

SENATE BILL No. 441

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19-13-4; IC 20-18-2; IC 20-19; IC 20-24-5-6; IC 20-26-5-40; IC 20-28; IC 20-43; IC 20-51-4-4.

Synopsis: Various education matters. Requires certain school corporations and schools to provide information and meet certain requirements regarding compatibility with the Ed-Fi Data Standard. Establishes a five year moratorium for any new school corporations, charter schools, and eligible choice scholarship schools. Limits student enrollment in virtual charter schools. Provides that a school corporation may request that the department of education (department) waive for school employees of the school corporation one or more school employee training requirements. Amends requirements regarding: (1) out of state license holders obtaining an Indiana teaching license; and (2) adding a content area to an Indiana teaching license if an individual holds a teaching license in a content area in another state. Establishes a temporary district level administrator license and a temporary building level administrator license. Provides that a special education cooperative, cooperative career and technical education program, and special education program established by an interlocal agreement may qualify for a teacher appreciation grant. Provides that an elementary school's final category or designation of school performance assigned by the state board of education (state board) for the 2018-2019 school year may not be lower than the elementary school's grade for the 2017-2018 school year. Provides that the official category or designation of school performance for any school for the 2018-2019 school year may not be used for purposes of certain consequences related to school performance. Requires the state board to adopt emergency rules to amend the points scale used to determine a school's final category or designation of school performance. Amends,
(Continued next page)

Effective: Upon passage; July 1, 2018 (retroactive); July 1, 2020; July 1, 2021.

Melton

January 15, 2020, read first time and referred to Committee on Education and Career Development.



Digest Continued

beginning July 1, 2021, the day established for fall count and spring count in determining average daily membership (ADM). Amends the count dates for determining grants for special education programs and the use of the count dates in distributing grants for special education programs. Removes the requirements that: (1) teacher evaluations must include objective measures of student growth as part of the evaluation; and (2) school buses must have black reflective tape. Repeals a provision that provides that the professional growth experience points required to renew a practitioner license or an accomplished practitioner license be obtained through the completion of externships or certain other types of professional development. Repeals certain provisions regarding the fall and spring count days.



Introduced

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

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 441

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 9-19-13-4, AS AMENDED BY P.L.144-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. A bus used to transport school children must be
4 equipped as follows:
5 (1) At least two (2) signal lamps mounted as high and as widely
6 spaced laterally as practicable, capable of displaying the front two
7 (2) alternately flashing red lights located at the same level, and
8 having sufficient intensity to be visible at five hundred (500) feet
9 in normal sunlight.
10 ~~(2) Black reflective tape mounted on:~~
11 ~~(A) each side of the school bus;~~
12 ~~(B) the front bumper; and~~
13 ~~(C) the rear bumper.~~
14 ~~(3) (2) As required by the state school bus committee under~~
15 ~~IC 20-27-3-4.~~



- 1 ~~(4)~~ **(3)** As required by IC 20-27-9.
- 2 SECTION 2. IC 20-18-2-4.5 IS REPEALED [EFFECTIVE JULY
- 3 1, 2021]. ~~Sec. 4.5: "Fall count" has the meaning set forth in~~
- 4 ~~IC 20-43-1-12.3 (before its repeal on July 1, 2017).~~
- 5 SECTION 3. IC 20-18-2-4.7 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2021]: **Sec. 4.7. "Fall count" means the count of eligible pupils**
- 8 **enrolled in the school corporation or a transferee corporation on:**
- 9 **(1) the first business day in October during a school year; or**
- 10 **(2) another day in a school year designated by the state board**
- 11 **under IC 20-43-4-2(b).**
- 12 SECTION 4. IC 20-18-2-18.5 IS REPEALED [EFFECTIVE JULY
- 13 1, 2021]. ~~Sec. 18.5: "Spring count" refers to the spring count of eligible~~
- 14 ~~pupils under IC 20-43-4.~~
- 15 SECTION 5. IC 20-18-2-18.7 IS ADDED TO THE INDIANA
- 16 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2021]: **Sec. 18.7. "Spring count" means the**
- 18 **count of eligible pupils enrolled in the school corporation or a**
- 19 **transferee corporation on:**
- 20 **(1) the first business day in February during a school year; or**
- 21 **(2) another day in a school year designated by the state board**
- 22 **under IC 20-43-4-2(b).**
- 23 SECTION 6. IC 20-19-10 IS ADDED TO THE INDIANA CODE
- 24 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2020]:
- 26 **Chapter 10. Data Collection**
- 27 **Sec. 1. As used in this chapter, "compatible with the Ed-Fi Data**
- 28 **Standard" means that:**
- 29 **(1) a system has been:**
- 30 **(A) certified by the Ed-Fi Alliance; or**
- 31 **(B) certified by the department as compatible with the**
- 32 **Ed-Fi Data Standard; or**
- 33 **(2) the vendor of the system has committed in writing to the**
- 34 **school corporation or school procuring the system that the**
- 35 **vendor will take the necessary steps for the system to become**
- 36 **certified by the Ed-Fi Alliance at no cost to the school**
- 37 **corporation or school and as a condition of the procurement.**
- 38 **Sec. 2. As used in this chapter, "Ed-Fi Data Standard" refers to**
- 39 **the Ed-Fi Data Standard established by the Ed-Fi Alliance.**
- 40 **Sec. 3. As used in this chapter, "school" means any of the**
- 41 **following:**
- 42 **(1) A school maintained by a school corporation.**



1 (2) A charter school, including a charter school described in
2 IC 20-24-7-13.5.

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

4 **Sec. 4. If a school corporation or school procures a data system**
5 **after June 30, 2020, the school corporation or school must provide**
6 **to the department one (1) of the following:**

7 (1) Written documentation that the procured system is
8 compatible with the Ed-Fi Data Standard.

9 (2) If the procured system is not compatible with the Ed-Fi
10 Data Standard, written documentation that:

11 (A) the procured system is not compatible with the Ed-Fi
12 Data Standard; and

13 (B) the school corporation or school accepts the
14 responsibility for submitting, at the school corporation's or
15 school's expense, all required data to the department using
16 the processes, protocols, and time lines established by the
17 department.

