

HOUSE BILL No. 1176

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-17-3.1; IC 20-24-11-5; IC 20-25.7-5; IC 20-32-6.5-3; IC 20-43-13-4; IC 20-51.4.

Synopsis: Education matters. Provides that, in addition to conditions established in current law to convert an existing public elementary or secondary school, an existing public elementary or secondary school may be converted into a charter school if certain other conditions apply. Allows, if the conditions are met, the governing body of a school corporation to: (1) convert more than one existing public elementary or secondary school within the school corporation; and (2) operate two or more conversion charter schools under a single charter. Amends provisions regarding participating innovation network charter schools to allow an organizer to enter into an agreement with more than one school corporation. Amends requirements regarding the location of a participating innovation network charter school and terms of an agreement. Amends the duties of the department of education with regard to participating innovation network charter schools. Makes conforming changes, including changes to the complexity index. Requires parental notification if a school determines a student is at risk of not achieving grade level proficiency in mathematics. Provides that money in terminated education scholarship accounts and career scholarship accounts does not revert to the state general fund. Provides that money in the Indiana education scholarship account program fund, Indiana education scholarship account administration fund, and career scholarship account program fund at the end of a state fiscal year does not revert to the state general fund.

Effective: July 1, 2026.

Teshka

January 5, 2026, read first time and referred to Committee on Education.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1176

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 6-1.1-17-3.1, AS AMENDED BY P.L.136-2024,
2 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 3.1. (a) This section:
4 (1) applies only to an operating referendum tax levy under
5 IC 20-46-1 approved by the voters before January 1, 2023, that is
6 imposed by a school corporation for taxes first due and payable in
7 2024 and 2025;
8 (2) does not apply to an operating referendum tax levy under
9 IC 20-46-1:
10 (A) approved by the voters during a time that the school
11 corporation imposing the levy was designated as a distressed
12 political subdivision; or
13 (B) approved by the voters after December 31, 2022, and
14 before January 1, 2025, that is imposed by a school
15 corporation for taxes first due and payable in 2024 or 2025;
16 and
17 (3) does not apply to any other tax year.



(b) As used in this section, "ADM" refers to the school corporation's average daily membership used to determine the state tuition support distribution under IC 20-43. In the case of a school corporation that has entered into an agreement with one (1) or more charter schools to participate as an innovation network charter school under IC 20-25.7-5, the term includes the average daily membership of **students described in IC 20-25.7-5-2(b)(2)** of any innovation network charter school that is treated as a school operated by the school corporation **with regard to students described in IC 20-25.7-5-2(b)(2)** when calculating the total amount of state tuition support to be distributed to the school corporation.

(c) Notwithstanding any increase in the assessed value of property from the previous assessment date, for taxes first due and payable in 2024, the total amount of operating referendum tax that may be levied by a school corporation may not exceed the lesser of:

- (1) the maximum operating referendum tax that could have been levied by the school corporation if the maximum referendum rate was imposed for taxes first due and payable in 2023 multiplied by one and three-hundredths (1.03); or
- (2) the maximum operating referendum tax that could otherwise be levied by the school corporation for taxes first due and payable in 2024.

The tax rate for an operating referendum tax levy shall be decreased, if necessary, to comply with this limitation.

(d) Notwithstanding any increase in the assessed value of property from the previous assessment date, for taxes first due and payable in 2025, the total amount of operating referendum tax that may be levied by a school corporation may not exceed the lesser of the following:

- (1) The maximum operating referendum tax that could have been levied by the school corporation if the maximum referendum rate was imposed for taxes first due and payable in the immediately preceding calendar year, as adjusted by this section, multiplied by the result determined under STEP SEVEN of the following formula:

STEP ONE: Subtract:

- (i) the school corporation's spring count of ADM made in the calendar year preceding by five (5) years the calendar year in which the property taxes are first due and payable; from
- (ii) the school corporation's spring count of ADM made in the immediately preceding calendar year.

STEP TWO: Divide the STEP ONE result by four (4).



