

Indiana General Assembly 2023 Session Digest of New Laws Relevant to K-12 School Governance

Prepared by: Indiana School Boards Association

Report created on June 12, 2023

[HEA 1001](#)

STATE BUDGET (THOMPSON J) Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. The state budget includes the following provisions relevant to K-12 school governance matters: Makes appropriations to the Indiana Department of Education for K-12 programs, categorical grants, and the tuition support formula. Allows certain members of the public employees' retirement fund or Indiana state teachers' retirement fund to file an election to begin receiving retirement benefits while holding a position. Establishes the commission on improving the status of children fund to support the staffing and operations of the commission. Provides that a part of state user fees shall be deposited in the Indiana secured school fund. Repeals the distribution schedule for appropriations made for certain child development programs. Requires the department of local government finance to prepare an annual report and abstract concerning property tax data (instead of the auditor of state). Increases the total number of adult learner students at the Excel Centers for Adult Learners and Christel House DORS centers for whom the school may receive state funding. Establishes the Indiana education scholarship account donation fund to accept donations for administration of the Indiana education scholarship account program. Repeals the special education fund. Establishes a state tax credit for a taxpayer that makes certain qualified childcare expenditures in providing child care to the taxpayer's employees. Extends provisions for the gasoline tax and the special fuel tax rates. Prohibits school corporations and charter schools from charging a fee for curricular materials to students. Provides that the parent of a student or an emancipated minor who attends an accredited nonpublic school and who meets financial eligibility requirements may request reimbursement of fees charged for curricular materials. Establishes the curricular materials fund. Requires a county auditor to distribute a portion of revenue received from an operations fund levy imposed by a school corporation located in certain counties to certain charter schools (excludes school corporations that are designated as a distressed political subdivision). Requires charter schools that receive a distribution of tax levy revenue to establish an operations fund and education fund under the same provisions that apply to school corporations. Provides that in order to receive a distribution of tax levy revenue, a charter school must adopt a budget for the school year following a public meeting. Provides funding amounts for schools. Establishes the credential completion grant. Removes pathways for choice scholarship eligibility. Increases the annual income maximum for choice scholarship eligibility. Provides that a school corporation is eligible for an academic performance grant.

Current Status: Public Law 201

Comments: Various effective dates; See this [Enrolled Act Summary](#) for a list of effective dates by section.

Note 1: The Indiana Department of Education posted a [FAQ](#) document on curricular material reimbursement on May 26, 2023.

Note 2: SECTION 210 amends IC 20-43-10-3.5 to permit school corporations to allocate up to 10% of the Teacher Appreciation Grant received by the school or school corporation to provide a supplemental

award (stipend) to teachers who serve as mentors to teachers who have less than two (2) years of service (see page 220).

Note 3: Per the IDOE Weekly Update on June 9, 2023, beginning with the 2023-2024 school year, Non-English Speaking Program funding will no longer be distributed via grants to schools through an application process, but rather through monthly tuition support distributions beginning in December 2023. For the first time in years, under this new law, IDOE will be able to provide full reimbursement for EL students. This funding will be allocated on a per-pupil basis in accordance with each public local educational agency's (LEA's) reported EL student count, reflected in the annual Multilingual Learner data collection in Data Exchange. This [memo](#) provides additional clarification and information regarding these upcoming changes.

[HEA 1002](#)

EDUCATION AND WORKFORCE DEVELOPMENT (GOODRICH C) Establishes the: (1) career scholarship account program (CSA program); (2) career scholarship account program fund; (3) career scholarship account administration fund; (4) career scholarship account donation fund; (5) connecting students with careers fund; (6) teacher higher education and industry collaboration grant program and fund; (7) career coaching grant fund; and (8) intermediary capacity building fund. Provides that the department of education (department), in consultation with the commission for higher education (commission), shall designate and approve a course sequence, career course, modern youth apprenticeship, apprenticeship, or program of study for grants under the CSA program. Provides for revocation of the approval if the sequence, course, modern youth apprenticeship, apprenticeship, or program of study fails to achieve an adequate outcome, as determined by the department, in consultation with the commission. Establishes eligibility requirements to participate in the CSA program. Provides that the commission may approve participating entities that meet certain requirements to participate in the CSA program. Provides that grant amounts that career scholarship students receive are not included in adjusted gross income for tax purposes. Provides that, beginning July 1, 2024, certain school corporations shall include instruction for all students regarding career awareness. Provides that the state board of education (state board), in consultation with the commission, shall create certain standards for a career awareness course. Requires the department to collect and aggregate certain data. Requires the department to publish on the department's website a list of skill competencies identified by certain approved participating entities. Requires the state board, in consultation with the department, to establish new high school diploma requirements. Removes a provision that provides that a student who satisfies an Indiana diploma with a Core 40 with academic honors designation through a certain alternative course shall not count toward a school's honor designation award. Requires the commission to create a list of approved intermediaries, employers, and labor organizations. Requires certain high school and college students to meet with an approved postsecondary educational institution, an intermediary, an employer, or a labor organization. Requires certain committed offenders to meet with an intermediary, employer, or labor organization. Provides that during each school year, a public high school must hold at least one career fair during regular school hours. Amends requirements for certification of qualified education programs by INvestED Indiana. Repeals certain provisions in law regarding a comprehensive navigation and coaching system and career coaching grant fund and requires

the commission to: (1) develop and implement a comprehensive career navigation and coaching system for Indiana; and (2) award grants from the career coaching grant fund to certain eligible entities to establish or implement comprehensive career navigation and coaching systems. Provides that the department shall approve career coaching providers for the purpose of eligibility for a career coaching grant. Provides that the commission shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins Vocational and Applied Technology Act. Requires the department to establish and maintain an online platform that allows teachers to access and share information regarding connecting daily classroom lessons with innovations in workplace practices and postsecondary education research. Repeals provisions relating to the industry collaboration certification program. Repeals and replaces the definition of "participating entity" with "ESA participating entity".

Current Status: Public Law 202

Comments: SECTIONS 10, 12, 76-79 effective 5/4/2023; SECTIONS 1-9, 11, 13-75 effective 7/1/2023

Note: Per its Weekly Update on June 9, IDOE will begin the process of determining the courses and course sequences required for graduation, as well as developing – in coordination with the Commission for Higher Education, Department of Workforce Development, and Governor’s Workforce Cabinet – shared definitions of *credentials of value* and *high-quality work-based learning*. Stakeholder engagement will continue to be a crucial part of this work. IDOE will share a progress update, including an overview of stakeholder feedback, with the SBOE in fall 2023.

[HEA 1005](#) **HOUSING** (MILLER D) Establishes the residential housing infrastructure assistance program (program) and residential housing infrastructure assistance revolving fund (fund). Provides that the Indiana finance authority (authority) shall administer the fund and program. Provides that political subdivisions may apply to the fund for loans for certain infrastructure projects related to the development of residential housing. Provides that money in the fund may not be used for: (1) debt repayment; (2) maintenance and repair projects; (3) upgrading utility poles; or (4) consulting or engineering fees for studies, reports, designs, or analyses. Provides that loans from the fund must be allocated as follows: (1) 70% of the money in the fund must be used for housing infrastructure in municipalities with a population of less than 50,000. (2) 30% of the money in the fund must be used for housing infrastructure in all other political subdivisions. Requires the authority to establish a project prioritization system for the purpose of awarding loans from the fund and specifies the criteria that must be included in the project prioritization system. Allows the authority to establish a leveraged loan program to or for the benefit of program participants. Requires the public finance director to prepare an annual report of the fund's activities for the legislative council and the budget committee. Provides that the fiscal body of a county may adopt an ordinance to designate an economic development target area. Removes the threshold conditions for establishing a residential housing development program and a tax increment allocation area for the program, including the condition that the governing body of each school corporation affected by the program pass a resolution approving the program before the program may go into effect. Changes the duration of a residential housing development program from 25 years (under current law) to 20 years after the date on which the first obligation for program is incurred. Makes a continuing appropriation.

