

January 24, 2025

SENATE BILL No. 373

DIGEST OF SB 373 (Updated January 22, 2025 4:10 pm - DI 152)

Citations Affected: IC 20-19; IC 20-20; IC 20-27; IC 20-28; IC 20-30; IC 20-32; IC 20-35; IC 20-51.

Synopsis: Department of education. Provides that the department of education (department) is the proper authority to accept federal funds appropriated to aid in the education of children with disabilities (current law provides that the state board of education is the proper authority). Provides that the evaluation process for certain curricular materials must include the age appropriateness of the content. Removes the member of the Indiana Transportation Association from the list of nonvoting members on the state school bus committee. Provides that an individual seeking an initial practitioners license through an alternative certification path must successfully complete an applicable teacher licensing exam as approved by the state board of education (board) (current law requires the successful completion of a Praxis Subject Assessment). Provides that summer school funding may be differentiated based on the course or length of time of the program. Moves the establishment of the division of special education from the board to the department. Changes certain duties for the secretary of education and the director of special education. Provides that the department may suspend or terminate the certification of a scholarship granting organization if the department establishes that the organization has not granted a scholarship within certain time frames.

Effective: July 1, 2025.

Raatz, Rogers

January 13, 2025, read first time and referred to Committee on Education and Career Development. January 23, 2025, amended, reported favorably — Do Pass.



January 24, 2025

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. 373

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 20-19-2-16, AS ADDED BY P.L.1-2005,
2	SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2025]: Sec. 16. (a) The state accepts the provisions and
4	benefits of laws enacted by the Congress of the United States that
5	provide for aid to children with disabilities.
6	(b) The state board department is designated as the proper
7	authority and may accept any federal funds appropriated to aid in the
8	education of children with disabilities. The state board department
9	shall comply with all the requirements of:
10	(1) federal law concerning any federal funds relating to special
11	educational activities; and
12	(2) any amendments to those laws or rules and regulations issued
13	under and in conformity with those laws and not inconsistent with
14	this chapter.
15	SECTION 2. IC 20-20-5.5-2, AS AMENDED BY P.L.245-2023,
16	SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17	JULY 1, 2025]: Sec. 2. (a) Not later than July 1 2024, and each July 1



1 thereafter, of each year, the department shall evaluate, approve, and 2 publish a list of high quality curricular materials for use in the 3 following subjects: (1) Science. 4 5 (2) Technology. 6 (3) Engineering. 7 (4) Math. 8 The department shall post the list approved under this subsection on 9 the department's website. 10 (b) Subject to subsection (g), the department shall determine the: (1) process for evaluating and approving curricular materials 11 12 under subsection (a); and (2) requirements for curricular materials to be approved and 13 14 included on the list described in subsection (a). 15 (c) The department shall publish an annual report that describes the 16 method used to conduct the evaluation required under subsection (a) 17 and that contains the results of the evaluation. The report must do the 18 following: 19 (1) Provide a list of each curricular material evaluated and a 20 summary of the evaluation for each curricular material. 21 (2) Provide a listing and summary review for the high quality 22 curricular materials approved by the department. 23 (3) Include any clarification or response from the publisher of a 24 curricular material related to the department's summary review 25 provided under subdivision (2). 26 (4) Include the written, exact, and standard statewide price 27 provided by the publisher of the curricular material under 28 subsection (e) for each high quality curricular material approved 29 by the department under this section. 30 (d) A governing body and superintendent may use the list approved 31 under subsection (a) in complying with IC 20-26-12-24. 32 (e) Before the department may approve curricular material for 33 inclusion on the list under subsection (a), the publisher of the curricular 34 material must: 35 (1) provide the department a written, exact, and standard 36 statewide price for each curricular material; and 37 (2) enter into a data share agreement with the department in the 38 manner prescribed by the department. 39 (f) A publisher may request that an update to the publisher's curricular materials and corresponding prices replace the information 40 41 on the curricular materials set forth in the report under subsection (c). 42 (g) At a minimum, the process for evaluating curricular materials

