

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

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1380

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-19-3-32 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 32. Not later than November 1, 2024, the secretary of education shall prepare and submit to the general assembly in an electronic format under IC 5-14-6 a plan to establish a pilot program that provides innovative approaches concerning the use, operation, and management of school facilities to promote:**

- (1) enhanced learning environments;**
- (2) unique learning opportunities; and**
- (3) improved student academic and health outcomes.**

SECTION 2. IC 20-19-3-33 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 33. Not later than November 1, 2024, the secretary of education shall prepare and submit to the general assembly in an electronic format under IC 5-14-6 a plan to establish a pilot program that encompasses innovative approaches for increasing transportation of students enrolled at a:**

- (1) public school, including a charter school; or**
 - (2) nonpublic school with at least one (1) employee;**
- to travel to and from a school or other learning opportunities in a safe and efficient manner.**

SECTION 3. IC 20-20-40-10, AS ADDED BY P.L.122-2013,

HEA 1380 — CC 1



SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. As used in this chapter, "time-out" means a behavior reduction procedure in which access to reinforcement is withdrawn for a certain period of time. Time-out occurs when the ability of a student to receive normal reinforcement in the school environment is restricted. **The term does not include a supervised time-out or scheduled break, as described in a student's individualized education program.**

SECTION 4. IC 20-20-40-12, AS AMENDED BY P.L.43-2021, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The designee of the secretary of education under section 11(b)(1) of this chapter serves as chairperson of the commission.

(b) The commission shall meet at least ~~annually~~ **biannually** on the call of the chairperson, and may meet as often as is necessary. The chairperson shall provide not less than fourteen (14) days notice of a meeting to the members of the commission and to the public.

(c) The affirmative votes of at least five (5) members of the commission are necessary for the commission to take action. The votes of the commission must be recorded.

(d) All commission meetings shall be open to the public, and each meeting must include opportunities for public comment.

(e) The department shall provide staff support for the commission.

SECTION 5. IC 20-20-40-13, AS AMENDED BY P.L.250-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) The commission has the following duties:

(1) To adopt rules concerning the following:

(A) The use of restraint and seclusion in a school corporation or a state accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.

(B) The prevention of the use of types of restraint or seclusion that may harm a student, a school employee, a school volunteer, or the educational environment of the school.

(C) Requirements for notifying parents.

(D) Training regarding the use of restraint and seclusion, including the frequency of training and what employees must be trained.

(E) The distribution of the seclusion and restraint policy to parents and the public.

(F) Requirements for the reporting of incidents of restraint and seclusion in the annual school performance report, including incidents of restraint and seclusion involving school resource officers (as defined in IC 20-26-18.2-1).

(G) Circumstances that may require more timely incident



reporting and the requirements for such reporting.

(2) To develop, maintain, and revise a model restraint and seclusion plan for schools that includes the following elements:

(A) A statement on how students will be treated with dignity and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict de-escalation to eliminate or minimize the need for use of any of the following:

(i) Seclusion.

(ii) Chemical restraint.

(iii) Mechanical restraint.

(iv) Physical restraint.

(v) Time-out.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:

(i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and

(ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only for a short time period, or until the imminent risk of injury has passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:

(i) how every incident will be documented and debriefed;

(ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and

(iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be



sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict de-escalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of school employees.

(3) To accept and review reports from the public and make nonbinding recommendations to the department of any suggested action to be taken.

(4) To biannually provide a report to the state advisory council on the education of children with disabilities appointed under IC 20-35-3-1 regarding the:

(A) execution of the commission's duties under this section; and

(B) review of incident reports under section 13.6 of this chapter.

(b) The model policy developed by the commission must take into consideration that implementation and reporting requirements for state accredited nonpublic schools may vary, and the model plan must provide state accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by a state accredited nonpublic school under section 14 of this chapter.

(c) The commission will assist the department in enabling training required by this section to be provided after June 30, 2024, through the online platform established or licensed for use under IC 20-19-3-29, if the online platform is established.

SECTION 6. IC 20-20-40-13.6, AS ADDED BY P.L.227-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13.6. (a) The department shall **biannually** review incident reports under rules established by the commission under IC 4-22-2 and submit summary findings to the commission in compliance with the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99).

(b) The commission shall **biannually** review summary findings submitted by the department under subsection (a) and may make nonbinding recommendations to the department or other entities.

(c) If the department receives a recommendation from the commission under subsection (b), the department shall provide the commission a response with regard to the commission's



recommendation in a manner prescribed by the department within a reasonable time after the department receives the recommendation from the commission.

SECTION 7. IC 20-25.7-4-5, AS AMENDED BY P.L.246-2023, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The board shall enter into an agreement with an innovation network team to establish an innovation network school or to reconstitute an eligible school as an innovation network school under section 3 or 4 of this chapter. An innovation network team may consist of or include teachers, a principal, a superintendent, or any combination of these individuals who were employed at the eligible school before the agreement is entered.