Current Status: Public Law 204

Comments: SECTIONS 6-7 effective 5/4/2023; SECTIONS 1-5 effective 7/1/2023

[HEA 1040](#) **REQUIREMENTS FOR ELECTED OFFICIALS** (LEHMAN M) Provides that if an examination of an audited entity is unable to be performed because the audited entity's accounts, records, files, or reports are not properly maintained or reconciled, the entity may be declared unauditible. Requires an unauditible entity to bring its accounts, records, files, or reports into an auditible condition within 90 days. Requires the state board of accounts (SBOA) to publish a list of entities declared to be unauditible on the SBOA's website. Provides that if an entity is declared unauditible and the fiscal officer is unable to perform the fiscal requirements of their position, the entity is required to hire outside assistance for guidance or to perform the fiscal requirements. Clarifies an exception regarding the liability of an elected official for acts that constitute gross negligence or intentional disregard of the official's duties. Requires the SBOA to annually call a conference for: (1) city and town controllers and clerk-treasurers, newly appointed city and town controllers, and city and town clerk-treasurers elect; and (2) township trustees and township trustees elect. Provides that elected officials must attend training every two years and that the SBOA shall keep attendance of elected officials and publish it on the SBOA's website. Makes an exception for school corporation treasurer personal liability. Provides that if there is an office of town clerk-treasurer that is vacant, and the town legislative body is unable to fill the office, the town legislative body may either: (1) enter into a local agreement with the town clerk-treasurer and town legislative body of another town in the state to assist a selected town legislative body member in performing the duties of the clerk-treasurer's office; or (2) enter into a contract with a certified public accountant to assist the town legislative body member in performing the duties of the clerk-treasurer's office. (Current law provides that the town legislative body may only enter into a contract with a certified public accountant after the town legislative body is unable to reach an agreement with another town.) Provides that if, after reasonable diligence, a town may hire any qualified person to perform the duties of the clerk-treasurer's office until the vacancy can be filled, or until the end of the current clerk-treasurer's term, whichever is first. Provides that newly elected officials shall complete five hours of training before taking office. Provides that elected officials shall certify completion of training requirements to the SBOA annually. Excludes self-supporting school lunch and the rental or sale of curricular materials as programs that may be established as separate funds. Repeals obsolete provisions. Makes technical corrections.

Current Status: Public Law 58

Comments: SECTIONS 9-11 effective 7/1/2023; SECTIONS 1-8 and 12-34 effective 1/1/2024

[HEA 1138](#) **PRESCHOOL AND CHILD CARE FACILITY DRINKING WATER** (JACKSON C) Requires the public finance director to prepare an annual report to the general assembly that provides information on the programs of the Indiana finance authority under which the drinking water in schools, preschools, and child care facilities is tested for the presence of lead. Requires the owner or operator having authority over a childcare facility or a preschool to test the drinking water in the child care facility or preschool before January 1, 2026, unless the drinking water in the child care facility or preschool has already been tested through a lead sampling program conducted by the Indiana finance authority. Provides that if the testing of

the drinking water in a child care facility or preschool indicates that the presence of lead in the drinking water equals or exceeds the action level for lead (15 parts per billion), the owner or operator of the child care facility or preschool shall take action to: (1) eliminate the source of the lead in the drinking water; or (2) install a water filtration system. Establishes requirements applying to a water filtration system installed in a childcare facility or preschool. Requires the environmental rules board to adopt rules, including emergency rules, that conform with the Lead and Copper Rule Improvements proposed rule that is being developed by the U.S. Environmental Protection Agency.

Current Status: Public Law 125

Comments: Effective 7/1/2023

[HEA 1157](#) **RESIDENTIAL HOUSING DEVELOPMENT PROGRAM** (MOED J) Makes the following changes regarding Marion County redevelopment: (1) Revises allocation area requirements for the redevelopment commission (commission) to establish a housing program. (2) Allows the commission to establish a residential housing development program (residential housing program) and a tax increment funding allocation area for the residential housing program, if the construction of new houses fails to reach a benchmark. Requires the department of local government finance, in cooperation with the city of Indianapolis, to determine eligibility for the residential housing program. Specifies the rights, powers, privileges, and immunities of the commission in implementing a residential housing program.

Current Status: Public Law 126

Comments: Effective 7/1/2023

[HEA 1160](#) **WORKFORCE DEVELOPMENT PILOT PROGRAMS** (CLERE E) Provides that the commission for higher education may establish an education and career support services pilot program to provide career and support services to adult students of state educational institutions. Provides that the office of the secretary of family and social services (FSSA), in consultation with Erskine Green Training Institute and the department of workforce development, may establish a manufacturing workforce training pilot program to provide training and other services to: (1) individuals with intellectual and other developmental disabilities; and (2) incumbent workers who are identified to fill higher paying jobs as a result of increased workforce participation by individuals with intellectual and other developmental disabilities. Specifies requirements and permitted actions for each pilot program. Requires FSSA to amend administrative rules.

Current Status: Public Law 216

Comments: SECTION 3 effective 5/4/2023; SECTIONS 1-2 effective 7/1/2023

[HEA 1167](#) **LIVE STREAMING AND ARCHIVING MEETINGS** (SMALTZ B) Requires governing bodies of state and local agencies (excluding a state supported college or university) to provide, on a publicly accessible platform: (1) live transmissions of public meetings; and (2) an archive of copies of the live transmissions with links to any meeting agendas, minutes, or memoranda. Provides that if a governing body does not have Internet capability for live transmission of public meetings, the governing body shall record the meeting. Provides that transmissions and recordings of public meetings may be destroyed after 90 days.

Current Status: Public Law 127

Comments: Effective 7/1/2025

[HEA 1177](#) **FIREARMS TRAINING FOR TEACHERS** (LUCAS J) Authorizes funds from the: (1) Indiana secured school fund; and (2) school corporation and charter school safety advance program; to be used for the purpose of providing specialized firearms instruction to certain teachers, school staff, and school employees, and for providing counseling services to students, teachers, school staff, and school employees in the event of a school shooting. Creates a specialized firearms safety, education, and training curriculum (curriculum) for teachers, school staff, and school employees. Specifies curriculum requirements. Requires a charter school, accredited nonpublic school, or school corporation to ensure that a teacher, school staff member, or school employee who receives training funded by a grant from the Indiana secured school fund complies with certain requirements. Provides that the identity of any person who: (1) enrolls in; (2) participates in; or (3) completes; the curriculum is confidential. Requires the department of education, in collaboration with the state police department, to identify a set of best practices and develop a set of educational materials concerning the safe possession and storage of a firearm in a home with a child. Provides that the department of education shall provide the best practices and educational materials to certain schools for annual distribution to parents of students. Provides that a public school or a state accredited nonpublic school may not conduct a training or drill for an employee of the school that includes, as any part of the training or drill, the expelling of any type of projectile at the employee unless: (1) the school informs the employee of the use of projectiles in the training or drill; and (2) the employee provides written consent. Provides that certain schools may not conduct or approve a training or drill for a student of the school that includes, as any part of the training or drill, the expelling of any type of projectile at a student. Provides that the prohibition on the possession of a firearm in or on school property or on a school bus does not apply to certain qualified law enforcement officers and qualified retired law enforcement officers. Makes conforming and technical amendments.