18 **Sec. 5. After June 30, 2022, any school corporation or school**
19 **receiving state tuition support shall:**

20 (1) submit all student related information required to be
21 submitted to the department using data systems which are
22 compatible with the Ed-Fi Data Standard; or

23 (2) accept responsibility for submitting, at the school
24 corporation's or school's expense, all required data to the
25 department using the processes, protocols, and time lines
26 established by the department.

27 SECTION 7. IC 20-19-11 IS ADDED TO THE INDIANA CODE
28 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2020]:

30 **Chapter 11. Moratorium on New School Corporations and**
31 **Schools**

32 **Sec. 1. The definitions in IC 20-24-1 apply to this chapter.**

33 **Sec. 2. As used in this chapter, "eligible school" has the meaning**
34 **set forth in IC 20-51-1-4.7.**

35 **Sec. 3. Notwithstanding any other law, beginning July 1, 2020,**
36 **and ending June 30, 2025, a new school corporation may not be**
37 **created or established. This section does not prohibit a school**
38 **corporation from consolidating with one (1) or more other school**
39 **corporations and establishing a new school corporation as**
40 **provided under state law.**

41 **Sec. 4. Notwithstanding any other law, beginning July 1, 2020,**
42 **and ending June 30, 2025, an authorizer may not grant a charter**



1 to an organizer to operate a charter school. This section does not
 2 prohibit an authorizer from renewing the charter of a charter
 3 school.

4 **Sec. 5. Notwithstanding any other law, beginning July 1, 2020,**
 5 **and ending June 30, 2025, a public or nonpublic school may not**
 6 **receive choice scholarships under IC 20-51-4 unless the school:**

7 (1) is an eligible school on June 30, 2020; or

8 (2) has applied to be an eligible school before July 1, 2020.

9 **Sec. 6. This chapter expires July 1, 2026.**

10 SECTION 8. IC 20-24-5-6 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2020]: **Sec. 6. (a) A virtual charter school established before July**
 13 **1, 2020, may not increase the number of students enrolled in the**
 14 **virtual charter school to an amount greater than the number of**
 15 **students enrolled in the virtual charter school on July 1, 2020.**

16 (b) This section applies to a virtual charter school established
 17 after June 30, 2020. A virtual charter school may not enroll more
 18 than a total of five hundred (500) students in the virtual charter
 19 school.

20 SECTION 9. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE
 21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 22 1, 2020]: **Sec. 40. (a) A school corporation may request that the**
 23 **department waive for school employees of the school corporation**
 24 **one (1) or more school employee training requirements listed in**
 25 **IC 20-19-8-3.**

26 (b) The department may waive one (1) or more school employee
 27 training requirements described in subsection (a) for school
 28 employees of a school corporation if the department determines
 29 granting the waiver is appropriate.

30 (c) The department may adopt rules under IC 4-22-2 to
 31 implement this section.

32 SECTION 10. IC 20-28-5-18, AS ADDED BY P.L.106-2016,
 33 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2020]: **Sec. 18. (a) This section applies to an individual who**
 35 **(†) holds a valid teaching license issued by another state**
 36 **(excluding a teaching license equivalent to an Indiana temporary**
 37 **or emergency teaching license) in the same content area or areas**
 38 **for which the individual is applying for a license in Indiana. and**
 39 **(‡) was required to pass a content licensure test to obtain the**
 40 **license described in subdivision (†).**

41 (b) Notwithstanding sections 3 and 12 of this chapter, the
 42 department shall grant one (1) of the following licenses to an individual



- 1 described in subsection (a):
- 2 (1) If the individual has less than ~~three (3)~~ **two (2)** years of
- 3 full-time teaching experience, an initial practitioner's license.
- 4 (2) If the individual has at least ~~three (3)~~ **two (2)** years of full-time
- 5 teaching experience, a practitioner's license.
- 6 (c) An individual who is granted a license under this section shall
- 7 comply with section 3(c) and 3(d) of this chapter not later than twelve
- 8 (12) months after the date the individual's license is issued.
- 9 SECTION 11. IC 20-28-5-19, AS ADDED BY P.L.216-2017,
- 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2020]: Sec. 19. (a) This section applies to an individual who:
- 12 (1) holds a valid Indiana teaching license; **and**
- 13 (2) holds a valid teaching license subsequently issued by another
- 14 state (excluding a teaching license equivalent to an Indiana
- 15 temporary or emergency teaching license) in an additional content
- 16 area or areas. **and**
- 17 ~~(3) was required to pass a content licensure test to obtain the~~
- 18 ~~license described in subdivision (2):~~
- 19 (b) The department shall grant an application to add the additional
- 20 content area or areas described in subsection (a)(2) to a valid Indiana
- 21 teaching license submitted by an individual described in subsection (a).
- 22 SECTION 12. IC 20-28-5-25 IS REPEALED [EFFECTIVE JULY
- 23 1, 2020]. Sec: 25: (a) This section applies to a professional growth plan
- 24 that begins after July 1, 2019:
- 25 (b) ~~Fifteen (15)~~ of the total number of professional growth
- 26 experience points required to renew a practitioner license or an
- 27 accomplished practitioner license must be obtained through the
- 28 completion of one ~~(1)~~ or more of the following:
- 29 (1) An externship with a company:
- 30 (2) Professional development provided by the state; a local
- 31 business; or a community partner that provides opportunities for
- 32 schools and employers to partner in promoting career navigation:
- 33 (3) Professional development provided by the state; a local
- 34 business; or a community partner that outlines the:
- 35 (A) current and future economic needs of the community;
- 36 state, nation; and globe; and
- 37 (B) ways in which the current and future economic needs
- 38 described in clause (A) can be disseminated to students:
- 39 SECTION 13. IC 20-28-5-26 IS ADDED TO THE INDIANA
- 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 41 [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a) The department shall**
- 42 **grant an applicant a temporary district level administrator license**



1 or a temporary building level administrator license if:

- 2 (1) the applicant submits an application for the applicable
 3 temporary license on a form prescribed by the department;
 4 and
 5 (2) a governing body submits a written request to the
 6 department for the applicable temporary license on behalf of
 7 the applicant.