STEP THREE: Divide the STEP TWO result by the school corporation's spring count of ADM made in the calendar year preceding by five (5) years the calendar year in which the property taxes are first due and payable.

STEP FOUR: Multiply the STEP THREE amount by one and five-tenths (1.5).

STEP FIVE: Add the STEP FOUR result and one and six-hundredths (1.06).

STEP SIX: Determine the greater of the STEP FIVE result or one and six-hundredths (1.06).

STEP SEVEN: Determine the lesser of the STEP SIX result or one and twelve-hundredths (1.12).

(2) The maximum operating referendum tax that could otherwise be levied by the school corporation for taxes first due and payable in the current calendar year.

The tax rate for an operating referendum tax levy shall be decreased, if necessary, to comply with this limitation.

(e) The department of education shall provide to the department of local government finance each school corporation's applicable ADM counts as needed to make the determinations under this section.

SECTION 2. IC 20-24-11-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5. (a) An existing public elementary or secondary school may be converted into a charter school if the governing body of the school corporation:**

(1) votes to convert the school within the school corporation; and

(2) submits to an authorizer a proposal described in IC 20-24-3-4 to convert the school within the school corporation to a charter school.

(b) The governing body of the school corporation described in subsection (a) may not serve as the authorizer of the charter school converted in accordance with this section.

(c) The organizer of a conversion charter school described in this section may be:

(1) the school corporation; or

(2) a nonprofit corporation that:

(A) is established by the school corporation;

(B) is incorporated or registered in Indiana;

(C) has been recognized by the Internal Revenue Service to be tax exempt and maintains such tax exempt status; and

(D) has an independent board whose members have been



1 elected or selected under the organizer's application and
 2 that has entered into a contract under this article to
 3 operate a charter school.

4 (d) The governing body of a school corporation may convert
 5 more than one (1) existing public elementary or secondary school
 6 within the school corporation under this section. The school
 7 corporation or an organizer that is a nonprofit corporation
 8 established by the school corporation under subsection (c)(2) may:

9 (1) submit a separate proposal for each school to an
 10 authorizer; or

11 (2) with the approval of the authorizer, operate two (2) or
 12 more schools under a single charter, provided that each
 13 school site:

14 (A) is identified in the charter application and charter; and

15 (B) is subject to the performance conditions, accountability
 16 measures, and renewal determinations established in the
 17 charter.

18 (e) A conversion charter school described in this section shall
 19 comply with the following:

20 (1) All legal requirements described in section 1(d) of this
 21 chapter.

22 (2) Except as provided in this section, all requirements for
 23 charter schools under this article.

24 SECTION 3. IC 20-25.7-5-2, AS AMENDED BY P.L.213-2025,
 25 SECTION 169, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) ~~The A~~ board may enter into
 27 an agreement with an organizer to:

28 (1) reconstitute an eligible school as a participating innovation
 29 network charter school; or ~~to~~

30 (2) establish a participating innovation network charter school at
 31 a location:

32 (A) selected by the board; ~~within the boundary of the school~~
 33 ~~corporation; or~~

34 (B) **within the geographic boundaries of any school**
 35 **corporation with which the organizer enters into an**
 36 **agreement under this chapter.**

37 Notwithstanding IC 20-26-7.1, a participating innovation network
 38 charter school may be established within a vacant school building.

39 (b) The terms of the agreement entered into between ~~the a~~ board of
 40 **a school corporation** and an organizer must specify the following:

41 (1) A statement that the organizer authorizes the department to
 42 include the charter school's performance assessment results under



IC 20-31-8 **for students who reside within the geographic boundaries of the school corporation** when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) Subject to an administrative fee as described in subsection (g), a statement that the school corporation will distribute at least one hundred percent (100%) of state tuition support dollars that the school corporation receives ~~from student enrollment~~ **for students who:**

(A) reside within the geographic boundaries of the school corporation; and

(B) are enrolled in the participating innovation network charter school;

in accordance with the school funding formula to the participating innovation network charter school (if the participating innovation network charter school is, **with regard to students described in this subsection**, treated in the same manner as a school operated by the school corporation under subsection (d)(2)).