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1	and the requirements for curricular materials to be approved and included on the list described in subsection (a) must include the
2	included on the list described in subsection (a) must include the
3	following:
4	(1) The availability and use of benchmark, formative, interim, or
5	similar assessments to identify students that require remediation
6	and provide individualized instruction.
7	(2) The incorporation of experiential learning opportunities.
8	(3) An evaluation of the benchmark, formative, interim, or similar
9	assessment data provided by the publisher of the curricular
10	material pursuant to the data share agreement described in
11	subsection (e).
12	(4) The alignment of the curricular material to Indiana's academic
13	standards developed by the department under IC 20-31-3-2.
14	(5) The age appropriateness of the content.
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 3. IC 20-27-3-2, AS AMENDED BY P.L.43-2021,
27	SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28	JULY 1, 2025]: Sec. 2. (a) The following nonvoting members shall
29	advise the voting members of the committee:
30	(1) A member of the Indiana Association of School Bus
31	Distributors selected by the executive committee of that
32	association.
33	(2) A member of the state police department selected by the state
34	police superintendent.
35	(3) A member of the Indiana Transportation Association selected
36	by the executive committee of that association.
37	(4) (3) A member of the Indiana Township Association selected
38	by the executive committee of that association.
39	(5) (4) A school business official appointed by the secretary of
40	education upon the recommendation of the Indiana Association
41	of School Business Officials.
42	(b) An individual is not qualified to serve as a nonvoting member



1	of the committee until proper credentials of the individual's
2	appointment have been filed with the chairperson of the committee.
3	Each nonvoting member shall be notified of all committee meetings
4	and may attend each meeting and offer advice to the voting members
5	of the committee.
6	SECTION 4. IC 20-28-5-12.5, AS AMENDED BY P.L.243-2023,
7	SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8	JULY 1, 2025]: Sec. 12.5. (a) The department shall grant an initial
9	practitioner license to an individual who:
10	(1) possesses a bachelor's degree from an accredited
11	postsecondary four (4) year institution;
12	(2) successfully completes an alternative teacher certification
13	program that includes:
14	(A) the required content training in the area in which the
15	individual seeks to be licensed;
16	(B) pedagogy training and an examination that is in
17	substantive alignment with nationally recognized pedagogical
18	standards and teaches effective:
19	(i) instructional delivery;
20	(ii) classroom management and organization;
21	(iii) assessment;
22	(iv) instructional design; and
23	(v) professional learning and leadership;
24	(C) successful demonstration of content area proficiency in an
25	examination that includes content area material in substantive
26	alignment with nationally recognized content area standards in
27	the areas that the individual is required to have a license to
28	teach;
29	(D) verification from a third party that regularly reviews
30	educational and professional examinations that the alternative
31	certification examination is equal to or greater in rigor than the
32	written examination under section 12 of this chapter;
33	(E) content within the curriculum that prepares teacher
34	candidates to use evidence based trauma informed classroom
35	instruction, including instruction in evidence based social
36	emotional learning classroom practices that are conducive to
37	supporting students who have experienced trauma that may
38	interfere with a student's academic functioning; and
39	(F) content within the curriculum that:
40	(i) beginning July 1, 2024, is aligned to the science of
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11	reading; and



1	program participants who seek to obtain an elementary
2	generalist license that is valid for teaching in kindergarten
3	through grade 5 or an early childhood license that is valid
4	for teaching prekindergarten through grade 3 to obtain the
5	literacy endorsement required under section 19.7 of this
6	chapter;
7	(3) successfully completes a Praxis Subject Assessment; an
8	applicable teacher licensing exam as approved by the state
9	board;
10	(4) holds a valid cardiopulmonary resuscitation certification from
11	a provider approved by the department; and
12	(5) has attended youth suicide awareness and prevention training.
13	(b) The individual must complete a one (1) year practical experience
14	program during the individual's first year in the classroom when the
15	individual is employed as a full-time teacher. The provider must:
16	(1) provide the practical experience program at no cost to the state
17	or to the school corporation, charter school, or state accredited
18	nonpublic school; and
19	(2) as part of the practical instruction program, provide
20	instruction in:
21	(A) instructional design and planning;
22	(B) effective instructional delivery;
23	(C) classroom management and organization;
24	(D) effective use of assessment data;
25	(E) content in federal and Indiana special education laws; and
26	(F) required awareness, preparation, and understanding of:
27	(i) individualized education programs;
28	(ii) service plans developed under 511 IAC 7-34;
29	(iii) choice special education plans developed under 511
30	IAC 7-49; and
31	(iv) plans developed under Section 504 of the federal
32	Rehabilitation Act of 1973, 29 U.S.C. 794.
33	(c) An in-state alternative teacher certification program under
34	subsection (a)(2) must operate in accordance with the procedures and
35	program approval standards and requirements set by the department
36	and the state board for teacher education programs for the licensure of
37	teachers.
38	(d) An out-of-state alternative teacher certification program under
39	subsection (a)(2) must:
40	(1) currently operate in at least five (5) states; and
41	(2) have operated an alternative teacher certification program for
42	at least ten (10) years.