8 (b) The written request under subsection (a) must include the
 9 following:

- 10 (1) Whether the governing body is requesting a temporary
 11 district level administrator license or a temporary building
 12 level administrator license.
 13 (2) Information regarding the applicant's applicable
 14 knowledge or experience and how it meets the needs of the
 15 school or district.
 16 (3) Evidence that the applicant has obtained a master's degree
 17 or doctorate degree from a regionally accredited institution
 18 of higher education.

19 (c) The holder of a temporary district level administrator license
 20 is eligible to serve as a district level administrator for all schools at
 21 grade levels prekindergarten through grade 12 under the
 22 jurisdiction of the governing body that requested the temporary
 23 district level administrator license.

24 (d) The holder of a temporary building level administrator
 25 license is eligible to serve as a building level administrator for a
 26 school at any grade level of prekindergarten through grade 12
 27 under the jurisdiction of the governing body that requested the
 28 temporary building level license.

29 (e) A temporary district level administrator license or building
 30 level administrator license is valid until the termination or
 31 expiration of the applicant's contract with the governing body that
 32 requested the applicable temporary license.

33 (f) A temporary district level administrator license may be
 34 converted to a license with a district level administrator
 35 superintendent content area under 511 IAC 15-6-29 and a
 36 temporary building level administrator license may be converted
 37 to a license with a building level administrator content area under
 38 511 IAC 15-6-28 if the following requirements are met:

- 39 (1) The applicant has received three (3) evaluation ratings as
 40 either effective or highly effective under IC 20-28-11.5 for
 41 three (3) consecutive years.
 42 (2) The applicant has successfully completed the applicable



1 **district level administrator's or building level administrator's**
 2 **licensure assessment under 511 IAC 15-7-2.**

- 3 **(g) An applicant or governing body is not limited to one (1):**
 4 **(1) temporary building level administrator license; or**
 5 **(2) temporary district level administrator license.**

6 SECTION 14. IC 20-28-11.5-4, AS AMENDED BY P.L.275-2019,
 7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2020]: Sec. 4. (a) Each school corporation shall develop a
 9 plan for annual performance evaluations for each certificated
 10 employee. A school corporation shall implement the plan beginning
 11 with the 2012-2013 school year.

12 (b) Instead of developing its own staff performance evaluation plan
 13 under subsection (a), a school corporation may adopt a staff
 14 performance evaluation plan that meets the requirements set forth in
 15 this chapter or any of the following models:

- 16 (1) A plan using master teachers or contracting with an outside
 17 vendor to provide master teachers.
 18 (2) The System for Teacher and Student Advancement (TAP).
 19 (3) The Peer Assistance and Review Teacher Evaluation System
 20 (PAR).

21 (c) A plan must include the following components:

- 22 (1) Performance evaluations for all certificated employees,
 23 conducted at least annually.
 24 (2) Objective measures of student achievement and growth to
 25 significantly inform the evaluation. The objective measures must
 26 include:

27 (A) student assessment results from statewide assessments for
 28 certificated employees whose responsibilities include
 29 instruction in subjects measured in statewide assessments;

30 (B) methods for assessing student growth for certificated
 31 employees who do not teach in areas measured by statewide
 32 assessments; and

33 (C) student assessment results from locally developed
 34 assessments and other test measures for certificated employees
 35 whose responsibilities may or may not include instruction in
 36 subjects and areas measured by statewide assessments.

37 (3) Rigorous measures of effectiveness, including
 38 observations and other performance indicators.

39 (4) (3) An annual designation of each certificated employee in
 40 one (1) of the following rating categories:

- 41 (A) Highly effective.
 42 (B) Effective.



- 1 (C) Improvement necessary.
 2 (D) Ineffective.
 3 ~~(5)~~ (4) An explanation of the evaluator's recommendations for
 4 improvement, and the time in which improvement is expected.
 5 ~~(6)~~ (5) A provision that a teacher who negatively affects student
 6 achievement and growth cannot receive a rating of highly
 7 effective or effective.
 8 ~~(7)~~ (6) For annual performance evaluations for school years
 9 beginning after June 30, 2015, provide for a pre-evaluation
 10 planning session conducted by the superintendent or equivalent
 11 authority for the school corporation with the principals in the
 12 school corporation.
- 13 (d) In developing a performance evaluation plan, a school
 14 corporation may consider the following:
- 15 (1) Test scores of students (both formative and summative).
 - 16 (2) Classroom presentation observations.
 - 17 (3) Observation of student-teacher interaction.
 - 18 (4) Knowledge of subject matter.
 - 19 (5) Dedication and effectiveness of the teacher through time and
 20 effort on task.
 - 21 (6) Contributions of teachers through group teacher interactivity
 22 in fulfilling the school improvement plan.
 - 23 (7) Cooperation of the teacher with supervisors and peers.
 - 24 (8) Extracurricular contributions of the teacher.
 - 25 (9) Outside performance evaluations.
 - 26 (10) Compliance with school corporation rules and procedures.
 - 27 (11) Other items considered important by the school corporation
 28 in developing each student to the student's maximum intellectual
 29 potential and performance.
- 30 The state board and the department may recommend additional factors,
 31 but may not require additional factors unless directed to do so by the
 32 general assembly.
- 33 (e) The state board may create a method or model to align currently
 34 used performance evaluation plan factors with each of the following
 35 indicators:
- 36 (1) Maximizing instructional time.
 - 37 (2) Student engagement.
 - 38 (3) Developing student understanding and mastery of lesson
 39 objectives.
 - 40 (4) Tracking student data and analyzing progress.
 - 41 (5) Checking for student understanding.
- 42 (f) This subsection applies to plans applicable to annual



1 performance evaluations for school years beginning after June 30,
2 2015. The plan must:

3 (1) be in writing; and

4 (2) be explained to the governing body in a public meeting;

5 before the evaluations are conducted. Before explaining the plan to the
6 governing body, the superintendent of the school corporation shall
7 discuss the plan with teachers or the teachers' representative, if there
8 is one. This discussion is not subject to the open door law
9 (IC 5-14-1.5). The plan is not subject to bargaining, but a discussion of
10 the plan must be held.

11 (g) The evaluator shall discuss the evaluation with the certificated
12 employee.