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer and a statement that the school corporation is prohibited from setting additional performance goals or accountability metrics.

(4) For an agreement entered into or renewed after June 30, 2023, the process the board is required to follow in determining whether to renew the agreement.

(5) The amount of money levied as property taxes that will be distributed by the school corporation to the organizer.

(6) Subject to section 5 of this chapter, the participating innovation network charter school's enrollment and discipline policies, including defined attendance areas and enrollment zones.

(7) A statement that the innovation agreement shall not create an obligation that would cause the organizer to be in violation of its charter agreement (as described in IC 20-24-1-3).

(c) If an organizer and ~~the a~~ board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation



network charter school's performance assessment results under IC 20-31-8 **for students who reside within the geographic boundaries of the school corporation** when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall:

(A) treat the participating innovation network charter school in the same manner as a school operated by the school corporation **with regard to students residing within the geographic boundaries of the school corporation** when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(B) **in determining the school corporation's enrollment, include only eligible pupils enrolled in the participating innovation network charter school who reside within the geographic boundaries of the school corporation.**

(3) ~~if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.~~

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, 2027.

(f) If the board or organizer fails to follow the process described in subsection (b)(4), the board or organizer may appeal to the state board. The state board shall hear the appeal in a public meeting and ensure that the board or organizer follows the renewal process specified in the agreement. The board may not terminate an agreement until the board has provided evidence to the state board that the board has complied with the renewal process specified in the agreement. The state board shall issue a decision on an appeal under this subsection not later than sixty (60) days after the date the board or organizer submitted the



1 appeal to the state board.

2 (g) If an administrative fee is included in an agreement entered into
3 or renewed **under this chapter** after June 30, 2023, **2026**, under this
4 section, ~~the fee may not exceed one percent (1%) of the total amount~~
5 ~~of state tuition support that is distributed to the school corporation~~
6 ~~based on the participating innovation network charter school's student~~
7 ~~enrollment. each school corporation with which an organizer of a~~
8 **participating innovation network charter school has entered into**
9 **an agreement may assess an administrative fee of not more than**
10 **one percent (1%) of the tuition support dollars that the school**
11 **corporation receives for students who:**

12 (1) **reside within the geographic boundaries of the school**
13 **corporation; and**

14 (2) **are enrolled in the participating innovation network**
15 **charter school.**

16 (h) An agreement entered into between the board and an organizer
17 under this section may not be altered without written approval from the
18 organizer.

19 SECTION 4. IC 20-25.7-5-2.5 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. In addition to any state**
22 **tuition support dollars a participating innovation network charter**
23 **school receives from a school corporation under this chapter, the**
24 **department shall treat the participating innovation network**
25 **charter school as a charter school when calculating the tuition**
26 **support to be distributed to the innovation network charter school**
27 **for students of the innovation network charter school who do not**
28 **reside within the geographic boundaries of a school corporation**
29 **with which the innovation network charter school has an**
30 **agreement under this chapter.**

31 SECTION 5. IC 20-25.7-5-5, AS AMENDED BY P.L.220-2021,
32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2026]: Sec. 5. (a) IC 20-24-5-5 (with the exception of
34 IC 20-24-5-5(g)) does not apply to a participating innovation network
35 charter school that enters into an agreement with the board to
36 reconstitute or establish an eligible school.

37 (b) Except as provided in subsections (c) and (d), a participating
38 innovation network charter school must enroll any eligible student who
39 submits a timely application for enrollment.

40 (c) A participating innovation network charter school that
41 reconstitutes or establishes an eligible school may limit new
42 admissions to the participating innovation network charter school to:



(1) ensure that any student with legal settlement in the attendance area, or in ~~the school corporation~~ **any school corporation with which the participating innovation network charter school has entered into an agreement under this chapter** if the school does not have a defined attendance area, may attend the charter school;

(2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;

(3) allow the siblings of a student alumnus or a current student who attends the participating innovation network charter school to attend the charter school;

(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities;

(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer; and

(6) allow each student who attended a turnaround academy or attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.

