



April 7, 2023

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# ENGROSSED HOUSE BILL No. 1635

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DIGEST OF HB 1635 (Updated April 5, 2023 11:13 pm - DI 110)

**Citations Affected:** IC 20-26; IC 20-28; IC 20-30; IC 20-32; IC 20-33; IC 20-34; noncode.

**Synopsis:** Various education matters. 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  
(Continued next page)

**Effective:** Upon passage; July 1, 2023; July 1, 2024.

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## Behning, Goodrich, Teshka, Clere

(SENATE SPONSOR — RAATZ)

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January 19, 2023, read first time and referred to Committee on Education.  
February 9, 2023, amended, reported — Do Pass.  
February 13, 2023, read second time, amended, ordered engrossed.  
February 14, 2023, engrossed. Read third time, passed. Yeas 66, nays 24.

SENATE ACTION

February 27, 2023, read first time and referred to Committee on Education and Career Development.  
April 6, 2023, amended, reported favorably — Do Pass.

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EH 1635—LS 7285/DI 147



## Digest Continued

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.



April 7, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1635

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 20-26-5-43 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2023]: **Sec. 43. Each school corporation shall publish on the**  
4 **school corporation's website the graduation rate for each high**  
5 **school in the school corporation.**  
6 SECTION 2. IC 20-26-13-5, AS AMENDED BY P.L.192-2018,  
7 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2023]: Sec. 5. (a) As used in this chapter, "graduation" means  
9 the successful completion by a student of:  
10 (1) a sufficient number of academic credits, or the equivalent of  
11 academic credits; and  
12 (2) the graduation examination (before July 1, 2022), a  
13 postsecondary readiness competency established by the state  
14 board under IC 20-32-4-1.5(c), or a waiver process required under  
15 IC 20-32-3 through IC 20-32-5.1;  
16 resulting in the awarding of an Indiana diploma **or an alternative**  
17 **diploma described in IC 20-32-4-14.**

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1 (b) The term does not include the granting of a general educational  
 2 development diploma under IC 20-20-6 (before its repeal) or  
 3 IC 22-4.1-18.

4 SECTION 3. IC 20-26-13-10, AS AMENDED BY P.L.32-2021,  
 5 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2023]: Sec. 10. (a) Except as provided in section 11 of this  
 7 chapter **and subject to IC 20-32-4-14**, the four (4) year graduation rate  
 8 for a cohort in a high school is the percentage determined under STEP  
 9 FIVE of the following formula:

10 STEP ONE: Determine the grade 9 enrollment at the beginning of  
 11 the reporting year three (3) years before the reporting year for  
 12 which the graduation rate is being determined.

13 STEP TWO: Add:

14 (A) the number determined under STEP ONE; and

15 (B) the number of students who:

16 (i) have enrolled in the high school after the date on which  
 17 the number determined under STEP ONE was determined;  
 18 and

19 (ii) have the same expected graduation year as the cohort.

20 STEP THREE: Subtract from the sum determined under STEP  
 21 TWO the number of students who have left the cohort for any of  
 22 the following reasons:

23 (A) Transfer to another public or nonpublic school.

24 (B) Except as provided in IC 20-33-2-28.6 and subsection (b),  
 25 removal by the student's parents under IC 20-33-2-28 to  
 26 provide instruction equivalent to that given in the public  
 27 schools.

28 (C) Withdrawal because of a long term medical condition or  
 29 death.

30 (D) Detention by a law enforcement agency or the department  
 31 of correction.

32 (E) Placement by a court order or the department of child  
 33 services.

34 (F) Enrollment in a virtual school.

35 (G) Leaving school, if the student attended school in Indiana  
 36 for less than one (1) school year and the location of the student  
 37 cannot be determined.

38 (H) Leaving school, if the location of the student cannot be  
 39 determined and the student has been reported to the Indiana  
 40 clearinghouse for information on missing children and missing  
 41 endangered adults.