(b) The terms of the agreement must specify the following:

- (1) A statement that the innovation network school is considered to be part of the school corporation and not considered a separate local educational agency.
- (2) A statement that the innovation network team authorizes the department to include the innovation network school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.
- (3) The amount of state and federal funding, including tuition support, and money levied as property taxes that will be distributed by the school corporation to the innovation network school.
- (4) The performance goals and accountability metrics agreed upon for the innovation network school.
- (5) Grounds for termination of the agreement, including the right of termination if the innovation network team fails to:
 - (A) comply with the conditions or procedures established in the agreement;
 - (B) meet generally accepted fiscal management and government accounting principles;
 - (C) comply with applicable laws; or
 - (D) meet the educational goals set forth in the agreement between the board and the innovation network team.
- (6) For an agreement entered into or renewed after June 30, 2023, the process the board is required to follow in determining whether to renew the agreement.
- (7) For an agreement entered into or renewed after June 30, 2024, and subject to section 9 of this chapter, the innovation network school's enrollment and discipline policies, including defined attendance areas and enrollment zones.**

(c) If an agreement is entered into under subsection (a), the board



shall notify the department that an agreement has been entered into under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

- (1) the department shall include the innovation network school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;
- (2) the department shall treat the innovation network school in the same manner as a school operated by the school corporation when calculating the total amount of state and federal funding to be distributed to the school corporation; and
- (3) if requested by an innovation network school established under IC 20-25.5-4-2(a)(2) (before its repeal) or IC 20-25.7-4-4(a)(2), the department may use student growth as the state board's exclusive means to determine the innovation network school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network school's category or designation of school improvement. This subdivision expires July 1, 2023.

A school corporation and an innovation network school are not entitled to any state funding in addition to the amount the school corporation and school would otherwise be eligible to receive if the innovation network school were a public school maintained by the school corporation.

(e) If a board or innovation network team fails to follow the renewal process described in subsection (b)(6), the board or innovation network team may appeal to the state board. The state board shall hear the appeal in a public meeting and ensure that the board or innovation network team follows the renewal process specified in the agreement. The board may not terminate an agreement until the board has provided evidence to the state board that the board has complied with the renewal process specified in the agreement. The state board shall issue a decision on an appeal under this subsection not later than sixty (60) days after the date the board or innovation network team submitted the appeal to the state board.

(f) If an administrative fee is included in an agreement entered into or renewed after June 30, 2023, under this section, the fee may not exceed one percent (1%) of the total amount of state tuition support that is distributed to the school corporation based on the student enrollment of the innovation network school.



(g) An agreement entered into between the board and an innovation network team under this section may not be altered without written approval from the innovation network team.

SECTION 8. IC 20-25.7-4-6, AS AMENDED BY P.L.246-2023, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) For as long as an innovation network team operates an innovation network school:

(1) the innovation network team may use the school building, the accompanying real property, and the building's contents, equipment, and supplies, as provided in the agreement established under section 5 of this chapter;

(2) the school corporation may:

(A) provide transportation for students attending the innovation network school; and

(B) maintain and repair the buildings and grounds consistent with the maintenance and repair to the school corporation's other buildings and grounds; ~~and~~

(3) the innovation network team and the school corporation may enter into an agreement to transfer the ownership of a school corporation facility to the innovation network team; **and**

(4) the school corporation may not alter the use of the facility occupied by the innovation network school without agreement from the innovation network team.

(b) If an innovation network team contracts with a school corporation for goods or services, the school corporation may not charge the innovation network team more for the goods or services than the school corporation pays for the goods or services. A school corporation may not require an innovation network team to contract for specific goods or services provided by the school corporation or any other entity.

(c) A school corporation and an innovation network team may negotiate to require specific services with regard to an innovation network school during the term of an agreement. However, subject to subsection (d), an innovation network team must be able to select the service provider for the services.

(d) A school corporation may require an innovation network school to:

(1) use the school corporation's student information system; and

(2) comply with the school corporation's networking, cybersecurity, and device standards.

However, nothing in this subsection may be construed to allow a school corporation to alter an innovation network team's autonomy to determine the academic programming of the innovation network team's school.



(e) For as long as an innovation network team operates an innovation network school, the school corporation may distribute money levied as property taxes to the innovation network team. Property taxes distributed to an innovation network team must be used only for a purpose for which the property taxes could have been used by the school corporation. Property taxes distributed under this subsection may supplement services and property provided under subsection (a) or (b). The parties may jointly modify an agreement described in section 5 of this chapter to implement this subsection.

(f) An agreement concerning the transfer of ownership of a school corporation facility to an innovation network team described in subsection (a) is not subject to IC 20-26-7.1.

SECTION 9. IC 20-25.7-5-2, AS AMENDED BY P.L.201-2023, SECTION 159, AND AS AMENDED BY P.L.246-2023, SECTION 31, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board may enter into an agreement with an organizer to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network charter school may be established within a vacant school building.

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) ~~The amount of state funding, including tuition support~~ **Subject to an administrative fee as described in subsection (g), a statement that the school corporation will distribute at least one hundred percent (100%) of state tuition support dollars that the school corporation receives from student enrollment in the participating innovation network charter school in accordance with the school funding formula to the participating innovation network charter school (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)). and money levied as property taxes that will be distributed by the school corporation to the organizer.**

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the



organizer and the authorizer **and a statement that the school corporation is prohibited from setting additional performance goals or accountability metrics.**

(4) For an agreement entered into or renewed after June 30, 2023, the process the board is required to follow in determining whether to renew the agreement.