(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for



enrollment for:

- (A) ten (10) or more school days;
- (B) a violation under IC 20-33-8-16;
- (C) causing physical injury to a student, a school employee, or a visitor to the school; or
- (D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

(e) A participating innovation network charter school may give enrollment preferences to children of the participating innovation network charter school's founders, governing board members, and participating innovation network charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the participating innovation charter school's total population and there is sufficient capacity for a program, class, grade level, or building to ensure that any student with legal settlement in the attendance area may attend the school.

(f) This subsection applies to an existing charter school that enters into an innovation network agreement with ~~the~~ a board. During the charter school's first year of operation as a participating innovation network charter school, the charter school may limit admission to:

- (1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement; and
- (2) siblings of students described in subdivision (1).

(g) This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a participating innovation network charter school receives a greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The participating innovation network charter school that is not in a county containing a consolidated city must determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by random drawing in a public meeting with each timely applicant limited to one (1) entry in the drawing. However, the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.



SECTION 6. IC 20-25.7-5-6, AS ADDED BY P.L.162-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Subject to an administrative fee as described in section 2(g) of this chapter, a school corporation that enters into an agreement with an organizer under this chapter shall distribute at least one hundred percent (100%) of state tuition support dollars that the school corporation receives from ~~student enrollment~~ **students who:**

(1) reside in the geographic boundaries of the school corporation; and

(2) are enrolled in the participating innovation network charter school;

in accordance with the school funding formula to the participating innovation network charter school.

(b) Unless an agreement entered into before July 1, 2024, between a board and an organizer provides otherwise, all participating innovation network charter schools operating under existing agreements with boards as of July 1, 2024, will receive funds as required under subsection (a).

SECTION 7. IC 20-32-6.5-3, AS ADDED BY P.L.180-2025, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Beginning with the 2026-2027 school year, if a school determines that a student in kindergarten through grade 8 is at risk of not achieving grade level proficiency in mathematics as determined by an analysis of the student's data from:

(1) a grade level screener approved by the department; or

(2) a through-year statewide assessment;

the school must provide intervention that meets the requirements under subsection (b).

(b) A school shall provide intervention to a student described in subsection (a) that meets the following conditions:

(1) The intervention includes a multitiered system of support that progresses from less to more intensive support based on the student's individual needs.

(2) The intervention is aligned to daily Tier I instruction and standard level learning progressions.

(3) The intervention is:

(A) targeted;

(B) differentiated; and

(C) supplemental to Tier I instruction.

(4) The intervention:

(A) is aligned with evidence based instructional strategies to promote conceptual understanding, procedural fluency, and



1 real world problem solving; and

2 (B) allows a student opportunities to interact, show progress,
3 and demonstrate understanding through rigorous grade level
4 content.

5 (5) The intervention includes continual assessment and in depth
6 analysis of each student's data to inform the flexible movement in
7 and out of Tiers II and III.

8 **(c) Not later than fifteen (15) days after a school makes a**
9 **determination under subsection (a) that a student is at risk, the**
10 **school shall provide notice to a parent of the student regarding the**
11 **determination. The notification may contain the following:**

12 **(1) Specific information about how the student is performing.**

13 **(2) Information about the intervention the student will receive**
14 **from the school.**

15 **(3) A list or description of any recommended resources**
16 **available for use at home to support the student's academic**
17 **growth in mathematics.**

18 ~~(c)~~ **(d)** The department shall provide guidance on the multitiered
19 system that a school is required to provide under subsection (b).

20 SECTION 8. IC 20-43-13-4, AS AMENDED BY P.L.213-2025,
21 SECTION 197, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Except as provided in
23 subsections (c) and (d), the complexity index is the percentage of the
24 school corporation's students who were receiving Supplemental
25 Nutrition Assistance Program (SNAP) benefits, Temporary Assistance
26 for Needy Families (TANF) benefits, or foster care services as of
27 October 1 in the school year ending in the later of:

28 (1) 2025; or

29 (2) the first year of operation of the school corporation.

30 (b) For a conversion charter school, the percentage determined
31 under this section is the percentage of the sponsor school corporation.