Current Status: Public Law 218

Comments: Effective 7/1/2023

Note 1: School personnel are not given authority under HEA 1177 to choose to possess, carry, or access a handgun on school property. The governing body of a school corporation must first adopt a policy enabling this security measure.

[HEA 1382](#) **ROBOTICS PROGRAMS** (GOODRICH C) Establishes the robotics competition program to provide grants to eligible robotics competition teams (eligible teams) in order to expand opportunities to increase interest and improve skills in science, technology, engineering, and mathematics through participation in competitive robotics programs. Provides a procedure for eligible teams to apply to the department of education (department) to receive a grant. Establishes the robotics competition program fund. Provides that the department shall establish guidelines to: (1) award grants to eligible teams for allowable expenses; and (2) accommodate the participation of students with disabilities on eligible teams or in robotics competitions.

Current Status: Public Law 231

Comments: Effective 7/1/2023

[HEA 1396](#) **STOP THE BLEED PROGRAM** (ANDRADE M) Establishes the stop the bleed donation pool for the purpose of receiving donations of gifts or donations. Provides that the stop the bleed donation pool is administered by the department of

homeland security. Provides that a public safety agency may request bleeding control kits or donations made to the pool.

Current Status: Public Law 143

Comments: Effective 7/1/2023

[HEA 1438](#) **PUBLICATION OF LOCAL GOVERNMENT NOTICES** (MILLER D) Provides that a towing service is subject to the same public notice advertising rates as a government agency if the service: (1) acts as an agent of a government agency; and (2) provides the notice required to dispose of abandoned vehicles or parts. Provides for the creation of a public notice task force (task force) to study notice publication statutes for the purpose of streamlining the process and maximizing value to Indiana citizens. Provides the following: (1) The task force must publish a report with its determinations and recommendations for legislation not later than December 1, 2023. (2) The task force expires December 31, 2023.

Current Status: Public Law 84

Comments: SECTION 2 retroactively effective on 4/20/2023; SECTION 1 effective on 7/1/2023

[HEA 1447](#) **EDUCATION MATTERS** (SCHAIBLEY D) Provides that, if a school corporation or qualified school uses a third-party vendor in providing certain personal analyses, evaluations, or surveys, the third-party vendor and the school corporation or qualified school may not record, collect, or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student. Provides that, if a school corporation or qualified school uses a third-party vendor in providing the personal analysis, evaluation, or survey, the school corporation or qualified school must provide parents or students, as applicable, two requests for written consent before administering the analysis, evaluation, or survey. Provides that the school corporation or qualified school may administer the personal analysis, evaluation, or survey if a parent or student, as applicable, does not decline the analysis, evaluation, or survey. Requires each school corporation or qualified school to: (1) post a copy of a personal analysis, evaluation, or survey on the school corporation's or qualified school's website; and (2) send with each notice an explanation of the reasons that the school corporation or qualified school is administering the personal analysis, evaluation, or survey. Requires each qualified school to establish and maintain a grievance procedure for complaints regarding a violation of this provision. Provides that, if a state agency, school corporation, or qualified school or an employee of a state agency, school corporation, or qualified school requires, makes part of a course, awards a grade or course credit, or otherwise incentivizes a student to engage in: (1) political activism; (2) lobbying; or (3) efforts to persuade members of the legislative or executive branch at the federal, state, or local level; the state agency, school corporation, or qualified school or the employee of the state agency, school corporation, or qualified school shall not require the student to adopt, affirm, affiliate, or take any action that would result in favoring any particular position on the issue or issues involved without offering an alternative option for the student to complete the assignment or receive extra credit or other incentivization that allows for the favoring of an alternative position. After June 30, 2023, requires certain contracts between a school corporation or a qualified school and a third-party vendor concerning a personal analysis, survey, or evaluation to contain a breach of contract provision. Requires schools to adopt policies and procedures concerning material alleged to be obscene or harmful to minors. Removes schools from the list of entities eligible for a specified defense to such criminal prosecutions.

Current Status: Public Law 234

Comments: SECTIONS 1, 3-4 effective 7/1/2023; SECTIONS 2, 5-6 effective 1/1/2024

Note: The Indiana State Library published a [memo](#) on May 15, 2023, interpreting the sections of the bill that impact school libraries.

[HEA 1449](#) **TWENTY-FIRST CENTURY SCHOLARS PROGRAM** (HARRIS JR. E) Provides that the commission for higher education shall do the following: (1) In cooperation with the department of education, identify students who meet the requirements to participate in the twenty-first century scholars program (program). (2) Notify the student and the custodial parent or guardian of the student, if the student is an unemancipated minor, that: (A) the student is eligible to participate in the program; (B) the student must agree to the conditions required to participate in the program; and (C) the student has the right to opt out of the program at any time.

Current Status: Public Law 235

Comments: Effective 7/1/2023

[HEA 1454](#) **DEPARTMENT OF LOCAL GOVERNMENT FINANCE** (SNOW C) Among several provisions, HEA 1454 provides that the term of any judgment funding bond with regard to either: (1) the city of Hobart; or (2) the Merrillville Community School Corporation; issued for the purpose of paying a property tax judgment rendered against Lake County for assessment year 2011, 2012, 2013, or 2014 shall be 25 years. Changes the sunset date for the procedure for selling certain bonds to July 1, 2025, and makes corresponding changes. Amends an exclusion from the definition of "controlled project" for projects required by a court order. Extends through 2026 the authority for certain school corporations to allocate circuit breaker credits proportionately but imposes limitations with respect to school corporation eligibility to allocate such credits. Repeals the provision establishing the division of data analysis of the department. Provides that when a county auditor submits a certified statement of assessed value to the department, the county auditor shall exclude the amount of assessed value for any property located in the county for which an appeal has been filed and for which there is no final disposition. Provides that a county auditor may appeal to the department to include the amount of assessed value under appeal within a taxing district for that calendar year. Prescribes additional duties for the department. Provides that the distressed unit appeal board (DUAB) may employ staff (instead of an executive director). Provides that the department may (instead of shall) support the DUAB's duties using money from the department's budget funding. Repeals provisions requiring the DUAB to pay the emergency manager's compensation and to reimburse the emergency manager for actual and necessary expenses. Repeals the fiscal and qualitative indicators committee (committee). Replaces references to the committee with references to the DUAB. Provides that, in the assessment of tangible property, confidential information may be disclosed to an official or employee of a county assessor or auditor. Establishes a tax credit for an eligible taxpayer that employs certain individuals with a disability. Provides that contributions to a 529 college savings account or 529A ABLE account made after December 31, 2023, shall be considered as having been made during the taxable year preceding the contribution if certain conditions are met.

Current Status: Public Law 236

Comments: Various effective dates; See this [Enrolled Act Summary](#) for a list of effective dates by section.

[HEA 1483](#) **DISCIPLINE RULES REGARDING BULLYING** (SMITH V) Provides that discipline rules adopted by the governing body of a school corporation must include timetables for reporting bullying incidents to parents of both the targeted student and the alleged perpetrator in an expedited manner that is not later than five business days after the incident is reported. (Current law provides that discipline rules adopted by the governing body of a school corporation must include timetables for reporting bullying incidents to parents of both the targeted student and the bully in an expedited manner.) Provides that discipline rules adopted by the governing body of a school corporation: (1) must include provisions that require a school to prioritize the safety of the victim; (2) may include provisions to determine: (A) the severity of an incident of bullying; and (B) whether an incident of bullying may warrant the transfer of the victim or the alleged perpetrator to another school in the school corporation; and (3) must include policies to allow a parent of a child in the school corporation to review any materials used in any bullying prevention or suicide prevention program. Requires public schools to document acts of bullying and abusive behaviors against a victim and committed by a verified perpetrator.

