

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1549

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 4-3-26-10, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The MPH shall do the following:

(1) Establish and maintain a program to collect, analyze, and exchange government information in carrying out the powers and duties of the OMB and the powers and duties of the executive state agency sharing the data. In carrying out this program, the MPH may, in accordance with IC 4-1-6, obtain government information from each executive state agency.

(2) In accordance with IC 4-1-6 and IC 5-14-3, establish and maintain a program to make government information available to executive state agencies, political subdivisions, educational institutions, researchers, nongovernmental organizations, and the general public, subject to the following:

(A) A request for data subject to IC 4-1-6-8.6 shall be made in conformance with that section.

(B) A program established and maintained under this chapter must include policies governing access to government information held by the MPH under this chapter. Government information may be made available only in accordance with



applicable confidentiality and disclosure laws.

(3) Establish privacy and quality policies for government information that comply with all applicable Indiana and federal laws, rules, and policies.

(4) In accordance with standards developed by the office of technology established by IC 4-13.1-2-1, establish and maintain a program to ensure the security of government information under this chapter.

(5) Conduct operational and procedural audits of executive state agencies.

(6) Perform financial planning and design and implement efficiency projects for executive state agencies.

(7) Advise and assist each executive state agency to identify and implement continuous process improvement in state government.

(8) Carry out such other responsibilities as may be designated by the director of the OMB or the chief data officer to carry out the responsibilities of the OMB or the chief data officer.

(9) Collect income data of or by a student upon the student's graduation from high school that can be linked to the student's kindergarten through grade 12 student identification number necessary for the department to carry out IC 20-19-3-22.3. The MPH may not disclose any personal, identifiable information to the department.

SECTION 2. IC 4-3-27-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 17. (a) The cabinet may establish a course catalog which must be maintained on the cabinet's Internet web site with links to the course catalog maintained on the department of workforce development's Internet web site and the commission for higher education's Internet web site. The course catalog shall be known as the course catalog for lifelong learning. The course catalog shall list all:**

(1) work based learning, preapprenticeship, and apprenticeship opportunities in Indiana; and

(2) providers that are eligible to receive high value workforce ready grants described under IC 21-12-8.

(b) The cabinet may list the cost of each course or experience in the catalog as well as a link on the cabinet's Internet web site to allow an individual to enroll in a particular course or experience.

SECTION 3. IC 12-17.2-2-8, AS AMENDED BY P.L.1-2005, SECTION 136, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 8. The division shall exempt from**



licensure the following programs:

- (1) A program for children enrolled in grades kindergarten through 12 that is operated by the department of education or a public or private school.
- (2) A program for children who become at least three (3) years of age as of December 1 of a particular school year (as defined in IC 20-18-2-17) that is operated by the department of education or a public or private school.
- (3) A nonresidential program for a child that provides child care for less than four (4) hours a day.
- (4) A recreation program for children that operates for not more than ninety (90) days in a calendar year.
- (5) A program whose primary purpose is to provide social, recreational, or religious activities for school age children, such as scouting, boys club, girls club, sports, or the arts.
- (6) A program operated to serve migrant children that:
 - (A) provides services for children from migrant worker families; and
 - (B) is operated during a single period of less than one hundred twenty (120) consecutive days during a calendar year.
- (7) A child care ministry registered under IC 12-17.2-6.
- (8) A child care home if the provider:
 - (A) does not receive regular compensation;
 - (B) cares only for children who are related to the provider;
 - (C) cares for less than six (6) children, not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative; or
 - (D) operates to serve migrant children.
- (9) A child care program operated by a public or private secondary school that:
 - (A) provides day care on the school premises for children of a student or an employee of the school;
 - (B) complies with health, safety, and sanitation standards as determined by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of this chapter; and
 - (C) substantially complies with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of



this chapter.

(10) A school age child care program (commonly referred to as a latch key program) established under IC 20-26-5-2 that is operated by:

- (A) the department of education;
- (B) a public or private school; or
- (C) a public or private organization under a written contract with:

- (i) the department of education; or
- (ii) a public or private school.

(11) An educational program:

(A) consisting of a group of not more than ten (10) students who attend the educational program in lieu of attending pre-kindergarten or kindergarten through grade 12 at a public or private school;

(B) whose students meet in a single classroom in person or outside a classroom and which may include mixed age level groupings; and

(C) that is under the supervision of a teacher or tutor.

SECTION 4. IC 12-17.2-7.2-5.7, AS ADDED BY P.L.268-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2021 (RETROACTIVE)]: Sec. 5.7. As used in this chapter, "priority enrollment period" refers to the period set forth by the office beginning not later than April 1 of each calendar year, **except for calendar year 2021, during which the priority enrollment period may begin later than April 1, 2021.**

SECTION 5. IC 12-17.2-7.2-8.1, AS ADDED BY P.L.268-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.1. (a) ~~Up to twenty percent (20%) of the grants provided under this chapter may be used to provide grants to limited eligibility children.~~ **If funds are appropriated by the general assembly, grants to limited eligibility children may not exceed:**

(1) twenty percent (20%) of the amount appropriated for a particular state fiscal year if families with children four (4) years of age are on the waiting list for funds available under the Child Care Development Fund; or

(2) forty percent (40%) of the amount appropriated for a particular state fiscal year if there is no waiting list for children four (4) years of age for funds available under the Child Care Development Fund.

(b) During the priority enrollment period, the office shall provide grants to eligible children in the prekindergarten pilot program on a



first-come, first-served basis. The office shall date stamp and reserve applications for limited eligibility children received during the priority enrollment period for processing during the extended enrollment period.

(c) During the extended enrollment period, the office shall provide grants to eligible children and limited eligibility children in the prekindergarten pilot program on a first-come, first-served basis to the extent of available funding and in accordance with the limit established by subsection (a).

SECTION 6. IC 20-18-2-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 1.7. (a) "Appropriate vehicle" means a vehicle that:**

- (1) is owned by a school corporation or contracted for by the school corporation; and**
- (2) has a seating capacity of not more than eight (8) passengers, including the driver.**

(b) The term includes a car, truck, sport utility vehicle, or minivan.