42 (I) Withdrawing from school before graduation, if the student



- 1 is a high ability student (as defined in IC 20-36-1-3) who is a  
 2 full-time student at an accredited institution of higher  
 3 education during the semester in which the cohort graduates.  
 4 (J) Withdrawing from school before graduation pursuant to  
 5 providing notice of withdrawal under section 17 of this  
 6 chapter.  
 7 (K) Participating in the high school equivalency pilot program  
 8 under IC 20-30-8.5, unless the student fails to successfully  
 9 complete the high school equivalency pilot program in the two  
 10 (2) year period. This clause expires June 30, 2024.
- 11 **STEP FOUR: Determine the result of:**
- 12 **(A) the total number of students determined under STEP TWO**  
 13 **who have graduated during the current reporting year or a**  
 14 **previous reporting year; minus**
- 15 **(B) the amount by which the number of students who**  
 16 **graduated through a waiver process required under**  
 17 **IC 20-32-3 through IC 20-32-5.1 exceeds:**
- 18 **(i) nine percent (9%) of the total number of students**  
 19 **determined under clause (A) for the 2023-2024 school**  
 20 **year;**
- 21 **(ii) six percent (6%) of the total number of students**  
 22 **determined under clause (A) for the 2024-2025 school**  
 23 **year; or**
- 24 **(iii) three percent (3%) of the total number of students**  
 25 **determined under clause (A) for each school year after**  
 26 **June 30, 2025.**
- 27 **STEP FIVE: Divide:**
- 28 **(A) the number determined under STEP FOUR; by**  
 29 **(B) the remainder determined under STEP THREE.**
- 30 **(b) This subsection applies to a high school in which:**
- 31 **(1) for a:**
- 32 **(A) cohort of one hundred (100) students or less, at least ten**  
 33 **percent (10%) of the students left a particular cohort for a**  
 34 **reason described in subsection (a) STEP THREE clause (B);**  
 35 **or**
- 36 **(B) cohort of more than one hundred (100) students, at least**  
 37 **five percent (5%) of the students left a particular cohort for a**  
 38 **reason described in subsection (a) STEP THREE clause (B);**  
 39 **and**
- 40 **(2) the students described in subdivision (1)(A) or (1)(B) are not**  
 41 **on track to graduate with their cohort.**
- 42 **A high school must submit a request to the state board in a manner**



1 prescribed by the state board requesting that the students described in  
 2 this subsection be included in the subsection (a) STEP THREE  
 3 calculation. The state board shall review the request and may grant or  
 4 deny the request. The state board shall deny the request unless the high  
 5 school demonstrates good cause to justify that the students described  
 6 in this subsection should be included in the subsection (a) STEP  
 7 THREE calculation. If the state board denies the request the high  
 8 school may not subtract the students described in this subsection under  
 9 subsection (a) STEP THREE.

10 SECTION 4. IC 20-28-5-27, AS ADDED BY P.L.168-2022,  
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2023]: Sec. 27. (a) In an effort to fill a vacant teaching  
 13 position, offer a new program or class, or supplement a program  
 14 currently being offered, the governing body of a school corporation **or**  
 15 **the equivalent authority for a charter school or nonpublic school**  
 16 may issue an adjunct teacher permit to an individual if the following  
 17 minimum requirements are met:

18 (1) The individual has at least four (4) years of experience in the  
 19 content area in which the individual intends to teach.

20 (2) The school corporation, **charter school, or nonpublic school**  
 21 conducts an expanded criminal history check and expanded child  
 22 protection index check concerning the individual as required  
 23 under IC 20-26-5-10.

24 (3) The individual has not been convicted of a felony listed in  
 25 section 8(c) of this chapter or described in section 8(d) of this  
 26 chapter or the individual's conviction has been reversed, vacated,  
 27 or set aside on appeal.

28 However, the governing body **or equivalent authority** may establish  
 29 stricter requirements than the requirements prescribed by this  
 30 subsection.

