
HOUSE BILL No. 1635

AM163518 has been incorporated into February 14, 2023 printing.

Synopsis: Various education matters.

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HB 1635—LS 7285/DI 147



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Reprinted
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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.

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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
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2023]: **Sec. 43. Each school corporation shall**
4 **publish on the school corporation's website the graduation rate for**
5 **each high 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
15 under 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
8 rate for a cohort in a high school is the percentage determined under
9 STEP FIVE of the following formula:

10 STEP ONE: Determine the grade 9 enrollment at the beginning
11 of 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
 - 17 which the number determined under STEP ONE was
 - 18 determined; and
 - 19 (ii) have the same expected graduation year as the
 - 20 cohort.

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

- 24 (A) Transfer to another public or nonpublic school.
- 25 (B) Except as provided in IC 20-33-2-28.6 and subsection
- 26 (b), removal by the student's parents under IC 20-33-2-28 to
- 27 provide instruction equivalent to that given in the public
- 28 schools.
- 29 (C) Withdrawal because of a long term medical condition
- 30 or death.
- 31 (D) Detention by a law enforcement agency or the
- 32 department of correction.
- 33 (E) Placement by a court order or the department of child
- 34 services.
- 35 (F) Enrollment in a virtual school.
- 36 (G) Leaving school, if the student attended school in
- 37 Indiana for less than one (1) school year and the location of
- 38 the student cannot be determined.
- 39 (H) Leaving school, if the location of the student cannot be
- 40 determined and the student has been reported to the Indiana
- 41 clearinghouse for information on missing children and
- 42 missing endangered adults.

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

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

9 (K) Participating in the high school equivalency pilot
10 program under IC 20-30-8.5, unless the student fails to
11 successfully complete the high school equivalency pilot
12 program in the two (2) year period. This clause expires June
13 30, 2024.

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

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

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

21 **(i) nine percent (9%) of the total number of**
22 **students determined under clause (A) for the**
23 **2023-2024 school year;**

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

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

30 **STEP FIVE: Divide:**

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

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

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

34 **(1) for a:**

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

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

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

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

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

- 21 (1) The individual has at least four (4) years of experience in the
22 content area in which the individual intends to teach.
23 (2) The school corporation, **charter school, or nonpublic**
24 **school** conducts an expanded criminal history check and
25 expanded child protection index check concerning the individual
26 as required under IC 20-26-5-10.
27 (3) The individual has not been convicted of a felony listed in
28 section 8(c) of this chapter or described in section 8(d) of this
29 chapter or the individual's conviction has been reversed, vacated,
30 or set aside on appeal.

31 However, the governing body **or equivalent authority** may establish
32 stricter requirements than the requirements prescribed by this
33 subsection.

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

- 37 (1) the school corporation, **charter school, or nonpublic school**
38 may enter into an employment agreement for employment with
39 the individual as a part-time or full-time teacher of the school
40 corporation, **charter school, or nonpublic school**;
41 (2) the individual who holds the adjunct permit may teach in any
42 content area, **including a career and technical education**

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

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1 agreements the adjunct teacher has entered into with the
2 school corporation or **charter school** or any other school
3 **corporation or charter school.**

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

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

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

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

- 14 (1) a teacher employed as a substitute teacher; or
- 15 (2) an individual who holds an adjunct teacher permit issued by
16 the governing body of a school corporation **or the equivalent**
17 **authority for a charter school or nonpublic school** under
18 IC 20-28-5-27.

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

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

- 29 (1) be in writing;
- 30 (2) be signed by both parties; and
- 31 (3) contain the following:
 - 32 (A) The total salary and any other compensation to be paid
33 to the adjunct teacher during the school year.
 - 34 (B) The method and frequency of salary payments.
 - 35 (C) The number of classes the adjunct teacher is to teach.
 - 36 (D) The classes and subject matter areas that the adjunct
37 teacher will be teaching.
 - 38 (E) An expiration date that is not later than the end of the
39 school year.