SECTION 7. IC 20-18-2-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 15.5. "School based enterprise" means a program that:**

- (1) includes interactions with customers or clients;**
- (2) is a career based course; and**
- (3) includes ongoing business training provided by a teacher.**

SECTION 8. IC 20-19-3-22.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.3. (a) Beginning with students who graduated during the 2017-2018 school year and not later than January 1, 2022, the department, in collaboration with the management performance hub established by IC 4-3-26-8, shall report on the department's Internet web site the median earned income of graduates of a particular school year, for each school corporation, charter high school, or state accredited nonpublic school.**

(b) The median earned income for a particular graduating class shall be available on the department's Internet web site for a period of ten (10) years beginning with the school year in which the median earned income for a particular graduating class is initially reported in this section. The median earned income of a particular graduating class for a school corporation, charter school, or state accredited nonpublic school shall be updated annually.



(c) The department may not disclose any personal, identifiable information of any individual under this section.

SECTION 9. IC 20-19-3-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 24. (a) Not later than January 1, 2022, the department shall make informational material that is evidence based and trauma informed in accordance with IC 20-28-5-26 available on the department's Internet web site.**

(b) Not later than January 1, 2022, and each January 1 thereafter, the department shall provide a notice to each school corporation and charter school on how to access the information maintained on the department's Internet web site under subsection (a). The notice shall indicate that the school corporation or charter school may, and is encouraged to, distribute the informational material to the school corporation's or charter school's employees in a manner prescribed by the school corporation or charter school.

SECTION 10. IC 20-19-9-4, AS ADDED BY P.L.211-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. (a) If the lesser of at least:**

- (1) one hundred (100) students of a school corporation; or
- (2) thirty percent (30%) of the total number of students enrolled in the school corporation;

receive at least fifty percent (50%) of instruction through a school corporation's virtual education program, the school corporation shall establish a dedicated virtual education school.

(b) The department shall assign a separate school identification number for the dedicated virtual education school.

(c) Before July 1, 2022, the state board shall adopt rules under IC 4-22-2 to establish financial reporting and oversight required by a school corporation and a vendor who enter into or renew a contract relating to the operation of a dedicated virtual education school.

SECTION 11. IC 20-24-5-5, AS AMENDED BY P.L.270-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5. (a) Except as provided in subsections (b), (c), (d), (e), and (f), and (g) and section 4.5 of this chapter, a charter school must enroll any eligible student who submits a timely application for enrollment.**

(b) This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a charter school receives a



greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The organizer must determine which of the applicants will be admitted to the charter school or the program, class, grade level, or building by random drawing in a public meeting, with each timely applicant limited to one (1) entry in the drawing. However, the organizer of a charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.

(c) A charter school may limit new admissions to the charter school to:

- (1) ensure that a student who attends the charter school during a school year may continue to attend the charter school in subsequent years;
- (2) ensure that a student who attends a charter school during a school year may continue to attend a different charter school held by the same organizer in subsequent years;
- (3) allow the siblings of a student alumnus or a current student who attends a charter school or a charter school held by the same organizer to attend the same charter school the student is attending or the student alumnus attended;
- (4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at a charter school if the charter school and the preschool provider have entered into an agreement to share services or facilities;
- (5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to a charter school if the preference is specifically provided for in the charter school's charter and is approved by the authorizer; and
- (6) allow each student who attends a charter school that is co-located with the charter school to receive preference for admission to the charter school if the preference is specifically provided for in the charter school's charter and is approved by the charter school's authorizer.

(d) This subsection applies to an existing school that converts to a charter school under IC 20-24-11. During the school year in which the existing school converts to a charter school, the charter school may limit admission to:

- (1) those students who were enrolled in the charter school on the date of the conversion; and



(2) siblings of students described in subdivision (1).

(e) A charter school may give enrollment preference to children of the charter school's founders, governing body members, and charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the charter school's total population.

(f) A charter school may give enrollment preference to children who attend another charter school that is closed or non-renewed under IC 20-24-4-3 or IC 20-24-9-4.

~~(f)~~ (g) A charter school may not suspend or expel a charter school student or otherwise request a charter school student to transfer to another school on the basis of the following:

- (1) Disability.
- (2) Race.
- (3) Color.
- (4) Gender.
- (5) National origin.
- (6) Religion.
- (7) Ancestry.

A charter school student may be expelled or suspended only in a manner consistent with discipline rules established under IC 20-24-5.5.

SECTION 12. IC 20-24-9-8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2021]: **Sec. 8. (a) This section does not apply to the following:**

- (1) To an organizer that operates two (2) or more charter schools unless all charter schools operated by the organizer are located within the same county.**
- (2) To the organizer of a virtual charter school.**
- (3) To an innovation network school under IC 20-25.7.**

(b) This section does not apply to a public meeting in which the governing board participates in the public meeting by means of electronic communication.

(c) Beginning July 1, 2021, the organizer of one (1) or more charter schools that are located within the same county must hold at least fifty percent (50%) of the public meetings of the governing board of the charter schools within the county in which the charter schools are located.

SECTION 13. IC 20-25.7-5-5, AS AMENDED BY P.L.155-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) IC 20-24-5-5 (with the exception of ~~IC 20-24-5-5(f)~~ **IC 20-24-5-5(g)**) does not apply to a participating innovation network charter school that enters into an agreement with



the board to reconstitute or establish an eligible school.

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

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

- (1) ensure that any student with legal settlement in the attendance area, or in the school corporation if the school does not have a defined attendance area, may attend the charter school;
- (2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;
- (3) allow the siblings of a student alumnus or a current student who attends the participating innovation network charter school to attend the charter school;
- (4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities;
- (5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer; and
- (6) allow each student who attended a turnaround academy under IC 20-31-9.5 or attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.

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

- (1) the student:
 - (A) has completed fewer than twenty-two (22) academic credits required for graduation; and
 - (B) will be in the grade 11 cohort during the school year in



which the student seeks to enroll in the participating innovation network charter school; or

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

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

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

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

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

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

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

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

(1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement; and

(2) siblings of students described in subdivision (1).

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



the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.

SECTION 14. IC 20-26-5-40.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 40.2. (a) If a governing body passes a resolution to close a high school within the school corporation, the governing body shall develop a plan relating to the preservation or transfer of memorabilia, trophies, or other property that may have historical significance, as determined by the governing body.**

(b) The plan described in subsection (a) must be made available for public inspection and posted on the school corporation's Internet web site.

SECTION 15. IC 20-26-5-41 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO 35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 41. The governing body of a school corporation may enter into a public-private agreement for the construction of new school buildings.**

SECTION 16. IC 20-26-12-24, AS AMENDED BY P.L.233-2015, SECTION 173, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 24. (a) The superintendent, after approval from the governing body, shall establish procedures for adoption of curricular materials.**

(b) The governing body, upon receiving these after reviewing any recommendations from the superintendent, shall adopt curricular materials for use in teaching each subject in the school corporation.