32 (c) Except as provided in subsection (d), the complexity index for
33 a school corporation that has entered into an agreement with one (1) or
34 more charter schools to participate as an innovation network charter
35 school under IC 20-25.7-5 for a state fiscal year is equal to the result
36 using the following formula:

37 STEP ONE: Determine:

38 (A) the school corporation's enrollment; minus

39 (B) the enrollment of students described in
40 **IC 20-25.7-5-2(b)(2)** of each participating innovation network
41 charter school.

42 STEP TWO: Determine the number of students in the school



corporation who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in 2025, not including students enrolled in each participating innovation network charter school.

STEP THREE: Divide the result of STEP TWO by the result of STEP ONE.

STEP FOUR: Determine the enrollment **of students described in IC 20-25.7-5-2(b)(2)** of each participating innovation network charter school.

STEP FIVE: Determine the number of students **described in IC 20-25.7-5-2(b)(2)** in each participating innovation network charter school who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

(A) 2025; or

(B) the first year of operation of the participating innovation network charter school.

STEP SIX: Divide the result of STEP FIVE by the result of STEP FOUR.

STEP SEVEN: For each participating innovation network charter school, determine the greater of:

(A) the result of STEP THREE; or

(B) the result of STEP SIX.

STEP EIGHT: For each participating innovation network charter school, multiply the result of STEP SEVEN by the result of STEP FOUR.

STEP NINE: Determine the sum of:

(A) the result of STEP TWO; plus

(B) the results of STEP EIGHT, for each participating innovation network charter school.

STEP TEN: Determine the sum of:

(A) the result of STEP ONE; plus

(B) the results of STEP FOUR for each participating innovation network charter school.

STEP ELEVEN: Divide the STEP NINE result by the STEP TEN result.

(d) If the complexity index of a participating innovation network charter school that was established before January 1, 2016, is, for the current school year, greater than the complexity index for the school



corporation with which the innovation network charter school has contracted, the complexity index of the participating innovation network charter school is determined as described in IC 20-25.7-5-2(e).

SECTION 9. IC 20-51.4-4-1, AS AMENDED BY P.L.213-2025, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student may establish an Indiana education scholarship account for the eligible student by entering into a written agreement with the department on a form prepared by the department. The department shall establish a date by which an application to establish an ESA account for the upcoming school year must be submitted. However, for a school year beginning after July 1, 2022, applications must be submitted for an eligible student not later than September 1 for the immediately following school year. The ESA account of an eligible student shall be made in the name of the eligible student. The department shall make the agreement available on the website of the department. To be eligible, a parent of an eligible student or an emancipated eligible student wishing to participate in the ESA program must agree that:

- (1) subject to subsection (i), a grant deposited in the eligible student's ESA account under section 2 of this chapter and any interest that may accrue in the ESA account will be used only for the eligible student's ESA qualified expenses;
- (2) if the eligible student participates in the CSA program, a grant deposited in the eligible student's ESA account under IC 20-51.4-4.5-3 and any interest that may accrue in the ESA account will be used only for the eligible student's ESA qualified expenses;
- (3) money in the ESA account when the ESA account is terminated ~~reverts~~ **does not revert** to the state general fund **and remains available to provide grants to eligible students under this chapter**;
- (4) the parent of the eligible student or the emancipated eligible student will use part of the money in the ESA account:
 - (A) for the eligible student's study in the subject of reading, grammar, mathematics, social studies, or science; or
 - (B) for use in accordance with the eligible student's:
 - (i) individualized education program;
 - (ii) service plan developed under 511 IAC 7-34;
 - (iii) choice special education plan developed under 511 IAC 7-49; or
 - (iv) plan developed under Section 504 of the federal