31 (b) If a governing body of a school corporation **or the equivalent**  
 32 **authority for a charter school or nonpublic school** issues an adjunct  
 33 teacher permit to an individual under subsection (a):

34 (1) the school corporation, **charter school, or nonpublic school**  
 35 may enter into an employment agreement for employment with  
 36 the individual as a part-time or full-time teacher of the school  
 37 corporation, **charter school, or nonpublic school;**

38 (2) the individual who holds the adjunct permit may teach in any  
 39 content area, **including a career and technical education**  
 40 **content area**, in which the school corporation, **charter school, or**  
 41 **nonpublic school** allows the individual to teach based on the  
 42 individual's experience described in subsection (a);



- 1 (3) the individual must be assigned a teacher mentor for support  
 2 in pedagogy; and  
 3 (4) the individual must complete the following training within the  
 4 first ninety (90) days of employment:  
 5 (A) IC 20-26-5-34.2 (bullying prevention).  
 6 (B) IC 20-28-3-4.5 (training on child abuse and neglect).  
 7 (C) IC 20-28-3-6 (youth suicide awareness and prevention  
 8 training).  
 9 (D) IC 20-28-3-7 (training on human trafficking).  
 10 (c) An adjunct teacher may not provide special education  
 11 instruction.  
 12 (d) The salary of an adjunct teacher under an employment  
 13 agreement described in IC 20-28-6-7.3 is not subject to the  
 14 requirements under IC 20-28-9-1.5 or a local compensation plan  
 15 established by a school corporation as described in IC 20-28-9-1.5.  
 16 (e) Except as otherwise provided in a collective bargaining  
 17 agreement entered into or renewed before July 1, 2022, an employment  
 18 agreement entered into under this section is not subject to a collective  
 19 bargaining agreement entered into under IC 20-29.  
 20 (f) It is not an unfair practice for a school corporation to enter into  
 21 an employment agreement under this section.  
 22 (g) Each school corporation **or charter school** that hires an adjunct  
 23 teacher under this section shall report to the department the following  
 24 information:  
 25 (1) The number of adjunct teachers who hold a permit issued  
 26 under this section that the school corporation **or charter school**  
 27 has hired each school year, disaggregated by the grade level and  
 28 subject area taught by the adjunct teacher.  
 29 (2) The following information for each adjunct teacher described  
 30 in subdivision (1):  
 31 (A) The name of the adjunct teacher.  
 32 (B) The subject matter the adjunct teacher is permitted to  
 33 teach.  
 34 (C) A description of the adjunct teacher's experience described  
 35 in subsection (a)(1).  
 36 (D) The adjunct teacher's total salary and any other  
 37 compensation paid to the adjunct teacher during the school  
 38 year.  
 39 (E) The number of previous adjunct teaching employment  
 40 agreements the adjunct teacher has entered into with the  
 41 school corporation or **charter school or** any other school  
 42 **corporation or charter school.**



1 (h) A school corporation **or charter school** shall post a vacant  
 2 adjunct teacher position on the department's online adjunct teacher  
 3 portal established under IC 20-19-3-25.

4 (i) A school corporation may notify the parents of students enrolled  
 5 in the school corporation of a vacant adjunct teacher position.

6 (j) The governing body of a school corporation shall announce any  
 7 vacant adjunct teacher positions at meetings of the governing body.

8 SECTION 5. IC 20-28-6-4, AS AMENDED BY P.L.168-2022,  
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2023]: Sec. 4. (a) This section does not apply to:

11 (1) a teacher employed as a substitute teacher; or

12 (2) an individual who holds an adjunct teacher permit issued by  
 13 the governing body of a school corporation **or the equivalent**  
 14 **authority for a charter school or nonpublic school** under  
 15 IC 20-28-5-27.

16 (b) A teacher employed in a public school must be employed on a  
 17 uniform teacher's contract or a supplemental service teacher's contract.

18 SECTION 6. IC 20-28-6-7.3, AS ADDED BY P.L.168-2022,  
 19 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2023]: Sec. 7.3. (a) An employment agreement entered into  
 21 between a school corporation, **charter school, or nonpublic school**  
 22 and an individual who holds an adjunct teacher permit issued by the  
 23 governing body of a school corporation **or the equivalent authority**  
 24 **for a charter school or nonpublic school** under IC 20-28-5-27 must:

25 (1) be in writing;

26 (2) be signed by both parties; and

27 (3) contain the following:

28 (A) The total salary and any other compensation to be paid to  
 29 the adjunct teacher during the school year.