(c) A special committee of teachers and parents may also be appointed to review books, magazines, and audiovisual material used or proposed for use in the classroom to supplement state adopted curricular materials and may make recommendations to the superintendent and the governing body concerning the use of these materials.

(d) The governing body may, if the governing body considers it appropriate, retain curricular materials adopted under this section and authorize the purchase of supplemental materials to ensure continued alignment with academic standards adopted by the state board.

(e) The superintendent, advisory committee, and governing body may consider using the list of curricular materials provided by the department under IC 20-20-5.5.



(f) A governing body may not purchase curricular materials from a publisher unless the publisher agrees, in accordance with Sections 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities Education Improvement Act 2004 (20 U.S.C. 1400 et seq.), to provide or grant a license to the school corporation to allow for the reproduction of adopted curricular materials in:

- (1) large type;
- (2) Braille; and
- (3) audio format.

SECTION 17. IC 20-26.5-2-5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 5: Not later than November 1, 2019; and not later than November 1 of each year thereafter; the department shall report to the legislative council annually in an electronic format under IC 5-14-6 regarding the following:~~

- ~~(1) The fiscal impact on each coalition member of the member's participation in a coalition;~~
- ~~(2) The qualifications of each teacher who teaches in a coalition; as follows:~~
 - ~~(A) Whether the teacher holds a license under IC 20-28;~~
 - ~~(B) Whether the teacher is paid by:~~
 - ~~(i) a coalition member; or~~
 - ~~(ii) another employer;~~
- ~~(3) The type of future employment for which a student in a coalition is trained if the student is trained in a type of employment;~~
- ~~(4) The amount and terms of compensation for each student who receives compensation from a member of business or industry through a coalition's partnership with an entity described in section 1(c)(2)(A) of this chapter;~~
- ~~(5) The impact of a coalition member's participation in a coalition on the coalition member's graduation rates;~~
- ~~(6) Information regarding where a student in a coalition obtains full-time employment when the student graduates or leaves school; if applicable;~~

SECTION 18. IC 20-27-5-5, AS AMENDED BY P.L.233-2015, SECTION 185, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) If a school bus driver is required to furnish the school bus body or the school bus chassis, or both, the governing body of the school corporation may enter into a transportation contract with the school bus driver under IC 5-22.

(b) The transportation contract may include a provision allowing the school bus driver to be eligible for the life and health insurance



benefits and other fringe benefits available to other school personnel.

(c) The governing body of a school corporation may enter into a transportation agreement with a transportation network company (as defined by IC 8-2.1-17-18) to transport students of the school corporation if the school corporation conducts an expanded criminal history check and expanded child protection index check as provided under IC 20-26-5-10 of every TNC driver (as defined by IC 8-2.1-17-19) who will transport students of the school corporation.

SECTION 19. IC 20-27-5-6, AS AMENDED BY P.L.233-2015, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The governing body of the school corporation may enter into a fleet contract with the fleet contractor under IC 5-22.

(b) The fleet contract may include a provision allowing the school bus drivers to be eligible for the life and health insurance benefits and other fringe benefits available to other school personnel.

(c) The governing body of a school corporation may enter into a fleet agreement with a transportation network company (as defined by IC 8-2.1-17-18) to transport students of the school corporation if the school corporation conducts an expanded criminal history check and expanded child protection index check as provided under IC 20-26-5-10 of every TNC driver (as defined by IC 8-2.1-17-19) who will transport students of the school corporation.

SECTION 20. IC 20-27-12-0.1 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 0.1: (a) As used in this chapter, "appropriate vehicle" means a vehicle that:

(1) is owned by the school corporation or contracted for by the school corporation; and

(2) has a seating capacity of not more than eight (8) passengers, including the driver.

(b) The term includes a car, truck, sport utility vehicle, or minivan.

SECTION 21. IC 20-27-12.1-1 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 1: As used in this chapter, "appropriate vehicle" has the meaning set forth in IC 20-27-12-0.1

SECTION 22. IC 20-28-9-1.5, AS AMENDED BY P.L.211-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter



before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan under any of the following circumstances:

- (1) The teacher:
 - (A) teaches an advanced placement course or a Cambridge International course; or
 - (B) has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:
 - (i) a dual credit course; or
 - (ii) another course;

taught by the teacher.
- (2) Beginning after June 30, 2018, the teacher:
 - (A) is a special education professional; or
 - (B) teaches in the areas of science, technology, engineering, or mathematics.
- (3) Beginning after June 30, 2019, the teacher teaches a career or technical education course.

In addition, a supplemental payment may be made to an elementary school teacher who earns a master's degree in math, reading, or literacy. A supplement provided under this subsection is not subject to collective bargaining, but a discussion of the supplement must be held. Such a supplement is in addition to any increase permitted under subsection (b).

(b) Increases or increments in a local salary range must be based upon a combination of the following factors:

- (1) A combination of the following factors taken together may account for not more than fifty percent (50%) of the calculation used to determine a teacher's increase or increment:
 - (A) The number of years of a teacher's experience.
 - (B) The possession of either:
 - (i) additional content area degrees beyond the requirements for employment; or
 - (ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.



(2) The results of an evaluation conducted under IC 20-28-11.5.

(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.

(4) The academic needs of students in the school corporation.

(c) To provide greater flexibility and options, a school corporation may differentiate the amount of salary increases or increments determined for teachers. ~~under subsection (b)(4)~~. A school corporation shall base a differentiated amount under this subsection on **any academic needs reasons** the school corporation determines are appropriate, which may include the:

(1) subject or subjects, including the subjects described in subsection (a)(2), taught by a given teacher;

(2) importance of retaining a given teacher at the school corporation; and

(3) need to attract an individual with specific qualifications to fill a teaching vacancy.

(d) A school corporation may provide differentiated increases or increments under subsection (b), and in excess of the percentage specified in subsection (b)(1), in order to:

(1) reduce the gap between the school corporation's minimum teacher salary and the average of the school corporation's minimum and maximum teacher salaries; or

(2) allow teachers currently employed by the school corporation to receive a salary adjusted in comparison to starting base salaries of new teachers.

(e) Except as provided in subsection (f), a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(f) Subsection (e) does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two (2) full school years under this subsection.

(g) A teacher who does not receive a raise or increment under subsection (e) may file a request with the superintendent or



superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(h) The Indiana education employment relations board established in IC 20-29-3-1 shall publish a model compensation plan with a model salary range that a school corporation may adopt.