13 SECTION 15. IC 20-28-11.5-8, AS AMENDED BY P.L.160-2012,
14 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2020]: Sec. 8. (a) To implement this chapter, the state board
16 shall do the following:

17 (1) ~~Before January 31, 2012~~, Adopt rules under IC 4-22-2 that
18 establish:

19 (A) the criteria that define each of the four **(4)** categories of
20 teacher ratings under section ~~4(c)(4)~~ **4(c)(3)** of this chapter;

21 ~~(B) the measures to be used to determine student academic~~
22 ~~achievement and growth under section 4(c)(2) of this chapter;~~

23 ~~(C) (B) standards that define actions that constitute a negative~~
24 ~~impact on student achievement; and~~

25 ~~(D) (C) an acceptable standard for training evaluators.~~

26 (2) ~~Before January 31, 2012~~, Work with the department to
27 develop a model plan and release it to school corporations.
28 Subsequent versions of the model plan that contain substantive
29 changes must be provided to school corporations.

30 (3) Work with the department to ensure the availability of
31 ongoing training on the use of the performance evaluation to
32 ensure that all evaluators and certificated employees have access
33 to information on the plan, the plan's implementation, and this
34 chapter.

35 (b) A school corporation may adopt the department's model plan, or
36 any other model plan approved by the department, without the state
37 board's approval.

38 (c) A school corporation may substantially modify the model plan
39 or develop the school corporation's own plan, if the substantially
40 modified or developed plan meets the criteria established under this
41 chapter. If a school corporation substantially modifies the model plan
42 or develops its own plan, the department may request that the school



1 corporation submit the plan to the department to ensure the plan meets
 2 the criteria developed under this chapter. If the department makes such
 3 a request, before submitting a substantially modified or new staff
 4 performance evaluation plan to the department, the governing body
 5 shall submit the staff performance evaluation plan to the teachers
 6 employed by the school corporation for a vote. If at least seventy-five
 7 percent (75%) of the voting teachers vote in favor of adopting the staff
 8 performance evaluation plan, the governing body may submit the staff
 9 performance evaluation plan to the department.

10 (d) Each school corporation shall submit its staff performance
 11 evaluation plan to the department. The department shall publish the
 12 staff performance evaluation plans on the department's Internet web
 13 site. A school corporation must submit its staff performance evaluation
 14 plan to the department for approval in order to qualify for any grant
 15 funding related to this chapter.

16 SECTION 16. IC 20-28-11.5-9, AS AMENDED BY P.L.239-2015,
 17 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2020]: Sec. 9. (a) The principal of a school in a school
 19 corporation shall report in the aggregate the results of staff
 20 performance evaluations for the school for the previous school year to
 21 the superintendent and the governing body for the school corporation
 22 before August 15 of each year on the schedule determined by the
 23 governing body. The report must be presented in a public meeting of
 24 the governing body. Before presentation to the governing body, the
 25 superintendent of the school corporation shall discuss the report of
 26 completed evaluations with the teachers. This discussion is not subject
 27 to the open door law (IC 5-14-1.5). The report of completed evaluations
 28 is not subject to bargaining, but a discussion of the report must be held.

29 (b) A school corporation annually shall provide the disaggregated
 30 results of staff performance evaluations by teacher identification
 31 numbers to the department:

32 (1) after completing the presentations required under subsection

33 (a) for all schools for the school corporation; and

34 (2) before November 15 of that year.

35 Before November 15 of each year, each charter school (including a
 36 virtual charter school) shall provide the disaggregated results of staff
 37 performance evaluations by teacher identification numbers to the
 38 department.

39 (c) Before August 1 of each year, each charter school and school
 40 corporation shall provide to the department:

41 (1) the name of the teacher preparation program that
 42 recommended the initial license for each teacher employed by the



- 1 school; and
- 2 (2) the annual retention rate for teachers employed by the school.
- 3 (d) Not before the beginning of the second semester (or the
- 4 equivalent) of the school year and not later than August 1 of each year,
- 5 the principal at each school described in subsection (b) shall complete
- 6 a survey that provides information regarding the principal's assessment
- 7 of the quality of instruction by each particular teacher preparation
- 8 program located in Indiana for teachers employed at the school who
- 9 initially received their teaching license in Indiana in the previous two
- 10 (2) years. The survey shall be adopted by the state board and prescribed
- 11 on a form developed not later than July 30, 2016, by the department
- 12 that is aligned with the matrix system established under
- 13 IC 20-28-3-1(i). The school shall provide the surveys to the department
- 14 along with the information provided in subsection (c). The department
- 15 shall compile the information contained in the surveys, broken down
- 16 by each teacher preparation program located in Indiana. The
- 17 department shall include information relevant to a particular teacher
- 18 preparation program located in Indiana in the department's report under
- 19 subsection (g).
- 20 (e) During the second semester (or the equivalent) of the school year
- 21 and not later than August 1 of each year, each teacher employed by a
- 22 school described in subsection (b) in Indiana who initially received a
- 23 teacher's license in Indiana in the previous three (3) years shall
- 24 complete a form after the teacher completes the teacher's initial year
- 25 teaching at a particular school. The information reported on the form
- 26 must:
- 27 (1) provide the year in which the teacher was hired by the school;
- 28 (2) include the name of the teacher preparation program that
- 29 recommended the teacher for an initial license;
- 30 (3) describe subjects taught by the teacher;
- 31 (4) provide the location of different teaching positions held by the
- 32 teacher since the teacher initially obtained an Indiana teaching
- 33 license;
- 34 (5) provide a description of any mentoring the teacher has
- 35 received while teaching in the teacher's current teaching position;
- 36 (6) describe the teacher's current licensure status; and
- 37 (7) include an assessment by the teacher of the quality of
- 38 instruction of the teacher preparation program in which the
- 39 teacher participated.
- 40 The form shall be prescribed by the department. The forms shall be
- 41 submitted to the department with the information provided in
- 42 subsection (c). Upon receipt of the information provided in this



1 subsection, the department shall compile the information contained in
 2 the forms and include an aggregated summary of the report on the
 3 department's Internet web site.