30 (B) The method and frequency of salary payments.

31 (C) The number of classes the adjunct teacher is to teach.

32 (D) The classes and subject matter areas that the adjunct  
 33 teacher will be teaching.

34 (E) An expiration date that is not later than the end of the  
 35 school year.

36 (b) An employment agreement under this section is a public record  
 37 open to inspection.

38 (c) An adjunct teacher may enter into employment agreements with  
 39 more than one (1) school corporation, **charter school, or nonpublic**  
 40 **school**.

41 SECTION 7. IC 20-30-10-2, AS AMENDED BY P.L.286-2013,  
 42 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE





1 JULY 1, 2023]: Sec. 2. (a) **Subject to section 2.7 of this chapter**, the  
2 state board shall adopt the following:

3 (1) College/technology preparation curriculum models that may  
4 include all or part of the college preparation curriculum models  
5 developed by the department under section 1 of this chapter.

6 (2) Teacher and staff training to implement the  
7 college/technology preparation curriculum models.

8 (b) The college/technology preparation curriculum models that the  
9 state board adopts under subsection (a) must meet the conditions listed  
10 in section 3 of this chapter.

11 SECTION 8. IC 20-30-10-2.5, AS ADDED BY P.L.192-2018,  
12 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2023]: Sec. 2.5. (a) In adopting Core 40 curriculum models  
14 under this chapter, the state board shall consider math course  
15 requirements other than Algebra II. Any math course requirements  
16 adopted for the Core 40 curriculum models must be at a level of  
17 difficulty that aligns with postsecondary preparation.

18 (b) If a school offers a math course developed under subsection (a),  
19 a parent of a student and the student who intends to enroll in the course  
20 must provide consent to the school to enroll in the course. The consent  
21 form used by the school, which shall be developed by the state board  
22 in collaboration with the commission for higher education, must notify  
23 the parent and the student that enrollment in the course may affect the  
24 student's ability to attend a particular postsecondary educational  
25 institution or enroll in a particular course at a particular postsecondary  
26 educational institution because the course does not align with academic  
27 requirements established by the postsecondary educational institution.

28 (c) **Subject to section 2.7 of this chapter**, the state board shall  
29 adopt rules under IC 4-22-2 to establish:

30 (1) math course requirements; and

31 (2) science course requirements;

32 for the Core 40 curriculum models adopted under this chapter.

33 SECTION 9. IC 20-30-10-2.7 IS ADDED TO THE INDIANA  
34 CODE AS A NEW SECTION TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2023]: **Sec. 2.7. (a) The state board shall:**

36 (1) **develop algebra I, algebra II, and geometry courses that**  
37 **include:**

38 (A) **real world application; and**

39 (B) **project based and inquiry based learning; and**

40 (2) **implement the courses described in subdivision (1) not**  
41 **later than the 2025-2026 school year.**

42 (b) **The state board may adopt rules under IC 4-22-2 to**



1 **implement this section.**

2 **(c) This section expires July 1, 2027.**

3 SECTION 10. IC 20-32-4-1.5, AS AMENDED BY P.L.216-2021,  
4 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2023]: Sec. 1.5. (a) This subsection expires July 1, 2022.  
6 Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10  
7 of this chapter, each student is required to meet:

- 8 (1) the academic standards tested in the graduation examination;  
9 (2) the Core 40 course and credit requirements adopted by the  
10 state board under IC 20-30-10; and  
11 (3) any additional requirements established by the governing  
12 body;

13 to be eligible to graduate.

14 (b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7,  
15 8, 9, and 10 of this chapter, beginning with the class of students who  
16 expect to graduate during the 2022-2023 school year, each student  
17 shall:

- 18 (1) demonstrate college or career readiness through a pathway  
19 established by the state board, in consultation with the department  
20 of workforce development and the commission for higher  
21 education;  
22 (2) meet the Core 40 course and credit requirements adopted by  
23 the state board under IC 20-30-10; and  
24 (3) **subject to section 1.8 of this chapter**, meet any additional  
25 requirements established by the governing body;

26 to be eligible to graduate.