(i) Each school corporation shall submit its local compensation plan to the Indiana education employment relations board. For a school year beginning after June 30, 2015, a local compensation plan must specify the range for teacher salaries. The Indiana education employment relations board shall publish the local compensation plans on the Indiana education employment relations board's Internet web site.

(j) The Indiana education employment relations board shall review a compensation plan for compliance with this section as part of its review under IC 20-29-6-6.1. The Indiana education employment relations board has jurisdiction to determine compliance of a compensation plan submitted under this section.

(k) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2015, if that decrease would be made solely to conform to the new compensation plan.

(l) After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.

SECTION 23. IC 20-29-6-1, AS AMENDED BY P.L.274-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) School employers and school employees shall:

- (1) have the obligation and the right to bargain collectively the items set forth in section 4 of this chapter;
- (2) have the right and obligation to discuss any item set forth in section 7 of this chapter; and
- (3) enter into a contract embodying any of the matters listed in section 4 of this chapter on which they have bargained collectively.

(b) Notwithstanding any other law, before a school employer and school employees may privately negotiate the matters described in subsection (a)(1) during the time period for formal collective bargaining established in section 12 of this chapter, the parties must hold at least one (1) public hearing and take public testimony to discuss the items described in subsection (a). **A school employer may allow**



governing body members or the public to participate in a public hearing under this subsection by means of electronic communication.

SECTION 24. IC 20-29-6-6, AS ADDED BY P.L.1-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The obligation to bargain collectively does not include the final approval of a contract concerning any items. Agreements reached through collective bargaining are binding as a contract only if ratified by the governing body of the school corporation and the exclusive representative. The obligation to bargain collectively does not require the school employer or the exclusive representative to agree to a proposal of the other or to make a concession to the other.

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

SECTION 25. IC 20-29-6-19, AS AMENDED BY P.L.274-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 19. (a) In addition to holding at least one (1) public hearing with public testimony as described in section 1(b) of this chapter, the school employer must conduct a public meeting to discuss a tentative collective bargaining agreement at least seventy-two (72) hours before it is ratified by the school employer. **A school employer may allow governing body members or the public to participate in a public meeting under this section by means of electronic communication.**

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

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



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

SECTION 26. IC 20-30-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 1.5. As used in this chapter, "virtual instruction" means instruction that is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both.**

SECTION 27. IC 20-30-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.5. (a) This section applies to the following:**

(1) A public school maintained by a school corporation.

(2) A charter school that is not a virtual charter school (as defined in IC 20-24-1-10).

(b) If a student is enrolled to attend in-person instruction at a school and the student participates in any virtual instruction or remote learning that is provided by the school, the school shall ensure that the virtual instruction or remote learning provided by the school meets the following requirements:

(1) The virtual instruction or remote learning is of the same quality and rigor as the instruction that the student would have received if the student was attending in-person instruction at the school.

(2) The curriculum and any other educational resources used in the virtual instruction or remote learning are aligned to Indiana's academic standards.

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

SECTION 28. IC 20-30-10-5, AS AMENDED BY P.L.143-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5. (a) Notwithstanding any other law, a high school may:**

(1) replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5), Cambridge International courses, international baccalaureate courses, or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course; and

(2) count:



- (A) a course described in subdivision (1);
- (B) a work based learning course, program, or experience that is approved under subsection (c); ~~or~~
- (C) a career and technical education course, program, or experience that is approved under subsection (c); ~~or~~
- (D) a course in any combination of:**
 - (i) science;**
 - (ii) technology;**
 - (iii) engineering; or**
 - (iv) mathematics;**

as satisfying an Indiana diploma with a Core 40 with academic honors designation or another designation requirement.

- (b) A course, program, or experience described in subsection (a)(2)(B), ~~or~~ (a)(2)(C), ~~or~~ **(a)(2)(D):**

(1) with:

- (A) subject matter that is similar to; and
- (B) rigor that is equal to or greater than;

the subject matter and rigor of the required course; but

(2) that does not fully align with the required course standards;

must be augmented with instruction to include the remaining standards of the required course.

(c) If a course, program, or experience provider requests that the state board, a state educational institution (as defined in IC 21-7-13-32), or any other entity designated by the state board approve a course, program, or experience described in subsection (a)(2)(B), ~~or~~ (a)(2)(C), ~~or~~ **(a)(2)(D)**, the state board, state educational institution, or other entity shall approve the course, program, or experience if the provider provides the following:

(1) A description of the extent to which the course, program, or experience aligns with the required course that the provider is replacing.

(2) An explanation regarding how the remaining standards of the required course, program, or experience will be augmented.

(d) If the state board, a state educational institution, or another entity designated by the state board approves a course, program, or experience under subsection (c), the state board, state educational institution, or other entity:

(1) ~~shall~~ **may** periodically review the approved course, program, or experience to ensure the course, program, or experience complies with the requirements under ~~subsection (b);~~ **this section;** and

(2) may revoke approval of the course, program, or experience if,



at any time more than one (1) year after the course, program, or experience is offered, the state board, state educational institution, or other entity determines that the course, program, or experience does not comply with the requirements under ~~subsection (b)~~: **this section.**

(e) A dual credit course described in subsection (a)(1) must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.

(f) A student who satisfies an Indiana diploma with a Core 40 with academic honors designation through a high school course replaced under subsection (a)(2)(D) shall not count toward a school's honor designation award under IC 20-43-10-2.

SECTION 29. IC 20-30-16-5, AS AMENDED BY HEA 1438-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) Except as provided in subsection (c), an eligible student may enroll in course access program courses offered by a course provider that is authorized by the department in accordance with policies adopted by the state board under this chapter.

(b) If an eligible student requests to enroll in a course access program course, the school corporation shall, not later than fifteen (15) days after the date the eligible student submits the request to the school corporation, notify the student's parent or emancipated eligible student of the following:

- (1) Whether the school corporation approves or denies the request.
- (2) If the school corporation denies the request, information explaining that the parent or student may appeal the school corporation's decision to the department.

If the school corporation fails to notify an eligible student's parent or emancipated eligible student within the time period established under this subsection, the eligible student is automatically approved for enrollment in the course access program course.

(c) A school corporation may deny an eligible student's enrollment in a course access program only for the following reasons:

- (1) The eligible student's enrollment in the course access program course would exceed the requirements for a normal full course load at the school corporation.
- (2) The cost of the course access program course is unreasonable.



However, a school corporation may not deny enrollment of an eligible student under subdivisions (1) and (2) if the eligible student agrees to pay the cost of tuition for the applicable course access program course.