4 (f) Before December 15 of each year, the department shall report the
 5 results of staff performance evaluations in the aggregate to the state
 6 board, and to the public via the department's Internet web site for:

7 (1) the aggregate of certificated employees of each school and
 8 school corporation;

9 (2) the aggregate of graduates of each teacher preparation
 10 program in Indiana;

11 (3) for each school described in subsection (b), the annual rate of
 12 retention for certificated employees for each school within the
 13 charter school or school corporation; and

14 (4) the aggregate results of staff performance evaluations for each
 15 category described in section ~~4(c)(4)~~ **4(c)(3)** of this chapter. In
 16 addition to the aggregate results, the results must be broken down:

17 (A) by the content area of the initial teacher license received
 18 by teachers upon completion of a particular teacher
 19 preparation program; or

20 (B) as otherwise requested by a teacher preparation program,
 21 as approved by the state board.

22 (g) Beginning November 1, 2016, and before September 1 of each
 23 year thereafter, the department shall report to each teacher preparation
 24 program in Indiana for teachers with three (3) or fewer years of
 25 teaching experience:

26 (1) information from the surveys relevant to that particular teacher
 27 education program provided to the department under subsection
 28 (d);

29 (2) information from the forms relevant to that particular teacher
 30 preparation program compiled by the department under
 31 subsection (e); and

32 (3) the results from the most recent school year for which data are
 33 available of staff performance evaluations for each category
 34 described in section ~~4(c)(4)~~ **4(c)(3)** of this chapter with three (3)
 35 or fewer years of teaching experience for that particular teacher
 36 preparation program. The report to the teacher preparation
 37 program under this subdivision shall be in the aggregate form and
 38 shall be broken down by the teacher preparation program that
 39 recommended an initial teaching license for the teacher.

40 SECTION 17. IC 20-43-4-2, AS AMENDED BY P.L.217-2017,
 41 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) ~~A school corporation's ADM~~



1 is the number of eligible pupils enrolled in:

2 (1) the school corporation; or

3 (2) a transferee corporation;

4 on the day fixed in September by the state board for a count of students
5 under section 3 of this chapter and as subsequently adjusted not later
6 than the date specified under the rules adopted by the state board. The
7 state board may adjust the school's count of eligible pupils if the state
8 board determines that the count is unrepresentative of the school
9 corporation's enrollment. In addition, a school corporation may petition
10 the state board to make an adjusted count of students enrolled in the
11 school corporation if the corporation has reason to believe that the
12 count is unrepresentative of the school corporation's enrollment. In
13 addition, a school corporation shall determine the number of eligible
14 pupils enrolled in:

15 (1) the school corporation; or

16 (2) a transferee corporation;

17 on the day fixed in February by the state board for a spring count of
18 students to be used only for informational purposes under this article.
19 Except as specifically provided by law, the spring count shall not be
20 used for determining school funding under this article.

21 **(a) Subject to subsection (b), beginning July 1, 2021, a school**
22 **corporation's ADM is based on the school corporation's fall count**
23 **and as subsequently adjusted not later than the date specified**
24 **under the rules adopted by the state board. The state board may**
25 **adjust the school corporation's count of eligible pupils if the state**
26 **board determines that the count is unrepresentative of the school**
27 **corporation's enrollment as provided under subsection (c).**

28 **(b) The state board may designate another day for the fall count**
29 **or spring count of a school corporation if the state board**
30 **determines that extreme patterns of:**

31 **(1) student in-migration;**

32 **(2) illness;**

33 **(3) natural disaster; or**

34 **(4) other unusual conditions in a particular school**
35 **corporation's enrollment;**

36 **on the fall count day or the spring count day cause the enrollment**
37 **to be unrepresentative of a school corporation's enrollment.**

38 **(c) A school corporation may petition the state board to make**
39 **an adjusted count of students enrolled in the school corporation if**
40 **the corporation has reason to believe that the count is**
41 **unrepresentative of the school corporation's enrollment.**

42 **(d) Each school corporation shall, before April 1 of each year,**



1 provide to the department an estimate of the school corporation's ADM
 2 that will result from the count of eligible pupils ~~in the following~~
 3 ~~September. for the following fall count.~~ The department may update
 4 and adjust the estimate as determined appropriate by the department.
 5 In each odd-numbered year, the department shall provide the updated
 6 and adjusted estimate of the school corporation's ADM to the
 7 legislative services agency before April 10 of that year.

8 (c) (e) A new charter school shall submit an enrollment estimate to
 9 the department before April 1 of the year the new charter school will
 10 be open for enrollment. The department shall use the new charter
 11 school's enrollment estimate as the basis for the new charter school's
 12 distribution beginning in July and until actual ADM is available,
 13 subject to section 9 of this chapter. However, if the new charter school's
 14 enrollment estimate is greater than eighty percent (80%) of the new
 15 charter school's authorized enrollment cap, the department may use that
 16 enrollment estimate if the department has requested and reviewed other
 17 enrollment data that support that enrollment estimate. However, if the
 18 enrollment data requested and reviewed by the department does not
 19 support the enrollment estimate submitted by the new charter school,
 20 the department shall determine the estimated ADM based on the
 21 enrollment data requested and reviewed by the department. In each
 22 odd-numbered year, the department shall provide the new charter
 23 school's estimated ADM to the legislative services agency before April
 24 10 of that year.