(5) The amount of money levied as property taxes that will be distributed by the school corporation to the organizer.

(6) Subject to section 5 of this chapter, the participating innovation network charter school's enrollment and discipline policies, including defined attendance areas and enrollment zones.

(7) A statement that the innovation agreement shall not create an obligation that would cause the organizer to be in violation of its charter agreement (as described in IC 20-24-1-3).

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement.

This subdivision expires July 1, 2023.

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted



with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, ~~2023~~, 2025.

(f) If the board or organizer fails to follow the process described in subsection (b)(4), the board or organizer may appeal to the state board. The state board shall hear the appeal in a public meeting and ensure that the board or organizer follows the renewal process specified in the agreement. The board may not terminate an agreement until the board has provided evidence to the state board that the board has complied with the renewal process specified in the agreement. The state board shall issue a decision on an appeal under this subsection not later than sixty (60) days after the date the board or organizer submitted the appeal to the state board.

(g) If an administrative fee is included in an agreement entered into or renewed after June 30, 2023, under this section, the fee may not exceed one percent (1%) of the total amount of state tuition support that is distributed to the school corporation based on the participating innovation network charter school's student enrollment.

(h) An agreement entered into between the board and an organizer under this section may not be altered without written approval from the organizer.

SECTION 10. IC 20-25.7-5-3, AS AMENDED BY P.L.246-2023, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) For as long as a charter school remains a participating innovation network charter school: ~~the school corporation may:~~

(1) the school corporation may provide transportation for students attending the participating innovation network charter school;

(2) the school corporation may maintain and repair the buildings and grounds used by the participating innovation network charter school consistent with the maintenance and repair to the school corporation's other buildings and grounds; ~~and~~

(3) the school corporation may enter into an agreement to transfer the ownership of a school corporation facility to the organizer; ~~and~~

(4) the school corporation may not alter the use of the facility occupied by the participating innovation network charter school without agreement from the organizer.

(b) If an organizer contracts with a school corporation for goods or services, the school corporation may not charge the organizer more for the goods or services than the school corporation pays for the goods or services. A school corporation may not require an organizer to contract for specific goods or services provided by the school corporation or any



other entity.

(c) A school corporation and an organizer may negotiate to require specific services with regard to a participating innovation network charter school during the term of an agreement. However, an organizer must be able to select the service provider for the services.

(d) For as long as a charter school remains a participating innovation network charter school, the school corporation may distribute money levied as property taxes to the charter school. Property taxes distributed to a charter school must be used only for a purpose for which the property taxes could have been used by the school corporation. Property taxes distributed under this subsection may supplement services and property provided under subsection (a) or (b). The parties may jointly modify an agreement described in section 2 of this chapter to implement this subsection.

(e) An agreement concerning the transfer of ownership of a school corporation facility described in subsection (a) is not subject to IC 20-26-7.1.

(f) Unless an agreement entered into before July 1, 2024, between a board and an organizer provides otherwise, a school corporation may not charge an organizer an amount for goods and services that is greater than the amount of the operations fund property tax levy the organizer receives under IC 20-46-8-11.2 for the participating innovation network charter school.

SECTION 11. IC 20-25.7-5-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) Subject to an administrative fee as described in section 2(g) of this chapter, a school corporation that enters into an agreement with an organizer under this chapter shall distribute at least one hundred percent (100%) of state tuition support dollars that the school corporation receives from student enrollment in the participating innovation network charter school in accordance with the school funding formula to the participating innovation network charter school.**

(b) Unless an agreement entered into before July 1, 2024, between a board and an organizer provides otherwise, all participating innovation network charter schools operating under existing agreements with boards as of July 1, 2024, will receive funds as required under subsection (a).

SECTION 12. IC 20-26-11-6, AS AMENDED BY P.L.30-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 6. (a) A school corporation may accept a transferring student without approval of the transferor corporation under section 5 of this chapter.**

(b) A transfer may be accepted regardless of whether, as a condition



of the transfer, the transferee school requires the requesting parents or student to pay transfer tuition in an amount determined under the formula established in section 13 of this chapter for the payment of transfer tuition by a transferor school corporation. However, if the transferee school elects to charge transfer tuition, the transferee school may not offset the amounts described in section 13(b) STEP TWO (B) through section 13(b) STEP TWO (D) of this chapter from the amount charged to the requesting parents or student.

(c) When the transferee school elects to charge tuition to the requesting parents or student, the tuition determined under subsection (b) must be paid by the parents or the student before the end of the school year in installments as determined by the transferee corporation.

(d) Failure to pay a tuition installment that is agreed to by the parents or student and the transferee school corporation is a ground for exclusion from school.

(e) If the transferee school elects not to charge transfer tuition to the parents or student under this section, the transferee school may not charge transfer tuition or fees to the transferor school.

(b) A transferee corporation may not require a parent or student requesting transfer to the school corporation to pay transfer tuition or any other fee associated with the transfer of the student.