(d) If a school corporation denies a student's enrollment in a course access program course under subsection (c), the school corporation shall notify the department, in a manner prescribed by the department, of the reason the student was denied enrollment under subsection (c).

~~(d)~~ **(e)** If a school corporation denies a student's enrollment in a course access program course under subsection (c), the parent of an eligible student or an emancipated eligible student may appeal the decision of the school corporation to the department in a manner prescribed by the state board.

~~(e)~~ **(f)** The department shall:

- (1) review the school corporation's denial under subsection (c); and
- (2) provide a final enrollment decision;

within seven (7) calendar days of receipt of the appeal.

SECTION 30. IC 20-32-4-1.5, AS AMENDED BY P.L.92-2020, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1.5. (a) This subsection expires July 1, 2022. Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is required to meet:

- (1) the academic standards tested in the graduation examination;
- (2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and
- (3) any additional requirements established by the governing body;

to be eligible to graduate.

(b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2022-2023 school year, each student shall:

- (1) demonstrate college or career readiness through a pathway established by the state board, in consultation with the department of workforce development and the commission for higher education;
- (2) meet the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and
- (3) meet any additional requirements established by the governing body;

to be eligible to graduate.



(c) The state board shall establish graduation pathway requirements under subsection (b)(1) in consultation with the department of workforce development and the commission for higher education. A graduation pathway requirement may include the following postsecondary readiness competencies approved by the state board:

- (1) International baccalaureate exams.
- (2) Nationally recognized college entrance assessments.
- (3) Advanced placement exams.
- (4) Assessments necessary to receive college credit for dual credit courses.
- (5) Industry recognized certificates.
- (6) The Armed Services Vocational Aptitude Battery.
- (7) Cambridge International exams.
- (8) Any other competency approved by the state board.

(d) If the state board establishes a nationally recognized college entrance exam as a graduation pathway requirement, the nationally recognized college entrance exam must be offered to a student at the school in which the student is enrolled and during the normal school day.

(e) When an apprenticeship is established as a graduation pathway requirement, the state board shall establish as an apprenticeship only an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.

(f) Notwithstanding subsection (a), a school corporation, charter school, or state accredited nonpublic school may voluntarily elect to use graduation pathways described in subsection (b) in lieu of the graduation examination requirements specified in subsection (a) prior to July 1, 2022.

(g) The state board, in consultation with the department of workforce development and the commission for higher education, shall approve college and career pathways relating to career and technical education, including sequences of courses leading to student concentrators.

(h) After June 30, 2021, the department may provide funding for students of accredited schools to take not more than three (3) Cambridge International exams per student. The department is also authorized to use funds to provide professional development training for teachers who teach Cambridge International courses.

SECTION 31. IC 20-32-4-4, AS AMENDED BY P.L.192-2018, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2021]: Sec. 4. (a) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of section 1.5(a) of this chapter may be eligible to graduate if the student does all the following:

(1) **Except as provided in subsection (b)**, takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination.

(2) Completes remediation opportunities provided to the student by the student's school.

(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.

(5) Otherwise satisfies all state and local graduation requirements.

(6) Either:

(A) completes:

(i) the course and credit requirements for a general diploma, including the career academic sequence;

(ii) a workforce readiness assessment; and

(iii) at least one (1) industry certification that appears on the state board's approved industry certification list, which must be updated annually with recommendations from the department of workforce development established by IC 22-4.1-2-1; or

(B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be aligned with the governing body's relevant policy and must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based on:

(i) tests other than the graduation examination; or

(ii) classroom work.

(b) A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of section 1.5(a) of this chapter is not required to take the graduation examination in each subject area in which the student



did not achieve a passing score during the 2020-2021 school year if the student could not take the graduation examination due to the coronavirus disease (COVID-19).

(b) (c) This section expires June 30, 2022.

SECTION 32. IC 20-32-8.7-8, AS ADDED BY HEA 1008-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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 and 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 33. IC 20-35-8-2, AS AMENDED BY P.L.1-2007, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The state board shall adopt rules under IC 4-22-2 to establish limits on the amount of transportation that may be provided in the student's individualized education program. Unless otherwise specially shown to be essential by the child's individualized education program, in case of residency in a public or private facility, these rules must limit the transportation required by the student's individualized education program to the following:

- (1) The student's first entrance and final departure each school year.
- (2) Round trip transportation each school holiday period.
- (3) Two (2) additional round trips each school year.

(b) If a student is a transfer student receiving special education in a public school, the state or school corporation responsible for the payment of transfer tuition under IC 20-26-11-1 through IC 20-26-11-4 shall pay the cost of transportation required by the student's



individualized education program.

(c) If a student receives a special education:

(1) in a facility operated by:

(A) the state department of health;

(B) the division of disability and rehabilitative services; or

(C) the division of mental health and addiction;

(2) at the Indiana School for the Blind and Visually Impaired; or

(3) at the Indiana School for the Deaf;

the school corporation in which the student has legal settlement shall pay the cost of transportation required by the student's individualized education program. However, if the student's legal settlement cannot be ascertained, the state board shall pay the cost of transportation required by the student's individualized education program.

(d) If a student is placed in a private facility under IC 20-35-6-2 in order to receive a special education because the student's school corporation cannot provide an appropriate special education program, the school corporation in which the student has legal settlement shall pay the cost of transportation required by the student's individualized education program. However, if the student's legal settlement cannot be ascertained, the state board shall pay the cost of transportation required by the student's individualized education program.

(e) A student's individualized education program may allow for the student's transportation by appropriate vehicle. The state board shall adopt rules under IC 4-22-2 governing transportation of students by appropriate vehicle.

SECTION 34. IC 20-36-6-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.5. As used in this chapter, "program" refers to the Cambridge International program established by section 4 of this chapter.**

SECTION 35. IC 20-36-6-3 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 3. (a) Each student who enrolls in a Cambridge International course may take the accompanying Cambridge International examination to receive high school credit for the Cambridge International course.~~

~~(b) The department and the state board must provide that a successfully completed Cambridge International course is credited toward fulfilling the requirements of an Indiana diploma with a Core 40 with academic honors designation.~~

SECTION 36. IC 20-36-6-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. (a) The Cambridge International**



program is established to encourage students to pursue advanced courses.

(b) The program shall be administered by the department provided Cambridge International demonstrates alignment to dual credit courses offered in Indiana in a manner determined by the commission for higher education.

(c) After June 30, 2021, the department may provide schools the same per pupil exam fee amounts for international baccalaureate, Cambridge International exams, and college level examination program (CLEP) exams as the per pupil per exam funding amount for a student to take advanced placement exams.