Current Status: Public Law 238

Comments: Effective 7/1/2023

[HEA 1492](#) **SCHOOL SAFETY** (MCNAMARA W) Makes changes to the permissible uses of the Indiana secured school fund. Moves provisions in the Indiana Code pertaining to the appointment of a school safety specialist, school safety specialist programs, and school safety plans. Makes changes to the Indiana secured school fund application procedures. Makes changes to the Indiana secured school fund reporting requirements. Makes various changes to provisions regulating the appointment of a school safety specialist, school safety specialist program, and school safety plans. Requires before December 31, 2023, that each county shall establish a county school safety commission. (Current law provides that a county may establish a county school safety commission.) Requires each school corporation and charter school to establish a safe school committee. Requires the division of school building physical security and safety of the department of education to establish and maintain guidelines, in consultation with the department of homeland security and institute for criminal justice, for developing and maintaining school safety plans and assist the secured school safety board in conducting the review and submitting certain reports. Provides that the governing body of a school corporation or charter school organizer shall: (1) approve or disapprove all school safety specialists chosen by the superintendent of the school corporation or leadership of the charter school; and (2) review the school safety plan. Makes changes to the duties of a school resource officer. Makes changes to information reported by a school corporation or charter school pertaining to a school resource officer that is reported to the department of homeland security. Requires the secured schools safety board to include certain aggregate information relating to the number of school resource officers employed by schools. Provides that an organizer of a charter school shall require each charter school under the authority of the organizer to conduct annual emergency preparedness drills. Makes changes to distribution amounts from the state user fee fund. Makes conforming amendments. Repeals provisions establishing the Indiana safe schools fund, school safe haven programs, and existing provisions relating to the establishment of school safety specialists, county school safety commissions, school safety specialist training and safe school programs. Defines various terms. Provides that a school corporation, charter school, or accredited nonpublic school may receive a matching grant from the Indiana

secured school fund to purchase student safety management technology. Makes a technical correction.

Current Status: Public Law 150

Comments: Effective 7/1/2023

[HEA 1499](#) **VARIOUS TAX MATTERS** (THOMPSON J) Key provisions of HEA 1499 relevant to K-12 school governance include: Makes certain changes to the qualification requirements for the: (1) deduction for individuals who are at least 65 years of age; and (2) additional credit for certain homesteads. Increases the amount of the supplemental homestead deduction for property taxes first due and payable in 2024 and 2025. Provides that if a taxpayer presents an appraisal to the county property tax assessment board of appeals (county board) that meets specified requirements, the appraisal is presumed to be correct. Provides that, notwithstanding any increase in assessed value of property from the previous assessment date, the total amount of operating referendum tax that may be levied by a school corporation for taxes first due and payable in 2024 may not increase by more than 3% over the maximum operating referendum tax that could be levied by the school corporation in the previous year. Provides a calculation to be used in determining the maximum levy growth quotient in 2024 and 2025. Modifies, through December 31, 2024, the threshold amounts used for determining whether a political subdivision's project is a controlled project and whether the petition and remonstrance process or the referendum process applies based on the political subdivision's total debt service tax rate, but excludes certain projects for which a public hearing to issue bonds or enter into a lease has been conducted before July 1, 2023. Creates an exception, through December 31, 2024, to a provision subjecting a controlled project in a political subdivision with a total debt service rate of \$0.80 per \$100 of assessed valuation to the referendum process, if: (1) the political subdivision submits a request to the department of local government finance (DLGF) seeking a waiver of the provision; (2) the proposed controlled project is a response to a maintenance emergency; and (3) the DLGF determines that the maintenance emergency is sufficient to waive the provision. Amends an exclusion from the definition of "controlled project" for projects required by a court order. Specifies the information that must be provided on the web page. Defines "maintenance emergency". Makes conforming changes.

Current Status: Public Law 239

Comments: SECTIONS 1, 12, 18 retroactive effective date of 1/1/2023; SECTIONS 2, 4-5, 13 effective 5/4/2023; SECTIONS 3, 6-11, 14-17 effective 7/1/2023

[HEA 1528](#) **NEXT GENERATION HOOSIER EDUCATORS SCHOLARSHIP PROGRAM** (HEINE D) Provides that an individual enrolled in a transition to teaching program may apply for a one time scholarship under the next generation Hoosier educators scholarship program. Establishes requirements to qualify for the one-time scholarship. Provides that the maximum amount of a scholarship is \$10,000. Provides that the total annual amount of scholarships awarded from the next generation Hoosier educators scholarship fund to individuals enrolled in a transition to teaching program may not exceed \$1,000,000. Requires that an awarded scholarship must be repaid under certain conditions.

Current Status: Public Law 242

Comments: Effective 7/1/2023

[HEA 1558](#) **SCIENCE OF READING** (TESHKA J) Defines "science of reading". Requires the state board of education (state board) in collaboration with the department of education (department) to prepare and submit a report regarding the alignment of science of reading concepts in IREAD. Requires a school corporation and charter school to report certain information regarding reading and writing curricula, remedial programs, and administrative contact information on the school corporation's or charter school's website. Provides that, beginning with the 2024-2025 school year, a superintendent, advisory committee, or governing body or the equivalent for a charter school: (1) shall adopt curriculum or supplemental materials for reading that are aligned with the science of reading and to the student's reading proficiency; and (2) may not adopt curriculum or supplemental materials for reading that are based on the three-cueing model. Requires the department to develop guidelines for science of reading integration into teacher preparation programs. Makes changes to the education law concerning the science of reading and teacher preparation and licensing requirements. Requires a school corporation to differentiate the amount of salary increases or increments for teachers who possess a required literacy endorsement. Removes a requirement that a discussion regarding teacher supplemental payment be held. Requires the state board to establish and require literacy endorsements for certain individuals first licensed after June 30, 2025. Provides that, not later than July 1, 2024, the state board shall adopt rules to establish early childhood content area licenses and required endorsements. Requires the department to publish an advisory list of science of reading curricula on the department's website. Provides that the state board and the department: (1) shall implement academic standards for reading that are aligned with the science of reading and developmentally appropriate based on student need; and (2) may not implement an academic standard for reading based on the three-cueing model.

Current Status: Public Law 243

Comments: SECTION 3 effective 5/4/2023; SECTIONS 1-2, 4-17 effective 7/1/2023

[HEA 1590](#) **VARIOUS EDUCATION MATTERS** (BEHNING R) Makes various changes to the education law concerning the following: (1) The science of reading and licensing requirements. (2) The grant for benchmark, formative, interim, or similar assessments with regards to certain assessments, including universal screeners that screen for dyslexia. (3) Eligibility requirements for the next level computer science program. (4) Reading deficiency remediation plan requirements. (5) Payments and funding for excess costs of educating certain students with disabilities. (6) The use of funds from the Senator David C. Ford educational technology fund. (7) Requirements for public schools regarding adopting or replacing data technology systems. (8) The evaluation of curricular materials by the department of education (department). Requires the department to evaluate, approve, and publish a list of high-quality curricular materials in the subjects of science, technology, engineering, and math. Provides that, before curricular material is included on the list, the publisher of the curricular material must enter into a data share agreement with the department. Requires, not later than July 1, 2024, the department to conduct a statewide survey to determine which curricular materials have been adopted for use in certain subjects.