SECTION 13. IC 20-26-11-6.7, AS AMENDED BY P.L.92-2020, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6.7. (a) This section:

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

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

- (1) the student attended a state accredited nonpublic elementary school located in the attendance area of the transferee school corporation for at least two (2) school years immediately preceding the school year in which the student transfers to a high school in the transferee school corporation under this section;
- (2) the student is transferring because the state accredited nonpublic school from which the student is transferring does not offer grades 9 through 12; **and**
- (3) the majority of the students in the same grade as the transferring student at the state accredited nonpublic school have legal settlement in the transferee school corporation and will



attend a school under the authority of the transferee school corporation; and

~~(4)~~ (3) the transferee school corporation has the capacity to accept students.

(c) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

SECTION 14. IC 20-27-12.1-2, AS ADDED BY P.L.155-2020, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this chapter, "career and technical education" ~~has the meaning set forth in IC 20-20-38-1.~~ **refers to:**

- (1) **an apprenticeship program (as defined in IC 20-43-8-0.3);**
- (2) **a career and technical education (as defined in IC 20-20-38-1) program;**
- (3) **a modern youth apprenticeship (as defined in IC 20-51.4-2-9.5); and**
- (4) **a work based learning course (as defined in IC 20-43-8-0.7).**

SECTION 15. IC 20-32-8.7-5, AS AMENDED BY P.L.171-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) **Subject to available funding**, the student learning recovery grant program is established to provide grants to an eligible entity for the purpose of providing recovery learning and remediation to students in kindergarten through grade 12 who:

- (1) have experienced learning loss;
- (2) have fallen behind in acquiring anticipated grade level academic skills and knowledge;
- (3) have scored below academic standards or average benchmarks; or
- (4) are at risk of falling below academic standards.

~~due to the disruption in student education caused by the coronavirus disease (COVID-19) pandemic and insufficient instructional alternatives.~~

(b) The department shall administer the program.

(c) The department may award grants to eligible entities under the program. ~~in state fiscal year 2024 and state fiscal year 2025 from funds appropriated during the 2021 regular session of the Indiana general assembly that have not been obligated.~~

SECTION 16. IC 20-32-8.7-7, AS AMENDED BY P.L.171-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. ~~(a)~~ To be eligible to receive a grant under this chapter, an eligible entity must do the following:



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

(2) Apply by a date established by the department.

(3) Develop and submit to the department a student learning recovery plan that meets the requirements in section 8 of this chapter and any other requirements established by the department. ~~including a requirement that a school corporation or charter school identified in the plan provide a matching grant in an amount determined by the department.~~

(4) Specify the amount requested in the student learning recovery plan submitted by the eligible entity under subdivision (3).

~~(b) If a school corporation or charter school is required to provide a matching grant as part of a student learning recovery plan, the matching grant may only consist of federal funds received by the school corporation or charter school.~~

SECTION 17. IC 20-32-8.7-8, AS AMENDED BY P.L.216-2021, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) To be eligible to receive a grant under this chapter, an eligible entity must develop and submit to the department a student learning recovery plan to provide recovery learning to students of the eligible entity described in section 5(a) of this chapter.

(b) A plan developed under subsection (a) must do the following:

(1) Address learning loss associated with the purpose of the program described in section 5(a) of this chapter.

(2) Identify metrics to measure learning recovery under the program as well as the proposed measurable and specific improvements to be made to demonstrate learning recovery.

(3) Provide for recovery learning to be offered in an in person setting, and may not offer recovery learning in a virtual setting.

~~(4) Include requirements that if the eligible entity receives any federal grants or money for a similar purpose in which the eligible entity is requesting a grant under this chapter, the eligible entity must use the federal grant or money before using any grant money awarded by the department under section 9 of this chapter.~~

SECTION 18. IC 20-32-8.7-13, AS AMENDED BY P.L.171-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) Not later than July 1 2023; ~~and July 1, 2024,~~ **of each year,** the department shall prepare an annual report that includes the following:

(1) A list of all of the eligible entities that participated in the program.

(2) The amount of the grant awarded to each participating eligible entity.

(3) The total amount of grants awarded under this chapter.



(b) The department shall submit the report described in subsection (a) to the:

- (1) governor; and
- (2) legislative council in an electronic format under IC 5-14-6.

SECTION 19. IC 20-32-8.7-15 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 15: There is appropriated to the fund one hundred fifty million dollars (\$150,000,000) from the state general fund for the purposes of providing grants under this chapter for the state fiscal year beginning July 1, 2020, and ending June 30, 2021. Funds appropriated under this section do not revert to the state general fund and remain available to be spent for purposes of the program.~~

SECTION 20. IC 20-32-8.7-16 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 16: This chapter expires July 1, 2025.~~

SECTION 21. IC 20-33-2-17, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. The governing body of a school corporation, **the organizer of a charter school**, or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is:

- (1) **not a habitual truant (as defined in IC 20-18-2-6.5); and**
- (2) **ordered to active duty with the armed forces of the United States, including their reserve components, or the Indiana National Guard for not more than ten (10) at least fifteen (15) days in a school year.**

However, the governing body of a school corporation, the organizer of a charter school, or the chief administrative officer of a nonpublic school system may authorize additional excused absences for additional military training. For verification, the student must submit to school authorities a copy of the orders to active duty and a copy of the orders releasing the student from active duty. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

SECTION 22. IC 20-35-2-1, AS AMENDED BY P.L.43-2021, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) There is established under the state board a division of special education. The division shall exercise all the power and duties set out in this chapter, IC 20-35-3 through IC 20-35-6, and IC 20-35-8.