SECTION 37. IC 20-36-6-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. Each school year each school corporation or school may provide Cambridge International courses.**

SECTION 38. IC 20-36-6-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) Successful completion of a Cambridge International course shall count as high school credit towards completing Indiana graduation requirements.**

(b) Any rule adopted by the state board or the department concerning an Indiana diploma with a Core 40 with academic honors designation must provide that a successfully completed Cambridge International Advanced A or AS Level course is credited toward fulfilling the requirements of an Indiana diploma with a Core 40 with academic honors designation.

(c) If a student who takes a Cambridge International Advanced A or AS Level examination receives a score of "E" or higher on the examination, the student is entitled to receive postsecondary level academic credit at a state educational institution that counts toward meeting the student's degree requirements if the elective credit is part of the student's degree requirements.

(d) The state educational institution may require a score higher than a score of "E" on a Cambridge International Advanced A or AS level exam if the credit is to be used for meeting a course requirement for a particular major at the state educational institution.

SECTION 39. IC 20-36-6-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. Teachers who are assigned to teach a Cambridge International course:**



- (1) may participate in training offered by Cambridge International; and
- (2) may be eligible for a stipend as provided under section 8 of this chapter.

SECTION 40. IC 20-36-6-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Money appropriated to the department to implement the program shall be distributed first to pay the fees for each Cambridge International examination that is taken by a student to satisfy Indiana graduation requirements, including Core 40 with academic honors, and who is:

- (1) enrolled in a public or state accredited nonpublic secondary school; and
- (2) a resident of Indiana.

Priority under this subsection shall be given to paying fees for each Cambridge International examination that is taken by a student in grade 11 or 12.

(b) After money appropriated for the program is distributed for the purposes described in subsection (a), any remaining money appropriated for the program shall be distributed and prioritized for distribution in the following order:

- (1) To pay stipends for teachers assigned to teach a math, science, or English Cambridge International course to attend the training described in section 7 of this chapter.
- (2) To pay school corporations or schools for instructional materials needed for a math, science, or English Cambridge International course.
- (3) To pay for or rent equipment that a school corporation or school may need to develop a math, science, or English Cambridge International course.
- (4) To pay any other stipends, costs, or fees incurred in implementing the Cambridge International program for subjects other than math, science, or English as authorized under this chapter.

(c) The department shall establish guidelines concerning the distribution of funds under this chapter, including guidelines to ensure that money distributed under this chapter is distributed as evenly as possible throughout Indiana.

(d) The department may also seek funding to carry out the purposes of this chapter through federal programs.

(e) The department may give priority in the distribution of funds to a school that serves a high concentration of low income



students.

SECTION 41. IC 20-36-6-9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The department shall develop and provide each public and state accredited nonpublic elementary school and high school with guidelines designed to satisfy the requirements of this chapter.**

(b) The guidelines developed under this section and the dissemination of the guidelines shall be developed and disseminated in the same manner as other college credit bearing programs.

SECTION 42. IC 20-36-6-10 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The commission for higher education shall work with state educational institutions that do not have policies pertaining to the implementation and communication of the state educational institution's policy for awarding Cambridge International Advanced A or AS Level credits under section 6(c) of this chapter to develop a plan to implement a policy.**

(b) On or before December 31, 2021, the plan described in subsection (a) to implement each policy must be developed and published by the state educational institution.

(c) This section expires July 1, 2022.

SECTION 43. IC 20-36-6-11 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. The state board shall adopt rules under IC 4-22-2 to implement this chapter.**

SECTION 44. IC 20-37-2-13 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. (a) As used in this section, "applicable high school" means a high school at which all the students participate in a work based learning course (as defined in IC 20-43-8-0.7) or school based enterprise.**

(b) As used in this section, "primary use of the building" means an occupancy classification that is:

- (1) most closely related to the intended use of the building;**
- and**
- (2) determined by the rules of the fire prevention and building safety commission established by IC 22-12-2-1 in effect at the time that the applicable high school is first opened.**

(c) An applicable high school shall comply with all rules of the fire prevention and building safety commission applicable to the



primary use of the building.

SECTION 45. IC 21-18-12.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 12.6. Postsecondary Prior Learning Assessment Clearinghouse

Sec. 1. As used in this chapter, "cabinet" means the governor's workforce cabinet established in IC 4-3-27-3.

Sec. 2. As used in this chapter, "clearinghouse" means the Indiana postsecondary prior learning assessment clearinghouse established by section 4 of this chapter.

Sec. 3. As used in this chapter, "department" means the department of education established by IC 20-19-3-1.

Sec. 4. The Indiana postsecondary prior learning assessment clearinghouse is established as a consolidated inventory of learning assessments eligible for advanced standing or postsecondary credit awards at all state educational institutions at the undergraduate level.

Sec. 5. Beginning July 1, 2021, and each July 1 thereafter, the governor shall direct the commission, the department, and the cabinet, in collaboration with state educational institutions to:

- (1) develop and regularly update the clearinghouse; and
- (2) collect information concerning prior learning assessments used by state educational institutions to award advanced standing or postsecondary credit.

Sec. 6. (a) For each prior learning assessment provided, the following information fields shall be collected:

- (1) The assessment name.
- (2) The assessment provider.
- (3) The assessment cost.
- (4) Whether state educational institutions are actively using the prior learning assessment, whether the assessment is aligned with state educational institution programs, and the scope of the assessment's use.
- (5) Whether the assessment is aligned with secondary career pathways, programs of study, career and technical education courses, and general education courses.
- (6) Whether the assessment is aligned with industry certifications or credentials.
- (7) Whether the assessment has distinguishable competencies or learning objectives it is meant to assess.

(b) Not later than March 1, 2022, each state educational



institution shall report prior learning assessment information described in subsection (a)(1) through (a)(4) to an agency designated by the governor and annually update the information in subsection (a)(1) through (a)(4) at the direction of the governor.

(c) Not later than July 1, 2022, the commission, the department, and the cabinet shall publish prior clearinghouse information collected under this section on its respective Internet web site and annually update the information at the direction of the governor.

Sec. 7. This chapter expires July 1, 2024.

SECTION 46. IC 21-43-9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 9. Postsecondary Enrollment Opportunities Through Work Based Learning Programs

Sec. 1. As used in this chapter, "cabinet" means the governor's workforce cabinet established in IC 4-3-27-3.

Sec. 2. As used in this chapter, "department" means the department of education established by IC 20-19-3-1.