Current Status: Public Law 245

Comments: SECTION 12 effective 5/4/2023; SECTIONS 1-11 effective 7/1/2023

VARIOUS EDUCATION MATTERS (BEHNING R) Requires the Indiana archives and records administration to: (1) establish procedures to retain an original record, document, plat, paper, or instrument-in-writing in an electronic format; (2) establish a period of time after which an original record, document, plat, paper, or instrument-in-writing may be destroyed; and (3) prepare and submit, not later than November 1, 2023, a report to the general assembly regarding these matters. Amends the duties of the early learning advisory committee. Changes the prekindergarten pilot program to the prekindergarten program and removes the expiration date. Provides that, at least once every five years, the office, in cooperation with the department of education (department), must carry out a longitudinal study regarding students who participate in the prekindergarten program. Amends requirements regarding cardiopulmonary resuscitation (CPR) for childcare centers, childcare homes, and child care ministries. Requires: (1) each public school to provide information to the department concerning certain physical injuries to employees; and (2) the department to report the information on the department's website. Requires the department to provide certain information to public schools and state accredited nonpublic schools and requires each school to post the information on the school's website home page. Amends innovation network school and participating innovation network charter school provisions regarding: (1) certain agreement requirements and limitations; (2) appeals to the state board of education regarding the failure to follow an agreement renewal process; and (3) negotiating the requirement of specific services. Allows an innovation network team or organizer to enter into an agreement with a school corporation to transfer the ownership of a school corporation facility to the team or organizer and provides that a transfer is not subject to provisions in the law concerning the transfer of vacant school buildings to charter schools. Provides that a school corporation may not require an innovation network team or an organizer to contract for specific goods or services provided by the school corporation or any other entity. Requires information regarding certain possible criminal activity, concluded personnel matter investigations, and matters involving legal expenses be provided to the governing body of a school corporation. Provides that at-risk students who are receiving certain educational services are not included in a public school's four-year graduation rate and are included in an eligible school's graduation rate under certain conditions. Amends the definition of "teacher" regarding certain teacher compensation provisions and requires a school corporation to expend at least 62% of the school corporation's state tuition support on teacher compensation. (Current law requires a school corporation to expend at least 45% on full-time teacher salaries.) Requires special education grade 8 through 12 case conference committees to discuss decision making skills and alternatives to appointing a guardian. Requires the department to, subject to appropriation by the general assembly, provide schools the same per pupil exam fee amounts for international baccalaureate and Cambridge International exams as is provided for advanced placement exams. Provides that: (1) any course that meets the requirements of a career and technical education program may be taught virtually by a virtual provider if certain conditions are met; and (2) the virtual course is eligible for a career and technical education grant. Amends the definition of "school scholarship", with regard to scholarship granting organizations. Removes a provision that requires choice scholarship schools to conduct random drawings in a public meeting if applicants for enrollment exceed the number of choice scholarships available to the school. Provides that the state board shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2022-2023 and 2023-2024 school years. Provides that, when developing a proposal for a revised

school performance designation, the department shall consider using certain metrics.

Current Status: Public Law 246

Comments: SECTION 44 effective retroactively to 7/1/2022; SECTIONS 1-43 effective 7/1/2023; SECTION 45 effective 7/1/2024

Note: Per the IDOE Weekly Update on June 9, 2023, it states that in lieu of issuing letter grades and in an effort to provide additional transparency in school performance, HEA 1591 requires IDOE to develop a "report card" for public and state accredited non-public schools to post on their websites by October 15, 2023. The report card will provide key data points for parents, families, and communities to better understand the work happening in our schools. Additional information can be found in [this memo](#).

[HEA 1608](#) **EDUCATION MATTERS** (DAVIS M) Provides that a school, an employee or staff member of a school, or a third-party vendor used by a school to provide instruction may not provide any instruction to a student in prekindergarten through grade 3 on human sexuality. Provides that a school employee or a school staff member is not prohibited from responding to a question from a student regarding certain topics. Requires a school to notify in writing at least one parent of a student, if the student is an unemancipated minor, of a request made by the student to change the student's name or pronoun, title, or word to identify the student.

Current Status: Public Law 248

Comments: Effective 7/1/2023

[HEA 1609](#) **WORKFORCE DEVELOPMENT MATTERS** (DAVIS M) Repeals provisions concerning the work Indiana program. Defines "adult education and literacy activities" and requires that certain money appropriated by the general assembly be used for workforce preparation activities and integrated education and training. Removes or amends certain provisions regarding: (1) reimbursements to eligible providers for adult education that is provided to certain individuals; and (2) adult education grants provided to employers of eligible employees. Allows the department of workforce development to grant a specified diploma to an individual who demonstrates high school level skills through certain competency-based assessments and obtains an industry recognized credential. Specifies the meaning of "authorization" for the purpose of certain provisions related to postsecondary proprietary educational institutions. Makes conforming changes.

Current Status: Public Law 157

Comments: Effective 7/1/2023

[HEA 1635](#) **VARIOUS EDUCATION MATTERS** (BEHNING R) Requires each school corporation to publish on the school corporation's website the graduation rate for each high school in the school corporation. Amends the: (1) definition of "graduation" for the high school graduation rate determination; and (2) graduation rate calculation. Allows charter schools and nonpublic schools to issue an adjunct teacher permit to certain individuals. Provides that an individual who holds an adjunct teacher permit may teach in a career and technical education content area in which the school corporation, charter school, or nonpublic school allows the individual to teach based on the individual's experience. Requires the state board of education (state board) to: (1) develop algebra I, algebra II, and geometry courses that include real world application and project based and inquiry-based learning; and (2) implement the courses not later than the 2025-2026 school year. Provides that, if the state board

establishes an Armed Services Vocational Aptitude Battery as a graduation pathway, the state board shall require a student who elects the pathway to submit documentation that demonstrates the student's intent to enlist in the military as a condition of meeting the pathway requirements. Requires the state board to, not later than July 1, 2023, review and update any guidance issued by the state board regarding the Armed Services Vocational Aptitude Battery as a graduation pathway requirement. Provides that a school corporation, charter school, or state accredited nonpublic school may not require a student enrolled in the school corporation, charter school, or state accredited nonpublic school to participate in any particular graduation pathway to be eligible to graduate. Removes a provision that provides that not more than 1% of students of a cohort may receive an alternate diploma. Provides that, for purposes of determining a school's or school corporation's graduation rate, not more than one percent of a school's or school corporation's graduation cohort that receives an alternate diploma may be counted as having graduated. Removes a requirement that a school corporation record or include certain immunization information in the official high school transcript for a high school student. Removes a provision that allows a school corporation to include additional information on a student's high school transcript. Provides that any notification or materials provided or distributed by the Indiana department of health or a school to a parent of a student regarding required or recommended immunizations for the student must clearly delineate or label immunizations that are required and immunizations that are only recommended. Provides that the department of education shall develop a proposal for a revised school performance designation not later than December 1, 2024.

Current Status: Public Law 160

Comments: SECTION 11 effective 5/1/2023; SECTIONS 1-10, 12-15 effective 7/1/2023; SECTION 16 effective 7/1/2024

Note 1: IDOE has provided preliminary guidance on provisions of this law via its Weekly Update newsletter on June 9, 2023. Regarding the requirement to revise Indiana's current accountability system, in alignment with Indiana's new Graduates Prepared to Succeed (Indiana GPS) dashboard, IDOE will develop a proposal revising our current accountability system no later than December 1, 2024.

Note 2: HEA 1635 also establishes new caps on the percentage of graduation waivers that will be counted towards a school's state and local graduation rate beginning with the 2024 graduation cohort. Please see [this memo](#) for additional information provided by IDOE.

Note 3: Per the IDOE Weekly Update on June 9, 2023, HEA 1635 outlines additional parameters for students utilizing the ASVAB to meet graduation pathway requirements. This includes completing the [Military Enlistment Intent Form](#). Please see [this memo](#) for additional information.

