

SENATE BILL No. 358

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19; IC 20-20-5.5; IC 20-28-10-21; IC 20-30-6.1-5; IC 20-51.

Synopsis: Various education matters. Provides that a school may be an eligible choice scholarship school if the school obtains provisional accreditation from a national or regional accreditation agency that is recognized by the state board of education. Beginning December 15, 2025, requires the department of education (department) to compile a report regarding the statewide assessment program. Specifies that the report must be disaggregated according to certain parameters. Requires the department to submit the report to the legislative council. Changes certain requirements concerning the establishment of a virtual education program. Requires the department, beginning July 1, 2026, to evaluate, approve, and publish a list of high quality curricular materials for use in English/language arts. Requires the department to determine the feasibility of making certain math and English/language arts curricular materials available to public schools. Provides that a public school that has a counselor/student ratio equal to or more than one school counselor to 350 students may not require a school counselor to perform certain employment activities. Provides that a school counselor may consent to performing one or more of the employment activities. Provides that a health occupation course offered by certain schools shall satisfy as a science credit. Allows a parent of a choice scholarship student or an eligible choice scholarship school on behalf of a parent to petition the department to reconsider the eligibility of a choice scholarship student enrolled in the school if the parent has reason to believe that the student was determined ineligible due to enrollment data inaccuracies reported by a school.

Effective: July 1, 2025.

Raatz

January 13, 2025, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 358



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 20-19-2-10.5, AS ADDED BY P.L.171-2023,
- 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2025]: Sec. 10.5. (a) A national or regional accreditation
- 4 agency that seeks to be recognized by the state board for purposes of
- 5 awarding accreditation **and provisional accreditation, if applicable**,
- 6 to nonpublic schools in Indiana shall submit to the state board a
- 7 completed application for recognition form established by the state
- 8 board.
- 9 (b) The state board shall, not later than six (6) months after the date
- 10 a national or regional accreditation agency submits a completed
- 11 application for recognition form under this section, approve or deny
- 12 recognition of the national or regional accreditation agency.
- 13 (c) If the state board denies recognition of the national or regional
- 14 accreditation agency, the state board shall send a notice to the national
- 15 or regional accreditation agency stating the reasons for denying
- 16 recognition.
- 17 (d) The department shall post a copy of the application for



1 recognition form as required under IC 20-19-3-21.

2 SECTION 2. IC 20-19-3-36 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2025]: **Sec. 36. (a) As used in this section:**

5 (1) "statewide assessment program" refers to the program
6 described in IC 20-32-5.1-7; and

7 (2) "virtual education program" has the meaning set forth in
8 IC 20-19-9-1.

9 (b) Before December 15, 2025, and before December 15 of each
10 year thereafter, the department shall prepare a report regarding
11 the statewide assessment program.

12 (c) The report required under subsection (b) shall compile the
13 statewide assessment program results for all students and
14 disaggregate the results by the following:

15 (1) The:

16 (A) school corporation; or

17 (B) virtual education program;
18 in which the student is enrolled.

19 (2) The student's race, grade, gender, free or reduced price
20 lunch status, and eligibility for special education.

21 (d) The department shall submit the report required under
22 subsection (b) to the legislative council in an electronic format
23 under IC 5-14-6.

24 (e) The department may not disclose any personal identifiable
25 information of any individual under this section.

26 SECTION 3. IC 20-19-9-4, AS AMENDED BY P.L.216-2021,
27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2025]: **Sec. 4. (a) If the lesser of at least:**

29 (1) one hundred (100) students of a school corporation; or

30 (2) thirty percent (30%) of the total number of students enrolled
31 in the a school corporation

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

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

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

41 SECTION 4. IC 20-20-5.5-2, AS AMENDED BY P.L.245-2023,
42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2025]: Sec. 2. (a) Not later than July 1, 2024, and each July 1
 2 thereafter, the department shall evaluate, approve, and publish a list of
 3 high quality curricular materials for use in the following subjects:

- 4 (1) Science.
 5 (2) Technology.
 6 (3) Engineering.
 7 (4) Math.

8 **(5) Beginning July 1, 2026, English/language arts.**

9 The department shall post the list approved under this subsection on
 10 the department's website.

11 (b) Subject to subsection (g), the department shall determine the:

- 12 (1) process for evaluating and approving curricular materials
 13 under subsection (a); and
 14 (2) requirements for curricular materials to be approved and
 15 included on the list described in subsection (a).

16 (c) The department shall publish an annual report that describes the
 17 method used to conduct the evaluation required under subsection (a)
 18 and that contains the results of the evaluation. The report must do the
 19 following:

- 20 (1) Provide a list of each curricular material evaluated and a
 21 summary of the evaluation for each curricular material.
 22 (2) Provide a listing and summary review for the high quality
 23 curricular materials approved by the department.
 24 (3) Include any clarification or response from the publisher of a
 25 curricular material related to the department's summary review
 26 provided under subdivision (2).
 27 (4) Include the written, exact, and standard statewide price
 28 provided by the publisher of the curricular material under
 29 subsection (e) for each high quality curricular material approved
 30 by the department under this section.

31 (d) A governing body and superintendent may use the list approved
 32 under subsection (a) in complying with IC 20-26-12-24.

33 (e) Before the department may approve curricular material for
 34 inclusion on the list under subsection (a), the publisher of the curricular
 35 material must:

- 36 (1) provide the department a written, exact, and standard
 37 statewide price for each curricular material; and
 38 (2) enter into a data share agreement with the department in the
 39 manner prescribed by the department.