25 SECTION 18. IC 20-43-4-3 IS REPEALED [EFFECTIVE JULY 1,
 26 2021]. Sec. 3. (a) ~~Subject to subsection (b), the state board shall make~~
 27 ~~an ADM count of the eligible pupils enrolled in each school~~
 28 ~~corporation two (2) times each school year, with one (1) count date~~
 29 ~~occurring in each of the following periods:~~

30 (1) ~~The fall count of ADM shall be made on a day during~~
 31 ~~September fixed by the state board.~~

32 (2) ~~The spring count of ADM shall be made on a day during~~
 33 ~~February fixed by the state board.~~

34 (b) ~~However, if extreme patterns of:~~

35 (1) ~~student in-migration;~~

36 (2) ~~illness;~~

37 (3) ~~natural disaster; or~~

38 (4) ~~other unusual conditions in a particular school corporation's~~
 39 ~~enrollment;~~

40 ~~on either a count day fixed by the state board or the subsequent~~
 41 ~~adjustment date cause the enrollment to be unrepresentative of the~~
 42 ~~school corporation's enrollment, the state board may designate another~~



1 day for determining the school corporation's enrollment:

2 SECTION 19. IC 20-43-4-4 IS REPEALED [EFFECTIVE JULY 1,
3 2021]. Sec. 4. (a) The state board shall monitor changes that occur after
4 the count of ADM in the number of students enrolled in programs for
5 children with disabilities. The state board shall:

6 (1) before December 2 of that same year; and

7 (2) before April 2 of the following calendar year;

8 make an adjusted count of students enrolled in programs for children
9 with disabilities. The state superintendent shall certify the December
10 adjusted count to the budget committee before February 5 of the
11 following year and the April adjusted count not later than May 31
12 immediately after the date of the April adjusted count. The state board
13 may adjust the school's count of students enrolled in programs for
14 children with disabilities if the state board determines that the count is
15 unrepresentative of the school corporation's enrollment.

16 (b) The department shall distribute special education grants under
17 IC 20-43-7 using only the count specified in IC 20-43-7-1.

18 SECTION 20. IC 20-43-4-9, AS AMENDED BY P.L.108-2019,
19 SECTION 224, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) Subject to subsections (b) and
21 (c), this subsection applies to the calculation of state tuition support
22 distributions that are based on the current ADM of a school
23 corporation. The fall count of ADM, as adjusted by the state board
24 under section 2 of this chapter, shall be used to compute state tuition
25 support distributions made in the first six (6) months of the current
26 state fiscal year, and the spring count of ADM, as adjusted by the state
27 board under section 2 of this chapter, shall be used to compute state
28 tuition support distributions made in the second six (6) months of the
29 state fiscal year.

30 (b) This subsection applies to a school corporation that does not
31 provide the estimates required by section ~~2(b)~~ **2(d)** of this chapter
32 before the deadline. For monthly state tuition support distributions
33 made before the count of ADM is finalized, the department shall
34 determine the distribution amount for such a school corporation for a
35 state fiscal year of the biennium, using data that were used by the
36 general assembly in determining the state tuition support appropriation
37 for the budget act for that state fiscal year. The department may adjust
38 the data used under this subsection for errors.

39 (c) If the state board adjusts a count of ADM after a distribution is
40 made under this article, the adjusted count retroactively applies to the
41 amount of state tuition support distributed to a school corporation
42 affected by the adjusted count. The department shall settle any



1 overpayment or underpayment of state tuition support resulting from
 2 an adjusted count of ADM on the schedule determined by the
 3 department and approved by the budget agency.

4 SECTION 21. IC 20-43-7-1 IS REPEALED [EFFECTIVE JULY 1,
 5 2021]. Sec. 1: (a) In addition to the amount a school corporation is
 6 entitled to receive in basic tuition support, each school corporation is
 7 entitled to receive a grant for special education programs for the state
 8 fiscal year. Subject to subsections (b) and (c), the amount of the special
 9 education grant is based on the count of eligible pupils enrolled in
 10 special education programs on December 1 of the preceding state fiscal
 11 year in:

12 (1) the school corporation; or

13 (2) a transferee corporation.

14 (b) Before February 1 of each calendar year, the department shall
 15 determine the result of:

16 (1) the total amount of the special education grant that would
 17 have been received by the school corporation during the months
 18 of July, August, September, October, November, and December
 19 of the preceding calendar year and January of the current calendar
 20 year if the grant had been based on the count of students with
 21 disabilities that was made on the immediately preceding
 22 December 1; minus

23 (2) the total amount of the special education grant received by the
 24 school corporation during the months of July, August, September,
 25 October, November, and December of the preceding calendar
 26 year and January of the current calendar year.

27 If the result determined under this subsection is positive, the school
 28 corporation shall receive an additional special education grant
 29 distribution in February equal to the result determined under this
 30 subsection. If the result determined under this subsection is negative,
 31 the special education grant distributions that otherwise would be
 32 received by the school corporation in February, March, April, and May
 33 shall be proportionately reduced so that the total reduction is equal to
 34 the result determined under this subsection:

35 (c) The special education grant distributions made in February,
 36 March, April, May, and June of a calendar year shall be based on the
 37 count of students with disabilities that was made on the immediately
 38 preceding December 1.

39 (d) In addition to the December 1 count, a second count of eligible
 40 pupils enrolled in special education programs shall be conducted. The
 41 count must be in the spring semester on a date fixed by the state board.
 42 The spring count of eligible students shall be used for informational



1 purposes and is not used to calculate grant amounts under this chapter.

2 SECTION 22. IC 20-43-7-1.5 IS ADDED TO THE INDIANA
 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2021]: **Sec. 1.5. (a) Beginning July 1, 2021, in**
 5 **addition to the amount a school corporation is entitled to receive**
 6 **in basic tuition support, each school corporation is entitled to**
 7 **receive a grant for special education programs for the state fiscal**
 8 **year. The fall count of eligible pupils enrolled in special education**
 9 **programs shall be used to compute special education grant**
 10 **distributions made in the first six (6) months of the state fiscal year,**
 11 **and the spring count of eligible students enrolled in special**
 12 **education programs shall be used to compute special education**
 13 **grant distributions made in the second six (6) months of the state**
 14 **fiscal year.**

15 (b) The state board shall monitor changes that occur between
 16 the fall count and the spring count in the number of students
 17 enrolled in special education programs. The state superintendent
 18 shall certify the adjusted count to the budget committee not later
 19 than May 31 each year immediately after the date of the spring
 20 count.

21 SECTION 23. IC 20-43-7-9, AS ADDED BY P.L.229-2011,
 22 SECTION 214, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) This section does not apply
 24 to a charter school.

25 (b) Each calendar year, a school corporation shall expend part of the
 26 school corporation's state special education grant on the provision of
 27 special education and related services to parentally placed nonpublic
 28 school students with disabilities. The school corporation shall, at a
 29 minimum, expend an amount from the state special education grant
 30 equal to the amount attributable to the number of parentally placed
 31 nonpublic school students with disabilities included in the school
 32 corporation's count conducted under section ~~1~~ 1.5 of this chapter.