Sec. 3. The governor shall direct the commission for higher education, the department, and the cabinet to, in consultation with state educational institutions, prepare model guidance and informational resources concerning postsecondary enrollment opportunities described in this article that incorporate work based learning experiences.

Sec. 4. (a) Model guidance and informational resources that incorporate secondary work based learning and postsecondary enrollment opportunities under this chapter must include the following:

- (1) At least one (1) model of a codevelopment process that describes roles and responsibilities of secondary, postsecondary, and employer stakeholders.**
- (2) A model of a faculty led process to align postsecondary learning outcomes and secondary career and technical education standards.**
- (3) A model of a codevelopment process for the development of secondary student learning assessments that enables eligibility for postsecondary credit.**
- (4) Procedures to document and formalize the secondary, postsecondary, and employer partnership agreement.**
- (5) Recommended timelines for codevelopment, implementation, and course content update.**
- (6) Applicable legal or regulatory requirements.**



(7) Applicable accreditation guidelines of state educational institutions.

(8) Other informational or best practice resources related to development and implementation of postsecondary enrollment opportunities through work based learning experiences.

(b) Not later than January 1, 2022, the governor shall direct the commission for higher education, the department, and the cabinet to publish model guidance and information resources prepared under subsection (a) on its respective Internet web site.

SECTION 47. IC 23-13-19-3, AS AMENDED BY P.L.31-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The alumni trustees shall be selected as provided in this section.

(b) At the annual meeting of the alumni association of Wabash College, a committee of canvassers consisting of three (3) alumni, at least one (1) of whom shall be a resident of Montgomery County, Indiana, shall be elected to serve for the ensuing year and until their successors are elected. The board of directors of the National Association of Wabash Men shall nominate at least four (4) persons in even-numbered years and at least three (3) persons in odd-numbered years, all of such persons to be alumni of the college, as its choice of candidates for the position or positions of alumni trustee to be voted for by the alumni in the election.

(c) On the fourth Tuesday of February in each year, the registrar shall ~~mail from Crawfordsville, Indiana,~~ **distribute** to each alumnus of the college a ballot which lists the names of the candidates selected by the board of directors of the National Association of Wabash Men, along with spaces for two (2) "write-in" candidates in even-numbered years and a space for a "write-in" candidate in odd-numbered years. **Such distribution of ballots by the registrar may be accomplished by regular mail, electronic mail, or any other method of transmission reasonably calculated to allow the alumni of the college to receive the ballots and vote within the time frame described in this section.** The ballot shall also contain information and instructions concerning the time and manner of voting. Each alumnus is entitled to vote for two (2) candidates in even-numbered years, and for one (1) candidate in odd-numbered years. Each alumnus ~~having designated~~ **shall designate** on his ballot his two (2) choices or his one (1) choice for the positions or position of alumni trustee, as the case may be, ~~shall sign this ballot and mail it to the committee of canvassers in care of the registrar's office, Wabash College, Crawfordsville,~~



~~Indiana. Alternatively, each alumnus may and shall~~ vote for the alumnus' choice or choices of candidates by use of a secure electronic agent that creates an electronic record with the capability of including an electronic signature, consistent with the definitions provided in IC 26-2-8-102, as established by the registrar. ~~and identical in substance to the mailed ballot.~~ **Alternatively, an alumnus may print a paper copy of his ballot, designate his two (2) choices or his one (1) choice for the positions or position of alumni trustee, as the case may be, manually sign his ballot, and mail it to the committee canvassers in care of the registrar's office, Wabash College, Crawfordsville, Indiana.** On the fourth Tuesday of April in each year, the ballots (~~including ballots cast electronically~~) shall be opened and canvassed by the committee of canvassers. Within three (3) days thereafter the committee shall certify to the secretary of the board of trustees the names of the two (2) candidates in even-numbered years and the name of the one (1) candidate in odd-numbered years, receiving the highest number of votes. At its next meeting following the fourth Tuesday in April of each year, the board of trustees shall elect to its membership the two (2) candidates or the one (1) candidate, as the case may be, whose names or name has been so certified to the board's secretary by the committee of canvassers.

(d) If, in any year, for any cause, the alumni fail to select the alumni trustee or trustees as provided in this section, the board of trustees shall elect, by a majority vote of the trustees in office present and voting at the election meeting, two (2) alumni in even-numbered years or one (1) alumnus in odd-numbered years, as the case may be, to serve as alumni trustees of Wabash College. Subject to the provisions of this chapter, the trustees shall, by a majority vote of their number present and voting at the time of such election, elect successor trustees in the event of the death or resignation of any of their number. Any vacancies so filled shall be for the unexpired term of the trustee whose death or resignation has caused such vacancy.

(e) The word "alumnus", as used throughout this section, means any person holding a degree in a course from the college and any person who has been in residence at the college one (1) year or more. The word "alumnus" does not include any person actively on the rolls of the college as an undergraduate at the time of any annual election of trustees, or any person without a degree who entered the college with a class which has not yet graduated at the time of any annual election.

SECTION 48. IC 25-23-1-7.3, AS ADDED BY P.L.174-2018, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.3. (a) The following definitions apply



throughout this section:

(1) "Eligible associate degree registered nursing program" means an associate degree registered nursing program that:

(A) is accredited by the board; and

(B) has an annual rate of successful completion of the National Council Licensure Examination (NCLEX) score of at least eighty percent (80%).

(2) "Qualified nurse educator certificate program" means a nurse educator certificate program that:

(A) is provided by an accredited institution; and

(B) requires at least fifteen (15) credit hours for completion.

(b) Notwithstanding 848 IAC 1-2-13(b), and subject to the approval of the board, an individual who holds a bachelor of science in nursing without having attained a master's degree in nursing may teach clinical courses in an eligible associate degree registered nursing program if:

(1) subject to subsection (c), the individual:

(A) is enrolled in a qualified nurse educator certificate program; and

(B) completes the qualified nurse educator certificate program within two (2) years after the individual's hire date;

(2) the individual has completed a qualified nurse educator certificate program; or

(3) the individual is enrolled in a master's degree nursing program.

(c) An individual described in subsection (b)(1) must:

(1) show progress toward completion of the qualified nurse educator certificate program throughout the two (2) year period beginning on the individual's hire date; and

(2) upon completion of the qualified nurse educator certificate program, enroll in a master's degree nursing program.

(d) This section expires June 30, ~~2021~~ **2023**.

SECTION 49. IC 25-35.6-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Licensure shall be granted either in speech-language pathology or audiology independently. A person may be licensed in both areas if the person meets the respective qualifications.