40 (f) A publisher may request that an update to the publisher's
 41 curricular materials and corresponding prices replace the information
 42 on the curricular materials set forth in the report under subsection (c).



1 (g) At a minimum, the process for evaluating curricular materials
 2 and the requirements for curricular materials to be approved and
 3 included on the list described in subsection (a) must include the
 4 following:

5 (1) The availability and use of benchmark, formative, interim, or
 6 similar assessments to identify students that require remediation
 7 and provide individualized instruction.

8 (2) The incorporation of experiential learning opportunities.

9 (3) An evaluation of the benchmark, formative, interim, or similar
 10 assessment data provided by the publisher of the curricular
 11 material pursuant to the data share agreement described in
 12 subsection (e).

13 (4) The alignment of the curricular material to Indiana's academic
 14 standards developed by the department under IC 20-31-3-2.

15 (h) Not later than July 1, 2024, the department shall conduct a
 16 statewide survey to determine which curricular materials have been
 17 adopted for use in teaching science, technology, engineering, and
 18 mathematics in each state accredited school. Each state accredited
 19 school shall:

20 (1) participate in the statewide survey conducted under this
 21 subsection; and

22 (2) provide the information requested by the department as part
 23 of the statewide survey;

24 in the manner prescribed by the department. This subsection expires
 25 January 1, 2025.

26 SECTION 5. IC 20-20-5.5-4 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2025]: **Sec. 4. (a) Not later than July 1, 2026, the department
 29 shall determine the feasibility of developing for use by all public
 30 schools the curricular materials described in section 2(a)(4) and
 31 2(a)(5) of this chapter.**

32 **(b) If the department develops curricular materials under
 33 subsection (a) and a public school elects to use the curricular
 34 materials described in subsection (a), the department must provide
 35 those materials to the public school at no cost to the public school.**

36 **(c) Any funds allocated for the purpose of fulfilling the
 37 development of curricular materials described in subsection (a) are
 38 contingent upon the feasibility determination described in
 39 subsection (a).**

40 SECTION 6. IC 20-28-10-21 IS ADDED TO THE INDIANA
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 21. (a) As used in this section,**
 42



- 1 **"public school" includes a charter school.**
 2 **(b) Subject to subsection (c), if a public school has a**
 3 **counselor/student ratio that is equal to or more than one (1) school**
 4 **counselor to three hundred fifty (350) students, the public school**
 5 **may not require a school counselor to perform any of the following**
 6 **employment activities:**
 7 **(1) Building a master schedule.**
 8 **(2) Coordinating paperwork and data entry of all new**
 9 **students.**
 10 **(3) Signing excuses for students who are tardy or absent.**
 11 **(4) Performing disciplinary actions or assigning discipline**
 12 **consequences.**
 13 **(5) Covering classes when a teacher is absent or to create**
 14 **teacher planning time.**
 15 **(6) Maintaining student records.**
 16 **(7) Computing grade point averages.**
 17 **(8) Supervising classrooms or common areas.**
 18 **(9) Maintaining clerical records.**
 19 **(10) Assisting with duties in the principal's office.**
 20 **(11) Serving as a data entry clerk.**

21 **(c) A school counselor described in subsection (b) may consent**
 22 **to performing one (1) or more of the activities listed in subsection**
 23 **(b).**

24 SECTION 7. IC 20-30-6.1-5 IS ADDED TO THE INDIANA CODE
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2025]: **Sec. 5. A health occupation course offered by a school**
 27 **corporation, charter school, or state accredited nonpublic school**
 28 **must satisfy one (1) science credit for a diploma established under**
 29 **IC 20-19-2-21.**

30 SECTION 8. IC 20-51-1-4.7, AS AMENDED BY P.L.242-2017,
 31 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2025]: **Sec. 4.7. "Eligible school" refers to a public or**
 33 **nonpublic elementary school or high school that:**

- 34 (1) is located in Indiana;
 35 (2) requires an eligible choice scholarship student to pay tuition
 36 or transfer tuition to attend;
 37 (3) voluntarily agrees to enroll an eligible choice scholarship
 38 student;
 39 (4) is accredited by **either** the state board or **is accredited by or**
 40 **obtains provisional accreditation from** a national or regional
 41 accreditation agency that is recognized by the state board;
 42 (5) administers the statewide assessment program;



1 (6) is not a charter school or the school corporation in which an
2 eligible choice scholarship student has legal settlement under
3 IC 20-26-11; and

4 (7) submits to the department only the student performance data
5 required for a category designation under IC 20-31-8-3.

6 SECTION 9. IC 20-51-4-5.5 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2025]: **Sec. 5.5. (a) A parent of an eligible choice scholarship
9 student or an eligible school on behalf of a parent of an eligible
10 choice scholarship student may petition the department to
11 reconsider the eligibility of a choice scholarship student enrolled in
12 the eligible school if the parent has reason to believe that the
13 student was determined ineligible due to enrollment data
14 inaccuracies reported by a school.**

15 **(b) If the department determines that a student described in
16 subsection (a) is eligible for a choice scholarship under this
17 chapter, the department may adjust the enrollment count of choice
18 scholarship students for the applicable eligible school.**

19 **(c) If the department adjusts a count used for a distribution
20 under this chapter, the department shall adjust subsequent
21 distributions to the eligible school that is affected by the adjusted
22 count, on the schedule determined by the department, to reflect the
23 differences between the distribution that the eligible school
24 received and the distribution that the eligible school would have
25 received if the adjusted count had been used.**