[HEA 1637](#) **TEACHER EDUCATION SCHOLARSHIP PROGRAMS** (BEHNING R) Increases the annual scholarship amount that the commission for higher education (commission) may award under the next generation Hoosier educators scholarship program from \$7,500 to \$10,000. Removes limits on the number of next generation Hoosier educators scholarships that may be awarded. Establishes the next generation Hoosier minority educators scholarship program and fund. Provides that the commission may award a next generation Hoosier minority educators scholarship to an eligible applicant in an amount of \$10,000 each academic year for not more than four academic years. Establishes criteria an applicant must meet and terms an

applicant must agree to in order to receive a next generation Hoosier minority educators scholarship. Increases the annual scholarship amount that an Earline S. Rogers student teaching scholarship for minority students recipient may receive from \$4,000 to \$5,000.

Current Status: Public Law 161

Comments: Effective 7/1/2023

[HEA 1638](#) **EDUCATION MATTERS** (BEHNING R) Requires the department of education (department) to report to the legislative council findings and recommendations for reducing the amount of redundant data that schools are required to submit to state agencies. Provides that a student presently enrolled in a public high school may retake a virtual course that was previously completed by the student at the same public high school under certain conditions. Provides that if a student elects to retake a virtual course, the retaken course must meet certain criteria. Provides that a student who has retaken a course before July 1, 2023, must receive full credit and a replacement grade for the course under certain conditions. Provides that the department shall require publication of a corrected graduation rate as prescribed by the department (instead of in the next school year's report). Provides that before July 1, 2024, the department may establish or license for use an online platform to provide certain required training programs. Moves up deadlines for recommending and approving streamlined academic standards in order to implement the new standards in the 2023-2024 school year. Provides that the department shall: (1) consider the skills, knowledge, and practices that are necessary to understand and utilize emerging technologies and that may be rendered obsolete by emerging technologies; (2) consider for removal any academic standards that may be obsolete as a result of emerging technologies; and (3) provide support to school corporations regarding the implementation of revised academic standards that have an emerging technologies component. Provides that individuals appointed to an academic standards committee must be racially and geographically diverse. Requires employers to report the employment of students enrolled in work-based learning courses to the department of workforce development. Requires a secondary or postsecondary educational institution to ensure that a student's completion of a work-based learning course is indicated on the student's transcript. Establishes a science of reading grant. Repeals: (1) the school corporation annual performance report law; (2) the charter school obligation to publish an annual performance report; (3) the performance-based awards law; and (4) annual financial reports by school corporations.

Current Status: Public Law 250

Comments: SECTION 31 effective 5/4/2023; SECTIONS 1-30, 32-44 effective 7/1/2023

[SEA 1](#) **BEHAVIORAL HEALTH MATTERS** (CRIDER M) Provides that, subject to certain procedures and requirements, the office of the secretary of family and social services may apply to the United States Department of Health and Human Services: (1) for a Medicaid state plan amendment, a waiver, or an amendment to an existing waiver to require reimbursement for eligible certified community behavioral health clinic services; or (2) to participate in the expansion of a community mental health services demonstration program. Requires the division of mental health and addiction to establish and maintain a help line: (1) to provide confidential emotional support and referrals to certain resources to individuals who call the help line; and (2) that is accessible by calling a toll-free telephone number. Establishes the Indiana behavioral health commission (commission) and sets forth the commission's

membership. Changes the name of the "9-8-8 crisis hotline center" to "9-8-8 crisis response center". Makes conforming changes.

Current Status: Public Law 162

Comments: SECTIONS 4 and 10 effective 5/4/2023; SECTIONS 1-3, 5-9, 11-17 effective 7/1/2023

[SEA 3](#)

STATE AND LOCAL TAX REVIEW TASK FORCE (HOLDMAN T) Establishes the state and local tax review task force (task force). Specifies the membership of the task force and the topics the task force is required to review. Provides that the member of the task force who is an economist is appointed jointly by the president pro tempore of the senate and the speaker of the house of representatives. Provides for the selection of the chairperson and vice chairperson of the task force.

Current Status: Public Law 163

Comments: Effective 5/4/2023

[SEA 4](#)

PUBLIC HEALTH COMMISSION (CHARBONNEAU E) Defines "core public health services" for purposes of public health laws. Adds members to the executive board of the Indiana department of health (state department). Removes a provision allowing the state department to establish branch offices. Provides that the state department may provide services to local health departments. Requires each local board of health to establish a local public health services fund to receive state funding. Provides a method of allocation of state funding to local boards of health, subject to state appropriations. Specifies the percentage of how additional funding may be expended on core public health services. Allows the local health department to enter into contracts or approve grants for core public health services. Allows the state department to issue guidance to local health departments. Requires the state department to make annual local health department reports available to the public. Changes the qualification requirements for a local health officer and requires certain training. Requires the state department to identify state level metrics and county level metrics and requires certain local health departments to report to the state department activities and metrics on the delivery of core public health services. Requires the state department to annually report on the metrics to the budget committee and publish information concerning the metrics on the Internet. Requires that a local health department post a position or contract for the provision or administration of core public health services for at least 30 days. Requires a local health department to provide certain education before administering a vaccine. Requires a multiple county health department to maintain at least one physical office in each represented county. Provides that a new city health department cannot be created after December 31, 2022, but allows current city health departments to continue to operate. Creates the Indiana trauma care commission. Allows a school corporation that cannot obtain an ophthalmologist or optometrist to perform the modified clinical technique vision test to conduct certain specified vision screenings. Requires the school to send to the parent of a student any recommendation for further testing by the vision screener. Allows for standing orders to be used for emergency stock medication in schools. Allows the state health commissioner or designee to issue a statewide standing order, prescription, or protocol for emergency stock medication for schools. Removes the distance requirement for an access practice dentist to provide communication with a dental hygienist. Repeals provisions concerning the Indiana local health department trust account.

Current Status: Public Law 164

Comments: SECTIONS 19, 32, 34-35, 43 effective 5/4/2023; SECTIONS 1-18, 20-31, 33, 36-42, 44-59 effective 7/1/2023

[SEA 35](#)

FINANCIAL LITERACY (GASKILL M) Provides that, beginning with the cohort of students who are expected to graduate from a public school, a charter school, or a state accredited nonpublic school in 2028, an individual must successfully complete a personal financial responsibility course (course) before the individual may graduate. Creates requirements for content that must be covered in a course. Provides that a public school, a charter school, or a state accredited nonpublic school must offer instruction on a course as a separate subject. Provides that the state board may allow a course to satisfy one or more diploma course requirements.

Current Status: Public Law 168

Comments: Effective 7/1/2023

[SEA 72](#)

EDUCATION MATTERS (LEISING J) Provides the following: (1) Not later than October 1, 2023, each public elementary school and state accredited nonpublic elementary school shall provide to the department of education (department) information regarding whether the school provides instruction on cursive writing to students and, if cursive writing instruction is provided, the grade level of students to whom the instruction is provided. (2) Not later than December 1, 2023, the department shall prepare a report regarding the information and submit the report to the legislative council.

Current Status: Public Law 169

Comments: Effective 7/1/2023

[SEA 77](#)

THROWING STARS (BROWN L) Makes throwing stars legal in Indiana except for on school property.