(b) **Except as provided in sections 5.5 and 6.5 of this chapter**, no person shall practice or represent himself as a speech-language pathologist or audiologist in this state unless the person is licensed in accordance with the provisions of this article.

SECTION 50. IC 25-35.6-1-4, AS AMENDED BY P.L.2-2007, SECTION 348, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2021]: Sec. 4. Nothing in this article shall be construed as preventing or restricting the following:

- (1) A physician or surgeon from engaging in the practice of medicine in this state, or a person under the supervision and control of a physician or surgeon from conducting hearing testing, provided such a person is not called an audiologist.
- (2) Any hearing aid dealer from:
 - (A) engaging in the testing of hearing and other practices and procedures necessary for the business for which the dealer is registered in this state under IC 25-20-1; and
 - (B) using the title hearing aid specialist or any similar title or description of service.
- (3) Any person licensed or registered in this state by any other law from engaging in the profession or occupation for which the person is licensed or registered.
- (4) A person employed as a speech-language pathologist or audiologist by the government of the United States, if such person performs speech-language pathology or audiology services solely within the confines or under the jurisdiction of the governmental organization by which the person is employed. However, such person may, without obtaining a license under this article, consult with or disseminate the person's research findings and other scientific information to speech-language pathologists and audiologists outside the jurisdiction of the organization by which the person is employed. Such person may also offer instruction and lectures to the public without being licensed under this article. Such person may additionally elect to be subject to this article.
- (5) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology or audiology at a postsecondary educational institution, if:
 - (A) such activities and services constitute a part of a supervised course of study;
 - (B) such person is designated speech-language pathology or audiology intern, speech-language pathology or audiology trainee, or by other such titles clearly indicating the training status appropriate to the person's level of training; and
 - (C) the person works only under the supervision of a speech-language pathologist or audiologist licensed under this article.
- (6) The activities and services of persons fulfilling the clinical experience requirement of section 5(2)(B)(ii) or 6(3)(B) of this



chapter, if such activities and services constitute a part of the experience required for that section's fulfillment.

(7) The performance of pure tone air conduction testing by an industrial audiometric technician, as defined by federal law, who is working in an industrial hearing conservation program directed by a physician or an audiologist.

(8) The performance of speech-language pathology or audiology services in this state by any person not a resident of this state who is not licensed under this article, if such services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this article, and if such person meets the qualifications and requirements for application for licensure described in sections 5(1) and 5(2) or 6(1) and 6(2) of this chapter. However, a person not a resident of this state who is not licensed under this article, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by section 5 or 6 of this chapter or who is the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language or hearing, may offer speech-language pathology or audiology services in this state for no more than ~~thirty (30)~~ **one hundred eighty (180)** days in any calendar year, if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this article.

SECTION 51. IC 25-35.6-1-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5.5. An individual may practice speech-language pathology in Indiana under a license to practice speech-language pathology issued by a state that has entered into a reciprocity agreement with the board under which an individual licensed to practice speech-language pathology in Indiana is authorized to practice speech-language pathology in the other state under the individual's Indiana speech-language pathology license.**

SECTION 52. IC 25-35.6-1-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 6.5. An individual may practice audiology in Indiana under a license to practice audiology issued by a state that has entered into a reciprocity agreement with the board under which an individual licensed to practice audiology in Indiana is authorized to practice audiology in the other state under**



the individual's Indiana audiology license.

SECTION 53. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the commission for higher education established by IC 21-18-2-1.

(b) As used in this SECTION, "state educational institution" has the meaning set forth in IC 21-7-13-32.

(c) Not later than November 1, 2021, the commission shall prepare three (3) reports that shall be submitted to the general assembly in an electronic format under IC 5-14-6. The commission shall work with the state educational institutions to determine a report format, including any survey instruments. The reports required to be submitted are the following:

(1) A higher education business model transformation report. The report must include information about how each state educational institution has reduced total costs over the last ten (10) years and an analysis of reducing the total cost for students, which will not simultaneously reduce the quality of education when attending the state educational institution. The cost reduction analysis must include, but is not limited to, the following cost reduction considerations:

- (A) Administration or administrators.
- (B) Buildings.
- (C) Degree program offerings and related program and course fees.
- (D) Nonacademic initiatives and cost centers.
- (E) Technology utilization and maintenance.
- (F) Percentage of faculty that is tenured.
- (G) Inflation.

The goal of the report is to find ways to reduce the average total cost for a student to attend the state educational institution by the 2024-2025 school year, without cost shifting initiatives to foreign or out-of-state students, and while maintaining access to Indiana students who meet existing entrance requirements.

(2) A free speech on college campus report. The report must include a detailed description of each state educational institution's efforts to recognize and protect the freedom of speech and association rights guaranteed to the members of its campus community under the First Amendment of the Constitution of the United States. The report must include a recommendation on a survey instrument that each state educational institution shall administer to students not later



than May 1, 2022, to determine current perceptions of whether free speech and academic freedom are recognized and fostered by the state educational institution in a manner that welcomes expression of different opinions and ideologies with respect to, but not limited to, classes, professors and instructors, peer interactions, speakers, and campus groups. The survey must take into account perceptions by a representative sample of students at each campus location.

(3) A protection from foreign malfeasance report. The report shall include a summary description of policies, procedures, and other measures that each state educational institution maintains to protect personal data, research data, intellectual property, and controlled unclassified information or classified information from being appropriated or misused by a foreign government or other foreign entity. The report must include, subject to exceptions from disclosure for confidential information, trade secrets, research information, safety measures, and other applicable exceptions under IC 5-14-3-4:

(A) a description of the state educational institution's export controls and research assurance program;

(B) a summary of the state educational institution's measures to comply with insider threat program requirements prescribed by applicable federal agency guidance;

(C) a description of the state educational institution's compliance with foreign gift reporting requirements under federal law;

(D) a description of the state educational institution's compliance with federal law prohibitions on contracting with certain foreign entities using certain telecommunications and video surveillance services or equipment; and

(E) a summary of each state educational institution's business arrangements with foreign entities, excluding business arrangements pertaining to non-technology procurement.

(d) The commission may include in its reports described in subsection (c) recommendations to the general assembly necessary to implement the strategies and tactics described in subsection (c)(1) and improve protections described in reports under subsection (c)(2) and (c)(3).

(e) Each state educational institution shall provide the



commission information necessary for the commission to prepare the reports described in subsection (c).

(f) This SECTION expires July 1, 2022.

SECTION 54. 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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