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

42 (c) An adjunct teacher may enter into employment agreements

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1 with more than one (1) school corporation, **charter school, or**
 2 **nonpublic school.**

3 SECTION 7. IC 20-30-10-2, AS AMENDED BY P.L.286-2013,
 4 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2023]: Sec. 2. (a) **Subject to section 2.7 of this chapter,** the
 6 state board shall adopt the following:

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

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

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

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

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

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

35 (1) math course requirements; and

36 (2) science course requirements;

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

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

41 **(1) develop algebra I, algebra II, and geometry courses that**
 42 **include:**

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1 **(A) real world application; and**
 2 **(B) project based and inquiry based learning; and**
 3 **(2) implement the courses described in subdivision (1) not**
 4 **later than the 2025-2026 school year.**

5 **(b) The state board may adopt rules under IC 4-22-2 to**
 6 **implement this section.**

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

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

- 13 (1) the academic standards tested in the graduation examination;
 14 (2) the Core 40 course and credit requirements adopted by the
 15 state board under IC 20-30-10; and
 16 (3) any additional requirements established by the governing
 17 body;

18 to be eligible to graduate.

19 (b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6,
 20 7, 8, 9, and 10 of this chapter, beginning with the class of students who
 21 expect to graduate during the 2022-2023 school year, each student
 22 shall:

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

31 to be eligible to graduate.

32 (c) The state board shall establish graduation pathway
 33 requirements under subsection (b)(1) in consultation with the
 34 department of workforce development and the commission for higher
 35 education. A graduation pathway requirement may include the
 36 following postsecondary readiness competencies approved by the state
 37 board:

- 38 (1) International baccalaureate exams.
 39 (2) Nationally recognized college entrance assessments.
 40 (3) Advanced placement exams.
 41 (4) Assessments necessary to receive college credit for dual
 42 credit courses.

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1 (5) Industry recognized certificates.

2 (6) The Armed Services Vocational Aptitude Battery.

3 (7) Cambridge International exams.

4 (8) Any other competency approved by the state board.

5 (d) If the state board establishes a nationally recognized college
6 entrance exam as a graduation pathway requirement, the nationally
7 recognized college entrance exam must be offered to a student at the
8 school in which the student is enrolled and during the normal school
9 day.

10 (e) When an apprenticeship is established as a graduation pathway
11 requirement, the state board shall establish as an apprenticeship only
12 an apprenticeship program registered under the federal National
13 Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal
14 apprenticeship program administered by the United States Department
15 of Labor.

16 (f) Notwithstanding subsection (a), a school corporation, charter
17 school, or state accredited nonpublic school may voluntarily elect to
18 use graduation pathways described in subsection (b) in lieu of the
19 graduation examination requirements specified in subsection (a) prior
20 to July 1, 2022.

21 (g) The state board, in consultation with the department of
22 workforce development and the commission for higher education, shall
23 approve college and career pathways relating to career and technical
24 education, including sequences of courses leading to student
25 concentrators.

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

31 **(i) If the state board establishes an Armed Services Vocational**
32 **Aptitude Battery as a graduation pathway, the state board shall**
33 **require a student who elects the pathway to submit documentation,**
34 **on a form prescribed by the department, that demonstrates the**
35 **student's intent to enlist in the military as a condition of meeting**
36 **the pathway requirements.**

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

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

2 SECTION 12. IC 20-32-4-1.8 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2023]: **Sec. 1.8. A school corporation, charter
5 school, or state accredited nonpublic school may not require a
6 student enrolled in the school corporation, charter school, or state
7 accredited nonpublic school to participate in any particular
8 graduation pathway to be eligible to graduate.**

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

14 (1) standards-based; and

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

16 **(b) Not more than one percent (1%) of students of a cohort may
17 receive the alternate diploma established by the state board under
18 subsection (a):**

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

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

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

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

33 (1) Attendance records.

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

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

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

40 ~~(5)~~ **(4)** Any dual credit courses taken that are included in the
41 core transfer library under IC 21-42-5-4.

42 (b) A school corporation may include information on a student's

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1 high school transcript that is in addition to the requirements of
2 subsection (a).
3 SECTION 15. [EFFECTIVE JULY 1, 2024] (a) **The definitions**
4 **in IC 20 apply throughout this SECTION.**
5 (b) **The department shall develop a proposal for a revised**
6 **school performance designation utilizing an "A" through "F"**
7 **grading scale that is based on data contained in the Indiana**
8 **Graduates Prepared to Succeed (GPS) dashboard described in**
9 **IC 20-31-8-5.5.**
10 (c) **Not later than December 1, 2024, the department shall**
11 **submit the proposal developed under subsection (b) to the general**
12 **assembly in an electronic format under IC 5-14-6.**
13 (d) **This SECTION expires July 1, 2025.**
14 SECTION 16. **An emergency is declared for this act.**

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