33 (c) In determining compliance with this section, a school
 34 corporation may include state special education grant expenditures on
 35 the following:

- 36 (1) Activities and services for which the school corporation may
- 37 expend federal grants under Part B of the federal Individuals with
- 38 Disabilities Education Act (20 U.S.C. 1400 et seq.).
- 39 (2) Child find activities, including the cost of initial educational
- 40 evaluations and reevaluations.

41 (d) A school corporation shall maintain sufficient and accurate
 42 records to demonstrate compliance with this section.



1 (e) The state board shall adopt rules to implement this section,
 2 including, but not limited to, annual reporting requirements,
 3 monitoring, and consequences for noncompliance. The consequences
 4 may include requiring expenditure of additional state funds in a
 5 subsequent year if the school fails to expend the requisite amount in a
 6 prior year that occurs after June 30, 2011.

7 (f) Notwithstanding the effective date in HEA 1341-2011,
 8 SECTION 3, this section takes effect July 1, 2011 (rather than January
 9 1, 2011).

10 SECTION 24. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019,
 11 SECTION 231, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) As used in this section,
 13 "school" means a school corporation, charter school, ~~and~~ a virtual
 14 charter school, **special education cooperative established under**
 15 **IC 20-35-5, cooperative career and technical education program,**
 16 **and special education program established by an interlocal**
 17 **agreement under IC 36-1-7.**

18 (b) Subject to the requirements of this section, a school qualifies for
 19 a teacher appreciation grant as provided in this section for a state fiscal
 20 year if one (1) or more licensed teachers:

- 21 (1) employed in the classroom by the school; or
- 22 (2) directly providing virtual education;

23 were rated as effective or as highly effective, using the most recently
 24 completed teacher ratings.

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

- 27 (1) the school has in the state fiscal year in which the teacher
 28 appreciation grants are made under this section:
 - 29 (A) adopted an annual policy concerning the distribution of
 30 teacher appreciation grants; and
 - 31 (B) submitted the policy to the department for approval; and
- 32 (2) the department has approved the policy.

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

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

- 37 (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by
- 38 (2) the school's current ADM.

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

41 (e) The following apply to the distribution of teacher appreciation
 42 grants:



1 (1) If the total amount to be distributed as teacher appreciation
 2 grants for a particular state fiscal year exceeds the amount
 3 appropriated by the general assembly for teacher appreciation
 4 grants for that state fiscal year, the total amount to be distributed
 5 as teacher appreciation grants to schools shall be proportionately
 6 reduced so that the total reduction equals the amount of the
 7 excess. The amount of the reduction for a particular school is
 8 equal to the total amount of the excess multiplied by a fraction.
 9 The numerator of the fraction is the amount of the teacher
 10 appreciation grant that the school would have received if a
 11 reduction were not made under this section. The denominator of
 12 the fraction is the total amount that would be distributed as
 13 teacher appreciation grants to all schools if a reduction were not
 14 made under this section.

15 (2) If the total amount to be distributed as teacher appreciation
 16 grants for a particular state fiscal year is less than the amount
 17 appropriated by the general assembly for teacher appreciation
 18 grants for that state fiscal year, the total amount to be distributed
 19 as teacher appreciation grants to schools for that particular state
 20 fiscal year shall be proportionately increased so that the total
 21 amount to be distributed equals the amount of the appropriation
 22 for that particular state fiscal year.

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

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

28 (1) The governing body shall differentiate between a teacher rated
 29 as a highly effective teacher and a teacher rated as an effective
 30 teacher. The policy must provide that the amount of a stipend
 31 awarded to a teacher rated as a highly effective teacher must be
 32 at least twenty-five percent (25%) more than the amount of a
 33 stipend awarded to a teacher rated as an effective teacher.

34 (2) The governing body of a school may differentiate between
 35 school buildings.

36 (3) A stipend to an individual teacher in a particular year is not
 37 subject to collective bargaining, but is discussable, and is in
 38 addition to the minimum salary or increases in salary set under
 39 IC 20-28-9-1.5. The governing body may provide that an amount
 40 not exceeding fifty percent (50%) of the amount of a stipend to an
 41 individual teacher in a particular state fiscal year becomes a
 42 permanent part of and increases the base salary of the teacher



1 receiving the stipend for school years beginning after the state
 2 fiscal year in which the stipend is received. The addition to base
 3 salary is not subject to collective bargaining, but is discussable.

4 (h) A teacher appreciation grant received by a school shall be
 5 allocated among and used only to pay cash stipends to all licensed
 6 teachers employed in the classroom who are rated as effective or as
 7 highly effective and employed by the school as of December 1. A
 8 school may allocate up to twenty percent (20%) of the grant received
 9 by the school to provide a supplemental award to teachers with less
 10 than five (5) years of service who are rated as effective or as highly
 11 effective. The supplemental award is in addition to the award made
 12 from the part of the grant that is allocated to all eligible teachers.

13 ~~(i) The lead school corporation or interlocal cooperative~~
 14 ~~administering a cooperative or other special education program or~~
 15 ~~administering a career and technical education program, including~~
 16 ~~programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or~~
 17 ~~IC 36-1-7, shall award teacher appreciation grant stipends to and carry~~
 18 ~~out the other responsibilities of an employing school corporation under~~
 19 ~~this section for the teachers in the special education program or career~~
 20 ~~and technical education program.~~

21 ~~(j)~~ (i) A school shall distribute all stipends from a teacher
 22 appreciation grant to individual teachers within twenty (20) business
 23 days of the date the department distributes the teacher appreciation
 24 grant to the school. Any part of the teacher appreciation grant not
 25 distributed as stipends to teachers before February must be returned to
 26 the department on the earlier of the date set by the department or June
 27 30 of that state fiscal year.

28 ~~(k)~~ (j) The department, after review by the budget committee, may
 29 waive the December 5 deadline under subsection (f) to distribute an
 30 annual teacher appreciation grant to the school under this section for
 31 that state fiscal year and approve an extension of that deadline to a later
 32 date within that state fiscal year, if the department determines that a
 33 waiver and extension of the deadline are in the public interest.