(e) An individual who receives an alternative teacher certification under subsection (a)(2) is authorized to teach the subject and educational level that the individual has successfully completed.

(f) An individual who receives an initial practitioner license under this section shall be treated in the same manner as an individual who receives an initial practitioner license after completing a traditional teacher preparation program.

(g) An individual who graduates from an alternative teacher certification program must be treated in the same manner as a traditional teacher preparation program graduate during the transition from an initial practitioner license to a practitioner license.

12 (h) An individual who receives an initial practitioner license under 13 this section may not teach a special education course for a special 14 education student for the period the individual maintains a license 15 under this section unless the individual is at least twenty-six (26) years of age and employed in a school setting or with another community 16 17 organization, including a for-profit or nonprofit organization, to 18 provide care or instruction for a student with a physical, intellectual, or developmental disability. However, an individual who receives an 19 20 initial practitioner license under this section may not be a teacher of 21 record for a special education student for the period the individual 22 maintains the initial practitioner license.

(i) A school corporation, charter school, or state accredited nonpublic school shall submit a plan to the department if the school corporation, charter school, or state accredited nonpublic school hires one (1) or more individuals who have received an initial practitioner license under this section. The plan must be submitted in a manner prescribed by the department and must include a description of how the school corporation, charter school, or state accredited nonpublic school will, excluding the practical experience program described in subsection (b), provide an individual who receives an initial practitioner license under this section opportunities to obtain exposure to classroom management and instructional techniques, including meaningful exposure to special education. The plan is a public record.

(j) Not later than July 1, 2024, the department shall prepare a report that shall be submitted to the general assembly in an electronic format under IC 5-14-6. The report must contain the following information:

(1) Data showing how many teachers obtained an initial practitioner license under this section.

(2) A description of the number of teachers who received an initial practitioner license under this section who are currently employed as a teacher by each:

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1 (A) school corporation; 2 (B) charter school; or 3 (C) state accredited nonpublic school. 4 The description must include a breakdown of the subjects taught 5 by teachers who receive an initial practitioner license under this 6 section. 7 (3) A comparison of the Praxis Subject Assessment pass rates for 8 individuals who receive an initial practitioner license under this 9 section in comparison with the Praxis Subject Assessment pass 10 rates for teachers who obtained an initial practitioner license using a different pathway to licensure. 11 12 (4) A description of how many teachers who received an initial 13 practitioner license under this section are rated as effective or 14 highly effective. 15 SECTION 5. IC 20-30-7-1, AS AMENDED BY P.L.5-2024, 16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 17 JULY 1, 2025]: Sec. 1. (a) Except as provided in subsection (c), the 18 state board may prescribe a program of summer school education for 19 public schools. Subject to subsection (b), the state board shall adopt 20 rules under IC 4-22-2 to provide for: 21 (1) summer school programs; and 22 (2) the state distribution formula for any money appropriated by 23 the general assembly for summer school education to allow for 24 the reimbursement funding for approved summer school 25 programs on a per student basis, which may include 26 differentiated funding based on the course the student is 27 enrolled in and the length of time of the summer school 28 program. 29 (A) instructional costs; and 30 (B) costs of tuition for an applicable online summer school 31 course. 32 (b) The state board shall give priority reimbursement which must be 33 exempt from the distribution formula adopted by the state board under 34 subsection (a), for all eligible costs for summer school courses that 35 include curriculum aligned with the science of reading designated by 36 the department to support students in: 37 (1) grade 2 who are at risk of not being reading proficient; and 38 (2) grade 3 who are not reading proficient; 39 as indicated on the determinant evaluation of reading skills approved 40 by the state board under IC 20-32-8.5-2. 41 (c) A state accredited nonpublic school and an eligible school (as 42 defined in IC 20-51-1-4.7) shall be eligible for summer school funding