Current Status: Public Law 22

Comments: Effective 7/1/2023

[SEA 100](#)

EDUCATION MATTERS (RAATZ J) Provides that a: (1) school that seeks state accreditation; and (2) national or regional accreditation agency that seeks to be recognized by the state board of education (state board); must complete and submit the applicable application form established by the state board. Requires the state board to do the following: (1) Not later than six months after the date a completed application is submitted, approve or deny the accreditation or recognition. (2) If the state board denies an accreditation or recognition, send notice to the school or national or regional accreditation agency stating the reasons for the denial. Requires the department of education (department) to post a copy of the application forms on the department's website. Provides that the Internet dashboard on the state board's website must include: (1) a school's disciplinary incident data; (2) data regarding a school's socioeconomic status and poverty rate; and (3) a school's proportion of fully licensed teachers. Allows the department to award grants under the student learning recovery grant program (program) in state fiscal years 2024 and 2025 from funds appropriated during the 2021 regular session of the Indiana general assembly that have not been obligated. Establishes additional dates for reporting requirements regarding the program. Provides that, as a component of the program application, the department may include a requirement for a school corporation or charter school to provide a matching grant. Provides that funds appropriated to the student learning recovery grant program fund do not revert to the state general fund and remain available to be spent for purposes of the program. Amends agreement requirements for the Indiana student enrichment grant

program. Provides that an enrichment student who currently maintains an account is entitled to a grant amount that is subject to available funding and determined by the department. Repeals a provision that establishes a one-time enrichment grant amount.

Current Status: Public Law 171

Comments: SECTION 10 effective 6/30/2023; SECTIONS 1-9, 11-13 effective 7/1/2023

[SEA 167](#)

FAFSA (LEISING J) Requires all students, except for students at certain nonpublic schools, in the student's senior year to complete and submit the FAFSA not later than April 15 unless: (1) a parent of a student or a student, if the student is an emancipated minor, signs a waiver that the student understands what the FAFSA is and declines to complete it; or (2) the principal or school counselor of the student's high school waives the requirement for a group of students due to the principal or school counselor being unable to reach the parents or guardians of the students by April 15 after at least two reasonable attempts to contact the parents or guardians. Requires that the: (1) model notice prepared by the commission for higher education; and (2) notice that each school corporation is required to send regarding the FAFSA; include information regarding the requirements and exceptions for completing the FAFSA. Expires certain requirements on June 30, 2033. Makes a conforming change and technical corrections.

Current Status: Public Law 29

Comments: Effective 7/1/2023

[SEA 168](#)

STATEWIDE ASSESSMENT RESULTS (LEISING J) Requires (rather than permits) the department of education to include in a contract with a statewide assessment vendor entered into or renewed after June 30, 2023, a requirement that the vendor provide a summary of a student's statewide assessment results. Makes a conforming change and a technical correction.

Current Status: Public Law 30

Comments: Effective 7/1/2023

[SEA 177](#)

SCHOOL BOARD CANDIDATE FILING DEADLINE (KOCH E) Changes the time frame that a candidate for a school board office is required to file the candidate's petition of nomination. Modifies deadlines concerning a statement questioning the validity of a petition of nomination or contesting the denial of certification.

Current Status: Public Law 34

Comments: Effective 7/1/2023

Note: In 2024, the school board candidate petition filing window will open on May 21 and close at noon on June 20.

[SEA 265](#)

TANF ELIGIBILITY (FORD J) Sets the income eligibility requirements for the Temporary Assistance for Needy Families (TANF) program at a specified percentage of the federal income poverty level. Requires the division of family resources (division) to amend the state TANF plan or take any other action necessary to implement the income requirements. Increases certain payment amounts under the TANF program. Repeals provisions: (1) regarding TANF eligibility of a child born more than 10 months after the child's family qualifies for TANF assistance; (2) encouraging a family that receives TANF assistance to receive family planning counseling; and (3) requiring the division to apply a percentage reduction to the total needs of TANF applicants and recipients in computing TANF benefits. Provides that TANF assistance shall be provided to a woman who: (1) is pregnant at the time

an application for assistance is filed; and (2) meets the income requirements. Requires the office of the secretary of family and social services to calculate and report to the legislative council, by December 1 of every even-numbered year, the amounts that would result if certain payment amounts were adjusted each year using the Social Security cost of living adjustment rate. Makes conforming changes.

Current Status: Public Law 103

Comments: SECTIONS 14, 16, 18-20 effective 1/1/2022 (RETROACTIVE); SECTIONS 7, 21: effective 5/1/2023; SECTIONS 3, 11, 15, 17 effective 7/1/2023; SECTIONS 1-2, 4-6, 12-13 effective 7/1/2024

[SEA 317](#)

CONTRACTING AND PURCHASING (ZAY A) Provides that a political subdivision may make advance payments to contractors to enable the contractors to purchase materials needed for a public works project of the political subdivision. Provides that a political subdivision may make advance payments for goods or services before the goods are delivered or services are completed if the fiscal body of the political subdivision authorizes advance payments.

Current Status: Public Law 181

Comments: Effective 5/4/2023

[SEA 327](#)

GARY COMMUNITY SCHOOLS (MISHLER R) Establishes procedures to appoint members to the governing body of the Gary Community School Corporation. Establishes procedures for transferring responsibility of financial and academic matters from the emergency manager to the governing body. Removes obsolete provisions and makes conforming amendments. Provides that not later than October 31, 2025, and each October 31 thereafter, the governing body must submit a report to the distressed unit appeal board (DUAB) summarizing the financial position and operations of the school corporation for the previous state fiscal year. Requires: (1) the governing body to submit a report concerning specified topics to the DUAB and the budget committee before July 1, 2026; and (2) the DUAB to present that report to the budget committee before November 1, 2026. Repeals provisions relating to the election of advisory board members for the Gary Community School Corporation. Provides that the DUAB may employ staff (instead of an executive director). Repeals provisions requiring the DUAB to pay the Muncie Community School's emergency manager's compensation and to reimburse the Muncie Community School's emergency manager for actual and necessary expenses. Repeals the fiscal and qualitative indicators committee (committee). Replaces references to the committee with references to the DUAB.

Current Status: Public Law 184

Comments: SECTIONS 4, 9, 11-17, 24, 26, 28-29, 32-41, 43-45, 47-48 effective 5/4/2023; SECTIONS 1-3, 5-8, 10, 18-23, 25, 27, 30-31, 42, 46: effective 7/1/2023

[SEA 342](#)

TEACHER HIRING (FREEMAN A) Requires a school corporation, charter school, or nonpublic school to consider using a more comprehensive expanded criminal history background check for employment. Repeals current law concerning a school corporation or charter school's employment of, or contracting with, certain individuals, and establishes a new section that: (1) prohibits a school corporation, charter school, or state accredited nonpublic school from employing or contracting with specified individuals; (2) after June 30, 2023, allows a school corporation, charter school, or state accredited nonpublic school to employ or contract with certain other individuals with a majority vote of the school board, or the equivalent for a charter school, or with a notification of the appointing authority. Specifies that

"misconduct" includes certain specified acts. Requires a school corporation, charter school, or state accredited nonpublic school that receives a reference request from another school to disclose specified incidents to the requesting school. Makes conforming changes.

Current Status: Public Law 110

Comments: Effective 7/1/2023

[SEA 369](#)

AUTOMATED EXTERNAL DEFIBRILLATOR REQUIREMENTS (ROGERS L) Provides that school coaches, assistant coaches, marching band leaders, drama and musical leaders, and extracurricular activity leaders may ensure that an operational automated external defibrillator (AED) is present at each event in which students have an increased risk of sudden cardiac arrest (event) for which the individual is providing coaching or leadership. Provides that the AED may be: (1) deployed in accordance with the venue specific emergency action plan; (2) located on the premises where the event occurs; and (3) present for the duration of the event. Allows two or more events to share an AED if certain conditions are met. Provides that school coaches, assistant coaches, marching band leaders, drama and musical leaders, and extracurricular activity leaders, at each event, may inform all individuals who are overseeing or supervising the activity of the location of the AED. Provides that a school corporation, charter school, and state accredited nonpublic school may: (1) ensure that each required AED is properly maintained; (2) develop a venue specific emergency action plan for sudden cardiac arrest (plan); (3) post the plan in a conspicuous place at an event; and (4) share the plan with the school board, school coaches, assistant coaches, marching band leaders, drama and musical leaders, extracurricular activity leaders, and applicable students. Requires a plan to: (1) establish a goal of responding within three minutes; and (2) require the performance of periodic drills. Provides that a school corporation, a charter school, a state accredited nonpublic school, or an accredited nonpublic school may apply for a grant from the Indiana secured school fund to purchase an AED under certain circumstances. Requires the department of education to conduct a statewide survey of school corporations, charter schools, and state accredited nonpublic schools to determine: (1) the number of AEDs owned before July 1, 2023, by schools; and (2) school policies in effect before July 1, 2023, regarding AEDs.