34 ~~(l)~~ (k) The state board may adopt rules under IC 4-22-2, including
 35 emergency rules in the manner provided in IC 4-22-2-37.1, as
 36 necessary to implement this section.

37 ~~(m)~~ (l) This section expires June 30, 2021.

38 SECTION 25. IC 20-51-4-4, AS AMENDED BY P.L.108-2019,
 39 SECTION 234, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The amount an eligible choice
 41 scholarship student is entitled to receive under this chapter for a school
 42 year is equal to the following:



- 1 (1) The least of the following:
- 2 (A) The sum of the tuition, transfer tuition, and fees required
- 3 for enrollment or attendance of the eligible choice scholarship
- 4 student at the eligible school selected by the eligible choice
- 5 scholarship student for a school year that the eligible choice
- 6 scholarship student (or the parent of the eligible choice
- 7 scholarship student) would otherwise be obligated to pay to
- 8 the eligible school.
- 9 (B) An amount equal to:
- 10 (i) ninety percent (90%) of the state tuition support amount
- 11 determined under section 5 of this chapter if the eligible
- 12 choice scholarship student is a member of a household with
- 13 an annual income of not more than the amount required for
- 14 the eligible choice scholarship student to qualify for the
- 15 federal free or reduced price lunch program;
- 16 (ii) seventy percent (70%) of the state tuition support
- 17 amount determined under section 5 of this chapter if the
- 18 eligible choice scholarship student is a member of a
- 19 household with an annual income of, in the case of an
- 20 individual not described in section 2.5 of this chapter or item
- 21 (i), not more than one hundred twenty-five percent (125%)
- 22 of the amount required for the eligible choice scholarship
- 23 student to qualify for the federal free or reduced price lunch
- 24 program; and
- 25 (iii) fifty percent (50%) of the state tuition support amount
- 26 determined under section 5 of this chapter if the eligible
- 27 choice scholarship student is a member of a household with
- 28 an annual income of, in the case of an individual not
- 29 described in section 2.5 of this chapter or item (i) or (ii), not
- 30 more than one hundred fifty percent (150%) of the amount
- 31 required for the eligible choice scholarship student to
- 32 qualify for the federal free or reduced price lunch program
- 33 or, in the case of an individual described in section 2.5 of
- 34 this chapter, not more than two hundred percent (200%) of
- 35 the amount required for the eligible choice scholarship
- 36 student to qualify for the federal free or reduced price lunch
- 37 program.
- 38 (2) In addition, if the eligible choice scholarship student has been
- 39 identified as eligible for special education services under
- 40 IC 20-35 and the eligible school provides the necessary special
- 41 education or related services to the eligible choice scholarship
- 42 student, any amount that a school corporation would receive



1 under IC 20-43-7 for the eligible choice scholarship student if the
 2 eligible choice scholarship student attended the school
 3 corporation. However, if an eligible choice scholarship student
 4 changes schools during the school year after the December 1
 5 count under ~~IC 20-43-7~~ **IC 20-43-7-1.5** of eligible pupils
 6 enrolled in special education programs and the eligible choice
 7 scholarship student enrolls in a different eligible school, any
 8 choice scholarship amounts paid to the eligible choice scholarship
 9 student for the remainder of the school year after the eligible
 10 choice scholarship student enrolls in the different eligible school
 11 shall not include amounts that a school corporation would receive
 12 under IC 20-43-7 for the eligible choice scholarship student if the
 13 eligible choice scholarship student attended the school
 14 corporation.

15 (b) The amount an eligible choice scholarship student is entitled to
 16 receive under this chapter if the eligible student applies for the choice
 17 scholarship under section 7(e) of this chapter shall be reduced on a
 18 prorated basis in the manner prescribed in section 6 of this chapter.

19 **SECTION 26. [EFFECTIVE JULY 1, 2018 (RETROACTIVE)] (a)**
 20 **The definitions in IC 20 apply throughout this SECTION.**

21 (b) **Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, an**
 22 **elementary school's final category or designation of school**
 23 **performance assigned by the state board under IC 20-31-8-4 for**
 24 **the 2018-2019 school year shall be calculated in the manner**
 25 **provided in 511 IAC 6.2-10, with the exception that an elementary**
 26 **school's category or designation of school performance may not be**
 27 **lower than the school's category or designation of school**
 28 **performance for the 2017-2018 school year.**

29 (c) **For purposes of determining a final category or designation**
 30 **of school performance for a school serving both elementary and**
 31 **high school grade levels, only the elementary school grade levels**
 32 **shall be calculated in the manner provided in 511 IAC 6.2-10, with**
 33 **the exception that the category or designation of school**
 34 **performance may not be lower than the school's category or**
 35 **designation for the elementary school grade levels for the**
 36 **2017-2018 school year. The high school grade levels shall be**
 37 **calculated in the manner provided under 511 IAC 6.2-10.**

38 (d) **The official category or designation of school performance**
 39 **for an elementary or high school for the 2018-2019 school year**
 40 **shall not be used for the purposes of IC 20-31-9, IC 20-24-2.2-2, or**
 41 **IC 20-51-4-9. For purposes of applying consequences under**
 42 **IC 20-31-9, IC 20-24-2.2, and IC 20-51-4-9 for any elementary or**



1 high school, the 2019-2020 school year shall be considered a school
2 year consecutive to or immediately following the 2017-2018 school
3 year.

4 (e) The state board shall adopt emergency rules in the manner
5 provided under IC 4-22-2-37.1 to amend 511 IAC 6.2-10, including
6 amending the points scale used to determine a school's final
7 category or designation of school performance.

8 (f) This SECTION expires July 1, 2021.

9 SECTION 27. [EFFECTIVE UPON PASSAGE] (a) The definitions
10 in IC 20 apply throughout this SECTION.

11 (b) Before July 1, 2021, the state board shall adopt rules under
12 IC 4-22-2 to reflect the changes for granting a license to out of state
13 license holders under IC 20-28-5-18, as amended by this act, and
14 granting an application to add an additional content area to a
15 license under IC 20-28-5-19, as amended by this act.

16 (c) This SECTION expires January 1, 2021.

17 SECTION 28. An emergency is declared for this act.

