



January 28, 2021

HOUSE BILL No. 1008

DIGEST OF HB 1008 (Updated January 27, 2021 3:43 pm - DI 125)

Citations Affected: IC 20-32; noncode.

Synopsis: Student learning recovery grant program. Establishes the: (1) student learning recovery grant program; and (2) student learning recovery grant program fund (fund). Provides that, to be eligible to receive a grant, an eligible entity must develop and submit a student learning acceleration plan (plan). Establishes requirements for a plan. Appropriates to the fund from the state general fund for the purposes of the program \$150,000,000 for the 2021 state fiscal year.

Effective: Upon passage.

Carbaugh, Engleman, McNamara

January 14, 2021, read first time and referred to Committee on Ways and Means.
January 28, 2021, amended, reported — Do Pass.

HB 1008—LS 7435/DI 116



January 28, 2021

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 BILL No. 1008

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-32-8.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]:

4 **Chapter 8.7. Student Learning Recovery Grant Program and**
5 **Fund**

6 **Sec. 1. As used in this chapter, "eligible entity" refers to an**
7 **entity that meets criteria established by the department under**
8 **section 6 of this chapter.**

9 **Sec. 2. As used in this chapter, "fund" refers to the student**
10 **learning recovery grant program fund established by section 12 of**
11 **this chapter.**

12 **Sec. 3. As used in this chapter, "plan" refers to a student**
13 **learning recovery plan developed by an eligible entity under**
14 **section 8 of this chapter.**

15 **Sec. 4. As used in this chapter, "program" refers to the student**
16 **learning recovery grant program established by section 5 of this**
17 **chapter.**

HB 1008—LS 7435/DI 116



1 **Sec. 5. (a) The student learning recovery grant program is**
2 **established to provide grants to an eligible entity for the purpose**
3 **of providing recovery learning and remediation to students in**
4 **kindergarten through grade 12 who:**

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

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

14 **(b) The department shall administer the program.**

15 **Sec. 6. The department, in consultation with the state board,**
16 **shall establish criteria for determining who is considered an**
17 **eligible entity. In determining eligibility criteria, the department**
18 **shall consider a broad range of educational and remedial resources**
19 **including institutions of higher education, community based**
20 **organizations, and philanthropic organizations, as well as current,**
21 **prospective, and retired teachers, in addition to school**
22 **corporations, charter schools, and nonpublic schools, as well as**
23 **ways to encourage partnerships between two (2) or more of these**
24 **entities.**

25 **Sec. 7. To be eligible to receive a grant under this chapter, an**
26 **eligible entity must do the following:**

- 27 **(1) Apply on a form and in a manner established by the**
28 **department.**
29 **(2) Apply by a date established by the department.**
30 **(3) Develop and submit to the department a student learning**
31 **recovery plan that meets the requirements in section 8 of this**
32 **chapter and any other requirements established by the**
33 **department.**

34 **Sec. 8. (a) To be eligible to receive a grant under this chapter, an**
35 **eligible entity must develop and submit to the department a student**
36 **learning recovery plan to provide recovery learning and recovery**
37 **learning to students of the eligible entity described in section 5(a)**
38 **of this chapter.**

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

- 40 **(1) Address learning loss associated with the purpose of the**
41 **program described in section 5(a) of this chapter.**
42 **(2) Provide for recovery learning to be offered in an in person**



1 setting, and may not offer recovery learning in a virtual
2 setting.

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

9 Sec. 9. (a) If an eligible entity meets the requirements under this
10 chapter, the department may award a grant under this chapter to
11 the eligible entity in an amount determined by the department.

12 (b) If an eligible entity that receives a grant under this chapter
13 is a school corporation, the grant amount is not subject to collective
14 bargaining under IC 20-29. Notwithstanding IC 20-29-6-3, grant
15 money received under this chapter is not considered revenue in the
16 school corporation's education fund for purposes of determining
17 whether the school corporation is in a position of deficit financing
18 under IC 20-29-6-3.

19 Sec. 10. An eligible entity that receives a grant under this
20 chapter shall use the grant to implement the plan developed and
21 submitted by the eligible entity under section 7(3) of this chapter.

22 Sec. 11. Subject to the federal Family Educational Rights and
23 Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99), upon request
24 by a student's parent, a school shall provide to an eligible entity
25 awarded a grant under this chapter student records necessary to
26 conduct remedial or recovery learning in accordance with the
27 purpose of the program described in section 5 of this chapter,
28 including:

- 29 (1) benchmark;
- 30 (2) diagnostic;
- 31 (3) formative; or
- 32 (4) summative;

33 assessment results.

34 Sec. 12. (a) The student learning recovery grant program fund
35 is established for the purpose of providing grants to eligible entities
36 under the program.

37 (b) The department shall administer the fund.

38 (c) The fund consists of the following:

- 39 (1) Appropriations by the general assembly.
- 40 (2) Interest deposited in the fund under subsection (d).
- 41 (3) Donations, gifts, and money received from any other
42 source, including transfers from other funds or accounts.



1 (d) The treasurer of state shall invest money in the fund not
2 currently needed to meet the obligations of the fund in the same
3 manner as other public money may be invested. Interest that
4 accrues from these investments shall be deposited in the fund.

5 (e) All money accruing to the fund is appropriated continuously
6 for the purposes of the fund.

7 (f) Money in the fund at the end of a state fiscal year does not
8 revert to the state general fund.

9 Sec. 13. (a) Not later than July 1, 2022, and July 1, 2023, the
10 department shall prepare an annual report that includes the
11 following:

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

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

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

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

19 (1) governor; and

20 (2) legislative council in an electronic format under IC 5-14-6.

21 Sec. 14. The state board may adopt rules under IC 4-22-2
22 necessary to implement this chapter.

23 Sec. 15. There is appropriated to the fund one hundred fifty
24 million dollars (\$150,000,000) from the state general fund for the
25 purposes of providing grants under this chapter for the state fiscal
26 year beginning July 1, 2020, and ending June 30, 2021.

27 Sec. 16. This chapter expires July 1, 2023.

28 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Money in the
29 student learning recovery grant program fund established in
30 IC 20-32-8.7-12, as added by this act, shall revert to the state
31 general fund on June 30, 2023.

32 (b) This SECTION expires July 1, 2024.

33 SECTION 3. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 3, after "students" insert "**in kindergarten through grade 12**".

Page 2, line 21, after "charter schools," insert "**and**".

Page 2, line 21, delete "and virtual".

Page 2, line 22, delete "education providers,".

Page 2, line 38, delete "must:" and insert "**must do the following:**".

Page 2, line 39, delete "address" and insert "**Address**".

Page 2, line 40, delete "; and" and insert ".".

Page 2, between lines 40 and 41, begin a new line block indented and insert:

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

Page 2, line 41, delete "(2) include" and insert "**(3) Include**".

and when so amended that said bill do pass.

(Reference is to HB 1008 as introduced.)

BROWN T

Committee Vote: yeas 23, nays 0.