(b) The governor shall appoint, upon the recommendation of the secretary of education, a director of special education who serves at the pleasure of the governor. The amount of compensation of the director shall be determined by the budget agency with the approval of the governor. The director has the following duties:



(1) To do the following:

(A) Have general supervision of special education programs and services, including those conducted by school corporations, charter schools, the Indiana School for the Blind and Visually Impaired, the Indiana School for the Deaf, the department of correction, and the division of mental health and addiction to ensure compliance with federal and state special education laws and rules.

(B) Take appropriate action to ensure school corporations, charter schools, and the department remain eligible for federal special education funds.

(C) Oversee the training of hearing officers and establish guidelines as described in IC 20-35-14-5.

(2) With the consent of the secretary of education and the budget agency, to appoint and determine salaries for any assistants and other personnel needed to enable the director to accomplish the duties of the director's office.

SECTION 23. IC 20-35-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

Chapter 14. Employment of Independent Hearing Officers

Sec. 1. As used in this chapter, "IDEA" refers to the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.

Sec. 2. As used in this chapter, "office" has the meaning set forth in IC 4-15-10.5-6.

Sec. 3. (a) The office has jurisdiction over hearing officers authorized to conduct hearings required by the IDEA.

(b) The office is granted jurisdiction to conduct hearings described in subsection (a) as permitted under IC 4-15-10.5-12.

Sec. 4. Not later than August 1, 2024, the department and the office shall enter into a memorandum of understanding regarding the transition to hearing officers employed by the office as full-time, salaried, state employees to act as and satisfy the requirements regarding independent hearing officers under the IDEA.

Sec. 5. The director of special education appointed under IC 20-35-2-1 shall:

(1) oversee the training of hearing officers; and

(2) establish guidelines for hearing officers who conduct hearings under this chapter, including guidelines to ensure compliance with state and federal special education laws and rules.

Sec. 6. The office shall:

(1) determine the cost of conducting hearings under this chapter; and



(2) after July 1, 2025, assess each school corporation and charter school in the state, based on the weighted ADM count, a fee that is sufficient to cover the costs determined under subdivision (1).

SECTION 24. IC 20-40-18-8, AS ADDED BY P.L.244-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) A school corporation shall use the operations fund to pay the transportation costs attributable to transportation of school children as specified in subsection (b).

(b) Only the following costs are payable from the fund:

- (1) Salaries paid to bus drivers, transportation supervisors, mechanics and garage employees, clerks, and other transportation related employees.
- (2) Contracted transportation services.
- (3) Wages of independent contractors.
- (4) Contracts with common carriers.
- (5) Student fares.
- (6) Transportation related insurance.

(7) Transportation of school children to:

- (A) an apprenticeship program (as defined in IC 20-43-8-0.3);**
- (B) a career and technical education (as defined in IC 20-20-38-1) program;**
- (C) a modern youth apprenticeship (as defined in IC 20-51.4-2-9.5); and**
- (D) a work based learning course (as defined in IC 20-43-8-0.7).**

~~(7)~~ **(8)** Other expenses of operating the school corporation's transportation service, including gasoline, lubricants, tires, repairs, contracted repairs, parts, supplies, equipment, and other related expenses.

(c) Percentages or parts of salaries of teaching personnel or principals are not attributable to transportation. However, parts of salaries of instructional aides who are assigned to assist with the school transportation program are attributable to transportation. The costs described in this subsection (other than instructional aide costs) may not be budgeted for payment or paid from the fund.

(d) Costs for a calendar year are those costs attributable to transportation for students during the school year ending in the calendar year.

SECTION 25. IC 20-46-1-8, AS AMENDED BY P.L.189-2023, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to subsections (e), (f), and (g) and this chapter, the governing body of a school corporation may adopt



a resolution to place a referendum under this chapter on the ballot for any of the following purposes:

- (1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.
- (2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.
- (3) Except for resolutions described in subsection (b), the governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (e).
- (b) A resolution for a referendum for a county described in section 21 of this chapter that is adopted after May 10, 2023, shall specify that a portion of the proceeds collected from the proposed levy will be distributed to applicable charter schools in the manner described under section 21 of this chapter.
- (c) The governing body of the school corporation shall certify a copy of the resolution to place a referendum on the ballot to the following:
 - (1) The department of local government finance, including:
 - (A) the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter; and
 - (B) a copy of the revenue spending plan adopted under subsection (g).