Current Status: Public Law 187

Comments: Effective 7/1/2023

[SEA 380](#)

VARIOUS EDUCATION MATTERS (RAATZ J) Requires each school corporation to publish on the school corporation's website the graduation rate for each high school in the school corporation. Amends the definition of "graduation" for purposes of the high school graduation rate determination. Provides that credit for an algebra course earned under certain conditions must count toward the credit requirements for an academic honors diploma. Allows a school corporation to adopt a policy concerning dress code or distractive behavior.

Current Status: Public Law 188

Comments: Effective 7/1/2023

[SEA 391](#)

CHARTER SCHOOLS (ROGERS L) Provides that, for a resolution to adopt a school operating referendum tax levy or school safety referendum tax levy adopted after May 10, 2023, a county auditor must distribute a portion of revenue received from the school operating referendum tax levy or school safety referendum tax levy to each charter school in which students who receive not more than 50% virtual instruction and who have legal settlement in certain school corporations attend.

Provides that if a charter school receives a distribution from a school corporation from a school operating referendum tax levy or a school safety referendum tax levy, the charter school must post certain information on the charter school's website. Provides that a charter school that may receive money from a school operating referendum tax levy or a school safety referendum tax levy may not promote a position on a referendum, in the same manner as a school corporation is prohibited from promoting a position on a referendum. Provides that the maximum length of a charter is 15 years. (Current law provides that the maximum length of a charter is seven years.) Provides all charter schools access to loans through the Indiana bond bank. Provides that the state board of education (state board) may advance money to charter schools to be used for: (1) school building construction programs; and (2) educational technology programs. Amends the definition of "school building construction program" to: (1) include the purchase, lease, or financing of land, the construction and equipping of school buildings, and the remodeling, repairing, or improving of school buildings by a charter school; and (2) replace "adjusted assessed valuation" with "assessed valuation" with regard to school corporation eligibility for an advance from the common school fund. Provides that a charter school may not receive an advance from the common school fund for an educational technology program unless the charter school develops a three-year technology plan. Provides that a school corporation may not (instead of is not entitled to) receive or use certain money or advances unless the school corporation develops a three-year technology plan. Makes conforming changes regarding advances to charter schools from the common school fund. Establishes standards concerning when a school corporation may close an underutilized school building that had been used at any time for classroom instruction. Provides procedures regarding petitioning for a determination as to whether a school building meets criteria for closure or should be made available for sale or lease. Requires the department of education (department) to make a determination regarding a petition. Requires each school corporation to annually report to the department certain information regarding school buildings. Provides procedures for notifying charter schools or state educational institutions through the department of the availability of a covered school building. Provides for appeals of certain orders or decisions to the state board. Provides that the: (1) department; or (2) selected charter school or state educational institution; may request the attorney general to commence a legal action to enforce a final order for the sale or lease of a covered school building or file a civil action to enforce the final order for the sale or lease after certain time periods. Repeals certain provisions regarding investigating complaints and enforcement by the attorney general. Establishes the charter school facility grant program. Makes conforming amendments. Makes a technical correction.

Current Status: Public Law 189

Comments: SECTIONS 4-5, 28-38 effective 5/4/2023; SECTIONS 1-3, 6-27, 39-55 effective 7/1/2023

[SEA 417](#)

VARIOUS TAX MATTERS (BALDWIN S) Makes certain changes to the nonprofit organization sales tax exemption threshold after which nonprofit organizations are required to collect state sales tax. Authorizes a county to impose a local income tax (LIT) rate for county staff expenses of the state judicial system in the county. Provides that the expenses paid from the LIT revenue may not comprise more than 50% of the county's total budgeted operational staffing expenses related to the state judicial system in any given year. Requires certain reporting requirements related to the use of the LIT revenue. Specifies a three-business day grace period following the postmark date of a document during which the department of state

revenue will consider the document received to be timely filed for purposes of a due date. Makes certain changes to the nonprofit organization sales tax exemption threshold after which nonprofit organizations are required to collect state sales tax.

Current Status: Public Law 193

Comments: Effective 7/1/2023

[SEA 443](#)

VARIOUS EDUCATION MATTERS (ROGERS L) Requires the department of education to, not later than November 1, 2023, do the following: (1) Create a list of personal liability insurers that offer personal liability insurance policies for teachers. (2) Post the list on the department's website. Provides that the academic standards committee appointed by the secretary of education must include employers (in addition to other members under current law). Provides that a school psychologist may provide services on a private basis to an individual if the school psychologist receives a referral from the individual's parent and the individual is an unemancipated minor.

Current Status: Public Law 196

Comments: Effective 7/1/2023

[SEA 480](#)

GENDER TRANSITION PROCEDURES FOR MINORS (JOHNSON T) Prohibits a physician or other practitioner from: (1) knowingly providing gender transition procedures to an individual who is less than 18 years of age (minor); and (2) aiding or abetting another physician or practitioner in the provision of gender transition procedures to a minor. Specifies certain medical exceptions. Establishes civil enforcement actions.

Current Status: Public Law 10

Comments: Effective 7/1/2023

[SEA 486](#)

EDUCATION MATTERS (ROGERS L) Repeals teacher training requirements regarding: (1) criminal gang organizations awareness; (2) certain information concerning homeless students; and (3) recognizing the signs and symptoms of seizures and the appropriate steps to be taken to respond to the symptoms; and requires that information concerning these subjects be included within the curriculum of teacher preparation programs. Provides that the department of education (department) may establish or license for use an online platform to provide information and training concerning these and other subjects. Removes certain requirements regarding annual performance evaluation plans for certificated employees, including: (1) certain content requirements; and (2) certain requirements that a plan be discussed. Amends requirements to be considered a probationary teacher and professional teacher. Provides that, after a school corporation has assigned an evaluator to perform a certificated employee's evaluation, the certificated employee may request the school corporation to assign another evaluator. Urges the legislative council to assign to an appropriate interim study committee the task of studying current school assessments in an effort to reduce and streamline assessments for Indiana students. Removes a provision that requires a school employer to discuss certain items with the exclusive representative of certificated employees and provides that a school employer may discuss: (1) with a certificated employee or group of certificated employees; or (2) at one or more meetings that are open to all certificated employees; any topic that significantly impacts a certificated employee's working conditions or impacts the educational quality of the school employer's students. Repeals provisions concerning: (1) requirements regarding the adoption of model evaluation plans and an approval process for the plans; (2) the obligation to discuss certain items not

requiring either party to enter into a contract, agree to a proposal, or make a concession; and (3) the definition of "discuss" for purposes of the collective bargaining provisions.

Current Status: Public Law 200

Comments: SECTION 35 effective 5/4/2023; SECTION 31 effective 6/29/2023; SECTIONS 1-30, 32-34: effective 7/1/2023

Note 1: In its Weekly Update published on June 9, IDOE included a memo regarding schools' responsibilities to comply with the McKinney-Vento Homeless Assistance Act despite the repeal of some state laws related to homeless students.