27 (c) The state board shall establish graduation pathway requirements  
28 under subsection (b)(1) in consultation with the department of  
29 workforce development and the commission for higher education. A  
30 graduation pathway requirement may include the following  
31 postsecondary readiness competencies approved by the state board:

- 32 (1) International baccalaureate exams.  
33 (2) Nationally recognized college entrance assessments.  
34 (3) Advanced placement exams.  
35 (4) Assessments necessary to receive college credit for dual credit  
36 courses.  
37 (5) Industry recognized certificates.  
38 (6) The Armed Services Vocational Aptitude Battery.  
39 (7) Cambridge International exams.  
40 (8) Any other competency approved by the state board.

41 (d) If the state board establishes a nationally recognized college  
42 entrance exam as a graduation pathway requirement, the nationally



1 recognized college entrance exam must be offered to a student at the  
 2 school in which the student is enrolled and during the normal school  
 3 day.

4 (e) When an apprenticeship is established as a graduation pathway  
 5 requirement, the state board shall establish as an apprenticeship only  
 6 an apprenticeship program registered under the federal National  
 7 Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal  
 8 apprenticeship program administered by the United States Department  
 9 of Labor.

10 (f) Notwithstanding subsection (a), a school corporation, charter  
 11 school, or state accredited nonpublic school may voluntarily elect to  
 12 use graduation pathways described in subsection (b) in lieu of the  
 13 graduation examination requirements specified in subsection (a) prior  
 14 to July 1, 2022.

15 (g) The state board, in consultation with the department of  
 16 workforce development and the commission for higher education, shall  
 17 approve college and career pathways relating to career and technical  
 18 education, including sequences of courses leading to student  
 19 concentrators.

20 (h) After June 30, 2021, the department may provide funding for  
 21 students of accredited schools to take not more than three (3)  
 22 Cambridge International exams per student. The department is also  
 23 authorized to use funds to provide professional development training  
 24 for teachers who teach Cambridge International courses.

25 **(i) If the state board establishes an Armed Services Vocational**  
 26 **Aptitude Battery as a graduation pathway, the state board shall**  
 27 **require a student who elects the pathway to submit documentation,**  
 28 **on a form prescribed by the department, that demonstrates the**  
 29 **student's intent to enlist in the military as a condition of meeting**  
 30 **the pathway requirements.**

31 SECTION 11. IC 20-32-4-1.6 IS ADDED TO THE INDIANA  
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 33 [EFFECTIVE UPON PASSAGE]: **Sec. 1.6. (a) The state board shall,**  
 34 **not later than July 1, 2023, review and update any guidance issued**  
 35 **by the state board regarding the Armed Services Vocational**  
 36 **Aptitude Battery as a graduation pathway requirement.**

37 **(b) This section expires July 1, 2024.**

38 SECTION 12. IC 20-32-4-1.8 IS ADDED TO THE INDIANA  
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2023]: **Sec. 1.8. A school corporation, charter**  
 41 **school, or state accredited nonpublic school may not require a**  
 42 **student enrolled in the school corporation, charter school, or state**



1 **accredited nonpublic school to participate in any particular**  
 2 **graduation pathway to be eligible to graduate.**

3 SECTION 13. IC 20-32-4-14, AS AMENDED BY P.L.113-2021,  
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2023]: Sec. 14. (a) The state board shall create an alternate  
 6 diploma for students with significant cognitive disabilities. The  
 7 diploma must be:

8 (1) standards-based; and

9 (2) aligned with Indiana's requirements for an Indiana diploma.

10 ~~(b) Not more than one percent (1%) of students of a cohort may~~  
 11 ~~receive the alternate diploma established by the state board under~~  
 12 ~~subsection (a):~~

13 ~~(c) (b)~~ The alternate diploma must comply with the federal Every  
 14 Student Succeeds Act (ESSA) (20 U.S.C. 6311).