The language of the public question must include the estimated average percentage increases certified by the county auditor under section 10(e) or 10.1(f) of this chapter, as applicable. The governing body of the school corporation shall also provide the county auditor's certification described in section 10(e) or 10.1(f) of this chapter, as applicable. The department of local government finance shall post the values certified by the county auditor to the department's website. The department shall review the language for compliance with section 10 or 10.1 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of



the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(d) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(e) Except as provided in section 21 of this chapter, the resolution described in subsection (a) must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

(f) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. The resolution described in subsection (a) shall include a projection of the amount that the school corporation expects to be distributed to a particular charter school, excluding virtual charter schools or adult high schools, under section 21 of this chapter if the charter school voluntarily elects to participate in the referendum in the manner described in subsection (i). At least sixty (60) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact the department to determine the number of students in kindergarten through grade 12 who have legal settlement in the school corporation but attend a charter school, excluding virtual charter schools or adult high schools, and who receive not more than fifty percent (50%) virtual instruction. The department shall provide the school corporation with the number of students with legal settlement in the school corporation who attend a charter school and who receive not more than fifty percent (50%) virtual instruction, which shall be disaggregated for each particular charter school, excluding a virtual charter school or adult high school. The projection may include an expected increase in charter schools during the term the levy is imposed under this chapter. The department of local government finance shall prescribe the manner



in which the projection shall be calculated. The governing body shall take into consideration the projection when adopting the revenue spending plan under subsection (g).

(g) As part of the resolution described in subsection (a), the governing body of the school corporation shall adopt a revenue spending plan for the proposed referendum tax levy that includes:

- (1) an estimate of the amount of annual revenue expected to be collected if a levy is imposed under this chapter;
- (2) the specific purposes for which the revenue collected from a levy imposed under this chapter will be used;
- (3) an estimate of the annual dollar amounts that will be expended for each purpose described in subdivision (2); and
- (4) for a resolution for a referendum that is adopted after May 10, 2023, for a county described in section 21(a) of this chapter, the projected revenue that shall be distributed to charter schools as provided in subsections (f) and (i). The revenue spending plan shall also take into consideration deviations in the proposed revenue spending plan if the actual charter school distributions exceed or are lower than the projected charter school distributions described in subsection (f). The resolution shall include for each charter school that elects to participate under subsection (i) information described in subdivisions (1) through (3).

(h) A school corporation shall specify in its proposed budget the school corporation's revenue spending plan adopted under subsection (g) and annually present the revenue spending plan at its public hearing on the proposed budget under IC 6-1.1-17-3.

(i) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least forty-five (45) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact each charter school, excluding virtual charter schools or adult high schools, disclosed by the department to the school corporation under subsection (f) to determine whether the charter school will participate in the referendum. **The notice must include the total amount of the school corporation's expected need, the corresponding estimate for that amount divided by the number of students enrolled in the school corporation, and the date on which the governing body of the school corporation will vote on the resolution.** The charter school must respond in writing to the school corporation, **which may be by electronic mail addressed to the superintendent of the school corporation,** at least fifteen (15) days prior to the date that the resolution described in subsection (a) is to be voted on by the governing body. If the charter school elects to not participate in the referendum, the school corporation may exclude



distributions to the charter school under section 21 of this chapter and from the projection described in subsection (f). If the charter school elects to participate in the referendum, the charter school may receive distributions under section 21 of this chapter and must be included in the projection described in subsection (f). In addition, a charter school that elects to participate in the referendum under this subsection shall contribute a proportionate share of the cost to conduct the referendum based on the total combined ADM of the school corporation and any participating charter schools.

(j) This subsection applies to a resolution described in subsection (a) for a county described in section 21(a) of this chapter that is adopted after May 10, 2023. At least thirty (30) days before the ~~resolution described in subsection (a)~~ **referendum submitted to the voters under this chapter** is voted on by the ~~governing body, public in a primary or general election~~, the school corporation that is pursuing the ~~resolution referendum~~ and any charter school that has elected to participate under subsection (i), shall post a referendum disclosure statement on each school's respective website that contains the following information:

- (1) The salaries ~~of all employees employed by~~ **position within** the school corporation or charter school listed from highest salary to lowest salary **and a link to Gateway Indiana for access to individual salaries.**
- (2) An acknowledgment that the school corporation or charter school is not committing any crime described in IC 35-44.1-1.
- (3) A link to the school corporation's or charter school's most recent state board of accounts audit on the state board of accounts' website.
- (4) The current enrollment of the school corporation or charter school disaggregated by student group and race.
- (5) The school corporation's or charter school's high school graduation rate.
- (6) The school corporation's or charter school's annual retention rate for teachers for the previous five (5) years.

SECTION 26. IC 20-46-9-6, AS AMENDED BY P.L.189-2023, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot if the governing body of the school corporation determines that a referendum levy should be imposed for measures to improve school safety as described in IC 20-40-20-6(a) or IC 20-40-20-6(b).

(b) Except as provided in section 22 of this chapter, a school corporation may, with the approval of the majority of members of the



governing body, distribute a portion of the proceeds of a tax levy collected under this chapter that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in IC 20-40-20-6(a).