1	for courses that include curriculum aligned with the science of reading
2	designated by the department to support students in:
3	(1) grade 2 who are at risk of not being reading proficient; and
4	(2) grade 3 who are not reading proficient;
5	as indicated on the determinant evaluation of reading skills approved
6	by the state board under IC 20-32-8.5-2.
7	SECTION 6. IC 20-32-8.5-2, AS AMENDED BY THE
8	TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL
9	ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10	JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b), the
11	plan required by this chapter must include the following:
12	(1) Reading skill standards for grade 1 through grade 3.
13	(2) A method for making determinant evaluations by grade 3 that
14	remedial action is required for a student, including:
15	(A) beginning with evaluations administered during the
16	2024-2025 school year, and except as provided in subsection
17	(c), retention of the student in grade 3 if the student has not
18	achieved a passing score on the determinant evaluation of
19	reading skills approved by the state board after the student has
20	had an opportunity to retake the determinant evaluation in the
21	summer; and
22	(B) the use of curricular materials and supplemental materials
23	aligned to the science of reading that are designed to address
24	deficiencies in reading;
25	after other methods of remediation have been evaluated or used,
26	or both, if reading skills are below the standard. Appropriate
27	consultation with parents or guardians must be part of the plan.
28	(3) A requirement that schools notify a student's parent of the
29	following:
30	(A) The student's assessment results regarding skill level in:
31	(i) phonemic awareness;
32	(ii) phonics;
33	(iii) fluency;
34	(iv) vocabulary; and
35	(v) comprehension.
36	(B) The student's assessment results on the determinant
37	evaluation of reading skills approved by the state board.
38	(C) Any intervention provided to the student or any remedial
39	action taken.
40	(4) A requirement that schools monitor the progress of students
41	who failed to achieve a valid passing score on the:
42	(A) determinant evaluation of reading skills approved by the



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1	state board; or
2	(B) statewide assessment program test.
$\frac{2}{3}$	(5) A requirement that schools provide reading instruction that
4	includes a core reading program aligned with the science of
5	reading to all students in kindergarten through grade 8.
6	(6) A requirement for the administration of the determinant
7	evaluation of reading skills approved by the state board to
8	students in grade 2.
9	(7) A requirement that all students take the determinant
10	evaluation of reading skills approved by the state board until the
11	student:
12	(A) receives a passing score, regardless of the student's grade
13	level; or
14	(B) enters grade 7.
15	(8) A requirement that a school report the following to the
16	department:
17	(A) The literacy interventions that will be used for students in
18	grade 2 who are at risk of not being reading proficient and
19	students in grade 3 who do not achieve a valid passing score
20	on the determinant evaluation of reading skills approved by
21	the state board.
22	(B) The literacy interventions in use before the adoption of the
23	plan for students in grade 2 who are at risk of not being
24	reading proficient and students in grade 3 who do not achieve
25	a valid passing score on the determinant evaluation of reading
26	skills approved by the state board.
27	(C) The literacy interventions in use before the adoption of the
28	plan for students who do not achieve a valid passing score on
29	the determinant evaluation of reading skills approved by the
30	state board.
31	(D) The number of students being served by the interventions
32	described in clauses (B) and (C).
33	(E) The cost of providing the interventions described in
34	clauses (B) and (C).
35	(F) Any other information requested by the department.
36	(9) Requirements for a school in which fewer than seventy
37	percent (70%) of students of the school achieved a valid passing
38	score on the determinant evaluation of reading skills approved by
39	the state board that must include the following:
40	(A) Use of curriculum that is:
41	(i) based on the science of reading; and
42	(ii) age appropriate; and



1	(iii) (iii) approved by the department.
2	(B) Employment of the following:
3	(i) Before July 1, 2025, an instructional coach who is trained
4	in the science of reading, as determined by the department.
5	This item expires January 1, 2026.
6	(ii) After June 30, 2025, an instructional coach with a
7	literacy related endorsement who is trained in the science of
8	reading.
9	(C) Use of only benchmark, formative, interim, or similar
10	assessments that:
11	(i) show alignment with Indiana's academic standards; and
12	(ii) are approved by the department.
13	(D) Use of a screener procured under IC 20-32-5.1-17(j).
14	(10) The fiscal impact of each component of the plan, if any. In
15	determining whether a component has a fiscal impact,
16	consideration shall be given to whether the component will
17	increase costs to the state or a school corporation or require the
18	state or school corporation to reallocate resources.
19	(b) A school may receive a waiver of the requirements provided in
20	511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative
21	reading plan provided by the school.
22	(c) A student who would otherwise be subject to retention in grade
23	3 under the plan is not subject to the retention requirement only if the
24	student meets one (1) of the following criteria:
25	(1) The student was subject to retention and has been retained in
26	grade 3 for one (1) school year.
27	(2) The student has an intellectual disability or the student's
28	individualized education program specifies that retention is not
29	appropriate, and the student's case conference committee has
30	determined that promotion to another grade is appropriate.
31	(3) The student is an English learner who has received services
32	for fewer than two (2) years and a committee consisting of:
33	(A) the student's parent;
34	(B) a building level administrator or designee;
35	(C) a classroom teacher of service;
36	(D) an English learner teacher of record, if one exists; and
37	(E) an English learner district administrator, if one exists;
38	determines that promotion is appropriate based on the
39	implementation of research based instructional practices outlined
40	in the student's individual learning plan.
41	(4) The student received a score of proficient or above proficient
42	in grade 3 math on the statewide summative assessment.