15 **(c) For purposes of determining a school's or school**  
 16 **corporation's graduation rate under IC 20-26-13 or 511**  
 17 **IAC 6.2-10, not more than one percent (1%) of a school's or school**  
 18 **corporation's graduation cohort that receives an alternate diploma**  
 19 **may be counted as having graduated.**

20 (d) Not later than December 1, 2021, the state board shall adopt  
 21 rules under IC 4-22-2 that are necessary to carry out this section.

22 SECTION 14. IC 20-33-2-13, AS AMENDED BY P.L.242-2017,  
 23 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2023]: Sec. 13. ~~(a)~~ A school corporation shall record or  
 25 include the following information in the official high school transcript  
 26 for a student in high school:

27 (1) Attendance records.

28 (2) The student's latest statewide assessment program test results.

29 (3) Any secondary level and postsecondary level certificates of  
 30 achievement earned by the student.

31 ~~(4) Immunization information from the immunization record the~~  
 32 ~~student's school keeps under IC 20-34-4-1.~~

33 ~~(5) (4)~~ Any dual credit courses taken that are included in the core  
 34 transfer library under IC 21-42-5-4.

35 ~~(b) A school corporation may include information on a student's~~  
 36 ~~high school transcript that is in addition to the requirements of~~  
 37 ~~subsection (a):~~

38 SECTION 15. IC 20-34-4-3, AS AMENDED BY HEA 1013-2023,  
 39 SECTION 191, IS AMENDED TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) Each school shall notify each  
 41 parent of a student who enrolls in the school of the requirement that the  
 42 student must be immunized and that the immunization is required for



1 the student's continued enrollment, attendance, or residence at the  
2 school unless:

3 (1) the parent or student provides the appropriate documentation  
4 of immunity; or

5 (2) IC 20-34-3-2 or IC 20-34-3-3 applies.

6 (b) A school that enrolls grade 6 students shall provide each parent  
7 of a student who is entering grade 6 with information prescribed by the  
8 Indiana department of health under subsection (c) concerning the link  
9 between cancer and the human papillomavirus (HPV) infection and  
10 that an immunization against the human papillomavirus (HPV)  
11 infection is available.

12 (c) The Indiana department of health shall provide a school  
13 described in subsection (b) with the information concerning cancer and  
14 the human papillomavirus (HPV) infection required in subsection (b).

15 The information must include the following:

16 (1) The latest scientific information on the immunization against  
17 the human papillomavirus (HPV) infection and the  
18 immunization's effectiveness against causes of cancer.

19 (2) That a pap smear is still critical for the detection of  
20 precancerous changes in the cervix to allow for treatment before  
21 cervical cancer develops.

22 (3) Information concerning the means in which the human  
23 papillomavirus (HPV) infection is contracted.

24 (4) A statement that any questions or concerns concerning  
25 immunizing the child against human papillomavirus (HPV) could  
26 be answered by contacting a health care provider.

27 (d) The Indiana department of health shall provide the department  
28 of education with material concerning immunizations and  
29 immunization preventable diseases for distribution to parents and  
30 guardians. The department of education shall provide these materials  
31 to schools to be provided to students' parents and guardians. These  
32 materials may be distributed by a school by posting the required  
33 information on the school's website.

34 **(e) Any notification or materials provided or distributed by the**  
35 **Indiana department of health or a school to a parent of a student**  
36 **regarding required or recommended immunizations for the**  
37 **student must clearly delineate or label immunizations that are**  
38 **required and immunizations that are only recommended.**

39 SECTION 16. [EFFECTIVE JULY 1, 2024] **(a) The definitions in**  
40 **IC 20 apply throughout this SECTION.**

41 **(b) The department shall develop a proposal for a revised school**  
42 **performance designation utilizing an "A" through "F" grading**



1 scale that is based on data contained in the Indiana Graduates  
2 Prepared to Succeed (GPS) dashboard described in IC 20-31-8-5.5.

3 (c) Not later than December 1, 2024, the department shall  
4 submit the proposal developed under subsection (b) to the general  
5 assembly in an electronic format under IC 5-14-6.