(c) This subsection applies to a resolution described in subsection (a) that is adopted after May 10, 2023, in a county described in section 22(a) of this chapter. A resolution shall specify that a portion of the proceeds of the proposed levy will be distributed to applicable charter schools in the manner described under section 22 of this chapter if the charter school voluntarily elects to participate in the referendum in the manner described in subsection (i).

(d) This subsection applies to a resolution described in subsection (a) that is adopted after May 10, 2023, in a county described in section 22(a) of this chapter. The resolution described in subsection (a) shall include a projection of the amount that the school corporation expects to be distributed to a particular charter school, excluding virtual charter schools or adult high schools, under section 22 of this chapter that elects to participate in the referendum under subsection (i). At least sixty (60) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact the department to determine the number of students in kindergarten through grade 12 who have legal settlement in the school corporation but attend a charter school, excluding virtual charter schools or adult high schools, and who receive not more than fifty percent (50%) virtual instruction. The department shall provide the school corporation with the number of students with legal settlement in the school corporation who attend a charter school, which shall be disaggregated for each particular charter school, excluding a virtual charter school or adult high school. The projection may include an expected increase in charter schools during the term the levy is imposed. The department of local government finance shall prescribe the manner in which the projection shall be calculated. The governing body shall take into consideration the projection when adopting the revenue spending plan under subsection (g).

(e) The governing body of the school corporation shall certify a copy of the resolution to the following:

- (1) The department of local government finance, including:
 - (A) the language for the question required by section 9 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance, section 10 of this chapter; and
 - (B) a copy of the revenue spending plan adopted under subsection (g).



The language of the public question must include the estimated average percentage increases certified by the county auditor under section 9(d) or 10(f) of this chapter, as applicable. The governing body of the school corporation shall also provide the county auditor's certification described in section 9(d) or 10(f) of this chapter, as applicable. The department of local government finance shall post the values certified by the county auditor to the department's website. The department shall review the language for compliance with section 9 or 10 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(f) Except as provided in section 22 of this chapter, the resolution described in subsection (a) must indicate whether proceeds in the school corporation's fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-20-6(b) as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

(g) As part of the resolution described in subsection (a), the governing body of the school corporation shall adopt a revenue spending plan for the proposed referendum tax levy that includes:

(1) an estimate of the amount of annual revenue expected to be collected if a levy is imposed under this chapter;

(2) the specific purposes described in IC 20-40-20-6 for which the revenue collected from a levy imposed under this chapter will be used;

(3) an estimate of the annual dollar amounts that will be expended for each purpose described in subdivision (2); and

(4) for a resolution for a referendum that is adopted after May 10, 2023, for a county described in section 22(a) of this chapter, the projected revenue that shall be distributed to charter schools as provided in subsection (d). The revenue spending plan shall also



take into consideration deviations in the proposed revenue spending plan if the actual charter school distributions exceed or are lower than the projected charter school distributions described in subsection (d). The resolution shall include for each charter school that elects to participate under subsection (i) information described in subdivisions (1) through (3).

(h) A school corporation shall specify in its proposed budget the school corporation's revenue spending plan adopted under subsection (g) and annually present the revenue spending plan at its public hearing on the proposed budget under IC 6-1.1-17-3.

(i) This subsection applies to a resolution described in subsection (a) for a county described in section 22(a) of this chapter that is adopted after May 10, 2023. At least forty-five (45) days before the resolution described in subsection (a) is voted on by the governing body, the school corporation shall contact each charter school, excluding virtual charter schools or adult high schools, disclosed by the department to the school corporation under subsection (f) to determine whether the charter school will participate in the referendum. **The notice must include the total amount of the school corporation's expected need, the corresponding estimate of that amount divided by the number of students enrolled in the school corporation, and the date on which the governing body of the school corporation will vote on the resolution.** The charter school must respond in writing to the school corporation, **which may be by electronic mail addressed to the superintendent of the school corporation,** at least fifteen (15) days prior to the date that the resolution described in subsection (a) is to be voted on by the governing body. If the charter school elects to not participate in the referendum, the school corporation may exclude distributions to the charter school under section 22 of this chapter and from the projection described in subsection (d). If the charter school elects to participate in the referendum, the charter school may receive distributions under section 22 of this chapter and must be included in the projection described in subsection (d). In addition, a charter school that elects to participate in the referendum under this subsection shall contribute a proportionate share of the cost to conduct the referendum based on the total combined ADM of the school corporation and any participating charter schools.

(j) This subsection applies to a resolution described in subsection (a) for a county described in section 22(a) of this chapter that is adopted after May 10, 2023. At least thirty (30) days before the ~~resolution described in subsection (a)~~ **referendum submitted to the voters under this chapter** is voted on by the ~~governing body~~, **public in a primary or general election**, the school corporation that is pursuing the ~~resolution~~ **referendum** and any charter school that has



elected to participate under subsection (i), shall post a referendum disclosure statement on each school's respective website that contains the following information:

- (1) The salaries ~~of all employees employed by~~ **position within** the school corporation or charter school listed from highest salary to lowest salary **and a link to Gateway Indiana for access to individual salaries.**
- (2) An acknowledgment that the school corporation or charter school is not committing any crime described in IC 35-44.1-1.
- (3) A link to the school corporation's or charter school's most recent state board of accounts audit on the state board of accounts' website.
- (4) The current enrollment of the school corporation or charter school disaggregated by student group and race.
- (5) The school corporation's or charter school's high school graduation rate.
- (6) The school corporation's or charter school's annual retention rate for teachers for the previous five (5) years.