1 (5) The student: 2 (A) has received intensive intervention as determined by the 3 department in reading for two (2) or more years; and 4 (B) was retained more than one (1) time throughout 5 kindergarten, grade 1, or grade 2. 6 (d) A student who is not subject to the retention requirement as 7 provided under subsection (c) must be provided with additional 8 reading instruction that is aligned with the science of reading until the 9 student achieves a passing score on the determinant evaluation of 10 reading skills approved by the state board. (e) This subsection applies after June 30, 2024. Before October 1 of 11 12 each school year, the department shall: 13 (1) identify each incoming student (as defined in section 0.7 of 14 this chapter) enrolled in kindergarten in a school in Indiana; and 15 (2) notify the parent or guardian of the student of the retention 16 requirement under this chapter for grade 3 students who do not 17 achieve a passing score on the Indiana reading evaluation and 18 determination (IRead3). 19 (f) The department shall establish a standard reporting process and 20 reporting window for schools to report students who qualify for an 21 exemption under subsection (c). 22 SECTION 7. IC 20-35-2-1, AS AMENDED BY P.L.162-2024, 23 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 24 JULY 1, 2025]: Sec. 1. (a) There is established under the state board 25 department a division of special education. The division shall exercise 26 all the power and duties set out in this chapter, IC 20-35-3 through 27 IC 20-35-6, and IC 20-35-8. 28 (b) The governor secretary of education shall appoint upon the 29 recommendation of the secretary of education, a director of special 30 education who serves at the pleasure of the governor. secretary of 31 education. The amount of compensation of the director shall be 32 determined by the budget agency with the approval of the governor. 33 The director has the following duties: 34 (1) To shall do the following: 35 (A) (1) Have general supervision of special education 36 programs and services, including those conducted by school 37 corporations, charter schools, the Indiana School for the Blind 38 and Visually Impaired, the Indiana School for the Deaf, the 39 department of correction, and the division of mental health and 40 addiction to ensure compliance with federal and state special 41 education laws and rules. 42 (B) (2) Take appropriate action to ensure school corporations,



1	charter schools, and the department remain eligible for federal
2	special education funds.
3	(C) (3) Oversee the training of hearing officers and establish
4	guidelines as described in IC 20-35-14-5.
5	(2) With the consent of the secretary of education and the budget
6	agency, to appoint and determine salaries for any assistants and
7	other personnel needed to enable the director to accomplish the
8	duties of the director's office.
9	SECTION 8. IC 20-51-3-8, AS ADDED BY P.L.182-2009(ss),
10	SECTION 364, IS AMENDED TO READ AS FOLLOWS
11	[EFFECTIVE JULY 1, 2025]: Sec. 8. The department may, in a
12	proceeding under IC 4-21.5, suspend or terminate the certification of
13	an organization as a scholarship granting organization if the department
14	establishes that the scholarship granting organization:
15	(1) has intentionally and substantially failed to comply with the
16	requirements of this article or an agreement entered into under
17	this article; or
18	(2) has not granted a school scholarship, as defined in
19	IC 20-51-1-8, for either three (3) consecutive years or within
20	the first two (2) years of operation as a certified scholarship
21	granting organization.



COMMITTEE REPORT

Mr. President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 373, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 7, line 25, delete "basis." and insert "basis, which may include differentiated funding based on the course the student is enrolled in and the length of time of the summer school program.".

and when so amended that said bill do pass.

(Reference is to SB 373 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 11, Nays 0.