6 (d) This SECTION expires July 1, 2025.

7 SECTION 17. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1635, 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 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-43 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 43. Each school corporation shall publish on the school corporation's website the graduation rate for each high school in the school corporation.**"

Page 1, line 7, delete "or" and insert ",".

Page 1, line 9, delete ";" and insert ",".

Page 1, line 9, reset in roman "or a waiver process required under".

Page 1, reset in roman line 10.

Page 1, line 11, delete "diploma." and insert "**diploma or an alternative diploma described in IC 20-32-4-14.**"

Page 1, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 2. IC 20-26-13-10, AS AMENDED BY P.L.32-2021, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. (a) Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students who:

(i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to



provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the department of child services.

(F) Enrollment in a virtual school.

(G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.

(H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.

(I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

(J) Withdrawing from school before graduation pursuant to providing notice of withdrawal under section 17 of this chapter.

(K) Participating in the high school equivalency pilot program under IC 20-30-8.5, unless the student fails to successfully complete the high school equivalency pilot program in the two (2) year period. This clause expires June 30, 2024.

**STEP FOUR: Determine the result of:**

**(A)** the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year; **minus**

**(B) the amount by which the number of students who graduated through a waiver process required under IC 20-32-3 through IC 20-32-5.1 exceeds:**

**(i) six percent (6%) of the total number of students determined under clause (A) before July 1, 2027; or**

**(ii) three percent (3%) of the total number of students determined under clause (A) after June 30, 2027.**

**STEP FIVE: Divide:**

**(A)** the number determined under STEP FOUR; by

**(B)** the remainder determined under STEP THREE.

(b) This subsection applies to a high school in which:





(1) for a:

(A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); or

(B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); and

(2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE."

Page 7, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 9. IC 20-32-4-14, AS AMENDED BY P.L.113-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 14. (a) The state board shall create an alternate diploma for students with significant cognitive disabilities. The diploma must be:

(1) standards-based; and

(2) aligned with Indiana's requirements for an Indiana diploma.

~~(b) Not more than one percent (1%) of students of a cohort may receive the alternate diploma established by the state board under subsection (a).~~

~~(c) (b)~~ The alternate diploma must comply with the federal Every Student Succeeds Act (ESSA) (20 U.S.C. 6311).

~~(d) (c)~~ Not later than December 1, 2021, the state board shall adopt rules under IC 4-22-2 that are necessary to carry out this section.

SECTION 10. IC 20-33-2-13, AS AMENDED BY P.L.242-2017, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) A school corporation shall record or include the following information in the official high school transcript for a student in high school:

(1) Attendance records.

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- (2) The student's latest statewide assessment program test results.
- (3) Any secondary level and postsecondary level certificates of achievement earned by the student.
- ~~(4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.~~
- ~~(5)~~ (4) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4.

(b) A school corporation may include information on a student's high school transcript that is in addition to the requirements of subsection (a)."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1635 as introduced.)

BEHNING

Committee Vote: yeas 8, nays 3.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1635 be amended to read as follows:

Page 10, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 14. [EFFECTIVE JULY 1, 2024] **(a) The definitions in IC 20 apply throughout this SECTION.**

**(b) The department shall develop a proposal for a revised school performance designation utilizing an "A" through "F" grading scale that is based on data contained in the Indiana Graduates Prepared to Succeed (GPS) dashboard described in IC 20-31-8-5.5.**

**(c) Not later than December 1, 2024, the department shall submit the proposal developed under subsection (b) to the general assembly in an electronic format under IC 5-14-6.**

**(d) This SECTION expires July 1, 2024."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1635 as printed February 9, 2023.)

MCGUIRE



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1635, 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 2, line 7, delete "chapter," and insert "chapter **and subject to IC 20-32-4-14,**".