SECTION 27. IC 20-51-1-5, AS AMENDED BY P.L.201-2023, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. "Eligible student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least four (4) years of age and less than twenty-two (22) years of age ~~on the date in the school year specified in IC 20-33-2-7;~~ **on October 1 of the applicable school year;**
- (3) either has been or is currently enrolled in a participating school; and
- (4) is a member of a household with an annual income of not more than four hundred percent (400%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 28. IC 20-51.4-2-4, AS ADDED BY P.L.165-2021, SECTION 180, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. "Eligible student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age ~~on the date in the school year specified in IC 20-33-2-7;~~ **on October 1 of the applicable school year;**
- (3) is a student with a disability at the time the account is established who requires special education and for whom:
 - (A) an individualized education program;
 - (B) a service plan developed under 511 IAC 7-34; or



(C) a choice special education plan developed under 511 IAC 7-49;

has been developed; and

(4) meets the annual income qualification requirement for a choice scholarship student under IC 20-51-1.

SECTION 29. IC 20-52-3-3, AS ADDED BY P.L.168-2022, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) To be considered an enrichment student, the student must at a minimum:

(1) have experienced learning loss;

(2) have fallen behind in acquiring anticipated grade level academic skills and knowledge;

(3) have scored below academic standards or average benchmarks; or

(4) be at risk of falling below academic standards.

However, the department may establish more stringent criteria for determining eligibility for a grant under this article.

(b) For each school year, the department shall determine, based on the amount of funds available for the program, the number of grants that the department will award under the program. The number of applications approved and the number of grants awarded under this article by the department for the school year may not exceed the number determined by the department under this section.

~~(c) Only federal funds may be used to award grants under this article. A grant may not be made under this article after funds received by the department from the Elementary and Secondary School Emergency Relief Fund (ESSER fund) are exhausted.~~

SECTION 30. IC 20-52-4-2, AS AMENDED BY P.L.171-2023, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) An enrichment student who currently maintains an account is entitled to a grant amount, the amount of which shall be subject to available funding and determined by the department. The department shall deposit the enrichment grant amount under this section into an enrichment student's account in a manner established by the department.

(b) Except as provided in subsection (c), at the end of the year in which an account is established, the parent of an enrichment student may roll over for use in a subsequent year the amount available in the enrichment student's account.

(c) **The department shall determine conditions under which an enrichment student's account shall terminate.** ~~October 1, 2024.~~

SECTION 31. IC 20-52-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. (Expiration).

SECTION 32. IC 21-39-9.1 IS ADDED TO THE INDIANA CODE



AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

Chapter 9.1. Publication of Hazing Incidents

Sec. 1. As used in this chapter, "group or organization" means a club, an association, a corporation, an order, a society, a private club, a fraternity or sorority, or a varsity or club athletic team primarily made up of students or alumni, regardless of whether it is chartered by a national organization.

Sec. 2. A state educational institution shall implement a policy to publish a public report on the institution's website concerning any act of hazing that is adjudicated by the institution.

Sec. 3. (a) A public report published under section 2 of this chapter must include the following:

- (1) The name of the group or organization involved in the hazing.
- (2) The date on which the hazing incident occurred.
- (3) The date the state educational institution started the investigation.
- (4) The date the group or organization was charged with misconduct.
- (5) The date on which the citation, sanction, or other punishment was implemented.
- (6) A description of:
 - (A) the hazing incident;
 - (B) the findings of the investigation; and
 - (C) the citation, sanction, or other punishment implemented.
- (7) The date the state educational institution completed the investigation.

(b) A public report published under section 2 of this chapter:

- (1) may not include personal identifying information of the individual student members and is subject to the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g et seq.); and
- (2) must include the following:
 - (A) A notice that:
 - (i) additional information related to the investigation, citation, sanction, other punishment, and group or organization is available upon request;
 - (ii) the state educational institution is required to comply with IC 5-14-3 (access to public records); and
 - (iii) information protected by the federal Educational Rights and Privacy Act (20 U.S.C. 1232g et seq.) may not be released.
 - (B) Instructions on how a person may request additional



information from the state educational institution about an incident contained in the public report.

SECTION 33. IC 22-14-2-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 13. (a) An individual who is at least sixteen (16) years of age may enroll in and attend a training program for certification as:**

- (1) a Firefighter I;**
- (2) a Firefighter II; or**
- (3) an emergency medical technician.**

(b) This section does not affect the minimum age requirements for:

- (1) employment as a firefighter or emergency medical technician; or**
- (2) certification by a national certification agency.**

SECTION 34. [EFFECTIVE JULY 1, 2024] **(a) The board of firefighting personnel standards and education shall adopt rules under IC 4-22-2 to amend 655 IAC 1-1-1.1 to conform with IC 22-14-2-13, as added by this act.**

(b) This SECTION expires July 1, 2025.

SECTION 35. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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