**

SECTION 10. IC 20-36-2-1, AS AMENDED BY P.L.84-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2017]: Sec. 1. (a) The department shall establish a state resources program using designated state resources that:

- (1) supports school corporations in the development of local programs for high ability students;
- (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and
- (3) provides state integrated services that include the following:
  - (A) Information and materials resource centers.
  - (B) Professional development plan and programs.
  - (C) Research and development services.
  - (D) Technical assistance that includes the following:
    - (i) Student assessment.
    - (ii) Program assessment.
    - (iii) Program development and implementation.
  - (E) Support for educators pursuing professional development leading to endorsement or licensure in high ability education.

(b) In addition to the program established under subsection (a), the department shall use appropriations to provide grants to school corporations for **expenditures beyond those for regular educational programs and specific to** programs for high ability students under section 2 of this chapter in an amount determined by the department that is based upon a set minimum amount increased by an additional amount for each student in the program. A school corporation's program must align with the strategic and continuous school improvement and achievement plans under IC 20-31-5-4 for the schools within the school corporation. A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:

- (1) The programs for which the grant is used.
- (2) The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.

SECTION 11. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is considered to meet the income requirements for as long as the individual is enrolled in a ~~participating~~ **an eligible** school and is a member of a household





with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 12. IC 20-51-4-9, AS ADDED BY P.L.92-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) **Except as provided in subsection (b)**, the department shall enforce the following consequences for an eligible school that is nonpublic:

(1) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for two (2) consecutive years, the department shall suspend choice scholarship payments for one (1) year for new students who would otherwise use a choice scholarship to attend the school.

(2) If the school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for two (2) consecutive years.

(3) If the school is placed in the lowest category or designation under IC 20-31-8-3 for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for three (3) consecutive years.

(4) Students who:

(A) are currently enrolled at a school described in subdivision (1), (2), or (3); and

(B) qualify for a choice scholarship for the upcoming school year;

may continue to receive a choice scholarship at the school.

**(b) An eligible school may submit a request to the state board to waive or delay consequences imposed under subsection (a) for a particular school year. The state board may grant a request to an eligible school that requests a waiver or delay under this subsection if the eligible school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. A waiver or delay granted to an eligible school under this subsection is for one (1) school year only. An eligible school must make an additional request under this subsection to the state board to receive further delay or waiver of**



**consequences imposed under subsection (a).**

~~(b)~~ (c) This section may not be construed to prevent a student enrolled in a school subject to this section from applying for a choice scholarship in the future at another participating school.

SECTION 13. IC 21-22-3-3, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The number of members of the state board of trustees must equal **fifteen (15) members. the number of regions established by the state board of trustees.** Each member of the state board of trustees must have knowledge or experience in one (1) or more of the following areas:

- (1) Manufacturing.
- (2) Commerce.
- (3) Labor.
- (4) Agriculture.
- (5) State and regional economic development needs.
- (6) Indiana's educational delivery system.

One (1) member of the state board of trustees must reside in each region established by the state board of trustees. **The remaining members of the state board of trustees may reside in any region established by the state board of trustees and serve as at-large members.** Appointments shall be for three (3) year terms, on a staggered basis.

(b) An individual who holds an elective or appointed office of the state is not eligible to serve as a member of the state board of trustees. A member of a regional board may be appointed to the state board of trustees but must then resign from the regional board.

**SECTION 6. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1384 as introduced.)

BEHNING

Committee Vote: yeas 8, nays 4.