Page 3, delete lines 15 through 21, begin a new line double block indented and insert:

**"(B) the amount by which the number of students who graduated through a waiver process required under IC 20-32-3 through IC 20-32-5.1 exceeds:**

**(i) nine percent (9%) of the total number of students determined under clause (A) for the 2023-2024 school year;**

**(ii) six percent (6%) of the total number of students determined under clause (A) for the 2024-2025 school year; or**

**(iii) three percent (3%) of the total number of students determined under clause (A) for each school year after June 30, 2025."**

Page 4, line 10, after "for a" insert "**charter school or**".

Page 4, line 15, delete "corporation" and insert "corporation, **charter school,**".

Page 4, line 27, after "for a" insert "**charter school or**".

Page 4, line 29, delete "corporation" and insert "corporation, **charter school,**".

Page 4, line 31, delete "corporation" and insert "corporation, **charter school,**".

Page 4, line 35, delete "corporation" and insert "corporation, **charter school,**".

Page 5, line 17, after "corporation" insert "**or charter school**".

Page 5, line 20, after "corporation" insert "**or charter school**".

Page 5, line 35, after "corporation or" insert "**charter school or**".

Page 5, line 35, delete "corporation." and insert "**corporation or charter school.**".

Page 5, line 36, after "corporation" insert "**or charter school**".

Page 6, line 7, after "for a" insert "**charter school or**".

Page 6, line 13, delete "corporation" and insert "corporation, **charter school,**".



Page 6, line 15, after "for a" insert "**charter school or**".

Page 6, line 31, delete "corporation" and insert "corporation, **charter school,**".

Page 8, line 15, after "(3)" insert "**subject to section 1.8 of this chapter,**".

Page 9, line 18, after "pathway to" insert "**submit documentation, on a form prescribed by the department, that demonstrates the student's intent to**".

Page 9, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 11. IC 20-32-4-1.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.6. (a) The state board shall, 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.**

**(b) This section expires July 1, 2024.**

SECTION 12. IC 20-32-4-1.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.8. 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."**

Page 9, between lines 31 and 32, begin a new paragraph and insert:

**"(c) For purposes of determining a school's or school corporation's graduation rate under IC 20-26-13 or 511 IAC 6.2-10, not more than one percent (1%) of a school's or school corporation's graduation cohort that receives an alternate diploma may be counted as having graduated."**

Page 9, line 32, reset in roman "(d)".

Page 9, line 32, delete "(c)".

Page 9, line 36, strike "(a)".

Page 10, strike lines 5 through 7.

Page 10, delete lines 8 through 18, begin a new paragraph and insert:

"SECTION 15. IC 20-34-4-3, AS AMENDED BY HEA 1013-2023, SECTION 191, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 3. (a) Each school shall notify each parent of a student who enrolls in the school of the requirement that the student must be immunized and that the immunization is required for the student's continued enrollment, attendance, or residence at the school unless:**



- (1) the parent or student provides the appropriate documentation of immunity; or
- (2) IC 20-34-3-2 or IC 20-34-3-3 applies.

(b) A school that enrolls grade 6 students shall provide each parent of a student who is entering grade 6 with information prescribed by the Indiana department of health under subsection (c) concerning the link between cancer and the human papillomavirus (HPV) infection and that an immunization against the human papillomavirus (HPV) infection is available.

(c) The Indiana department of health shall provide a school described in subsection (b) with the information concerning cancer and the human papillomavirus (HPV) infection required in subsection (b). The information must include the following:

- (1) The latest scientific information on the immunization against the human papillomavirus (HPV) infection and the immunization's effectiveness against causes of cancer.
- (2) That a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops.
- (3) Information concerning the means in which the human papillomavirus (HPV) infection is contracted.
- (4) A statement that any questions or concerns concerning immunizing the child against human papillomavirus (HPV) could be answered by contacting a health care provider.

(d) The Indiana department of health shall provide the department of education with material concerning immunizations and immunization preventable diseases for distribution to parents and guardians. The department of education shall provide these materials to schools to be provided to students' parents and guardians. These materials may be distributed by a school by posting the required information on the school's website.

**(e) 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."**

Page 10, line 28, delete "2024." and insert "2025."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.



(Reference is to HB 1635 as reprinted February 14, 2023.)

RAATZ, Chairperson

Committee Vote: Yeas 8, Nays 4.

