

HOUSE BILL No. 1353

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-3-32.5; IC 20-26-11.

Synopsis: Education matters. Requires the department of education to prepare a report to the general assembly compiling certain data over a 40 year period. Provides that the parents of any high school student may request a transfer from a school corporation in which the student has a legal settlement to a transferee school corporation in Indiana if the student may be better accommodated by the athletics program offered by the public schools of the transferee corporation.

Effective: July 1, 2024.

Morris, Behning, Morrison, Judy

January 10, 2024, read first time and referred to Committee on Education.



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

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

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

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

HOUSE BILL No. 1353

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 20-19-3-32.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 32.5. (a) As used in this section,**
4 **"cohort" has the meaning set forth in IC 20-26-13-2.**

5 **(b) As used in this section, "graduation rate" has the meaning**
6 **set forth in IC 20-26-13-6.**

7 **(c) Not later than December 31, 2024, the department shall**
8 **prepare a report compiling data over a forty (40) year period from**
9 **July 1, 1983, through July 1, 2023, concerning kindergarten**
10 **through grade 12 students in Indiana. The report must include the**
11 **following information:**

12 **(1) What end of school year statewide test, evaluation, or**
13 **scoring metric was in place each year.**

14 **(2) What statewide academic standards were in effect each**
15 **year.**

16 **(3) For each cohort enrolled in a public school in Indiana the**
17 **average:**



- 1 (A) score concerning an end of school year statewide test
 2 described in subdivision (1);
 3 (B) SAT or ACT score; and
 4 (C) graduation rate.
- 5 (d) Not later than January 1, 2025, the department shall submit
 6 the report described in subsection (c) to the general assembly in an
 7 electronic format under IC 5-14-6.
- 8 (e) The department, in conjunction with the state board, shall do
 9 the following:
- 10 (1) Determine, based on the report prepared under subsection
 11 (c), which surveyed year produced the highest scores and
 12 graduation rates.
- 13 (2) Not later than the 2025-2026 school year, realign current
 14 statewide academic standards to the standards in place during
 15 the year determined in subdivision (1).
- 16 SECTION 2. IC 20-26-11-5.5 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2024]: Sec. 5.5. (a) As used in this section,
 19 "athletics program" refers to:
- 20 (1) an extracurricular competitive or noncompetitive activity;
 21 or
 22 (2) marching band.
- 23 (b) The parents of any high school student, or the student after
 24 the student has become eighteen (18) years of age, may request a
 25 transfer from a school corporation in which the student has a legal
 26 settlement to a transferee school corporation in Indiana if the
 27 student may be better accommodated by the athletics program
 28 offered by the public schools of the transferee corporation.
 29 Whether the student can be better accommodated depends on such
 30 matters as:
- 31 (1) crowded conditions of the transferee or transferor
 32 corporation; and
 33 (2) athletics program offerings at the high school level that
 34 are important to the aspirations of the student.
- 35 (c) The request for transfer must be made in writing to the
 36 transferor corporation, which shall immediately mail a copy to the
 37 transferee corporation. The request for transfer must be made at
 38 the times provided under rules adopted by the state board. The
 39 transfer is effected if both the transferee and the transferor
 40 corporations approve the transfer not more than thirty (30) days
 41 after that mailing. If the transferor school corporation fails to act
 42 on the transfer request within thirty (30) days after the request is



1 received, the transfer is considered approved. The transfer is
 2 denied when either school corporation mails a written denial by
 3 certified mail to the requesting parents or student at their last
 4 known address.

5 (d) If a request for transfer is denied under subsection (c), an
 6 appeal may be taken to the state board by the requesting parents
 7 or student, if commenced not more than ten (10) days after the
 8 denial. An appeal is commenced by mailing a notice of appeal by
 9 certified mail to the superintendent of each school corporation and
 10 the state board. The secretary of education shall develop forms for
 11 this purpose, and the transferor corporation shall assist the parents
 12 or student in the mechanics of commencing the appeal. An appeal
 13 hearing must comply with section 15 of this chapter.

14 SECTION 3. IC 20-26-11-6, AS AMENDED BY P.L.30-2010,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 6. (a) A school corporation may accept a
 17 transferring student without approval of the transferor corporation
 18 under section 5 or 5.5 of this chapter.

19 (b) A transfer may be accepted regardless of whether, as a condition
 20 of the transfer, the transferee school requires the requesting parents or
 21 student to pay transfer tuition in an amount determined under the
 22 formula established in section 13 of this chapter for the payment of
 23 transfer tuition by a transferor school corporation. However, if the
 24 transferee school elects to charge transfer tuition, the transferee school
 25 may not offset the amounts described in section 13(b) STEP TWO (B)
 26 through section 13(b) STEP TWO (D) of this chapter from the amount
 27 charged to the requesting parents or student.

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

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

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