- 1 Rehabilitation Act of 1973, 29 U.S.C. 794;
- 2 (5) the eligible student will not be enrolled in a school that
- 3 receives tuition support under IC 20-43; and
- 4 (6) the eligible student will take the statewide summative
- 5 assessment, as applicable based on the eligible student's grade
- 6 level, as provided under IC 20-32-5.1, or the assessment specified
- 7 in the eligible student's:
- 8 (A) individualized education program developed under
- 9 IC 20-35;
- 10 (B) service plan developed under 511 IAC 7-34;
- 11 (C) choice special education plan developed under 511
- 12 IAC 7-49; or
- 13 (D) plan developed under Section 504 of the federal
- 14 Rehabilitation Act of 1973, 29 U.S.C. 794.
- 15 (b) A parent of an eligible student may enter into a separate
- 16 agreement under subsection (a) for each child of the parent. However,
- 17 not more than one (1) ESA account may be established for each
- 18 eligible student.
- 19 (c) The ESA account must be established under subsection (a) by a
- 20 parent of an eligible student or an emancipated eligible student for a
- 21 school year on or before a date established by the department which
- 22 must be at least thirty (30) days before the fall count day of ADM
- 23 established under IC 20-43-4-3. A parent of an eligible student or an
- 24 emancipated eligible student may not enter into an agreement under
- 25 this section or maintain an ESA account under this chapter if the
- 26 eligible student receives a choice scholarship under IC 20-51-4 for the
- 27 same school year. An eligible student may not receive a grant under
- 28 section 2 of this chapter if the eligible student is currently included in
- 29 a school corporation's ADM count under IC 20-43-4.
- 30 (d) Except as provided in subsections (e) and (f), an agreement
- 31 made under this section is valid for one (1) school year while the
- 32 eligible student is in kindergarten through grade 12 and may be
- 33 renewed annually. Upon graduation, or receipt of a certificate of
- 34 completion under the eligible student's individualized education
- 35 program, the eligible student's ESA account is terminated.
- 36 (e) An agreement entered into under this section terminates
- 37 automatically for an eligible student if:
- 38 (1) the eligible student no longer resides in Indiana while the
- 39 eligible student is eligible to receive grants under section 2 of this
- 40 chapter; or
- 41 (2) the ESA account is not renewed within three hundred
- 42 ninety-five (395) days after the date the ESA account was either



1 established or last renewed.

2 If an ESA account is terminated under this section, money in the
3 eligible student's ESA account, including any interest accrued, ~~reverts~~
4 **does not revert** to the state general fund **and remains available to**
5 **provide grants to eligible students under this chapter.**

6 (f) An agreement made under this section for an eligible student
7 while the eligible student is in kindergarten through grade 12 may be
8 terminated before the end of the school year if the parent of the eligible
9 student or the emancipated eligible student notifies the department in
10 a manner specified by the department.

11 (g) A distribution made to an ESA account under section 2 of this
12 chapter is considered tax exempt as long as the distribution is used for
13 an ESA qualified expense. The amount is subtracted from the
14 definition of adjusted federal gross income under IC 6-3-1-3.5 to the
15 extent the distribution used for the ESA qualified expense is included
16 in the taxpayer's adjusted federal gross income under the Internal
17 Revenue Code.

18 (h) The department shall establish a student test number as
19 described in IC 20-19-3-9.4 for each eligible student.

20 (i) A student described in IC 20-51.4-2-4(3)(B) may not use the
21 money deposited into the eligible student's ESA account for ESA
22 qualified expenses described in IC 20-51.4-2-9(a)(3),
23 IC 20-51.4-2-9(a)(6), IC 20-51.4-2-9(a)(7), or IC 20-51.4-2-9(a)(9).

24 SECTION 10. IC 20-51.4-4-2, AS AMENDED BY P.L.213-2025,
25 SECTION 212, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) An eligible student who
27 currently maintains an ESA account is entitled to an ESA annual grant
28 amount for each school year until the student graduates or obtains a
29 certificate of completion under the student's individualized education
30 program. An eligible student may not receive a grant under this section
31 after graduating or obtaining a certificate of completion. The ESA
32 annual grant amount shall be paid from the ESA program fund. The
33 department shall deposit the ESA annual grant amount under this
34 section, in quarterly deposits, into an eligible student's ESA account.

35 (b) Except as provided in subsection (c), at the end of the year in
36 which an ESA account is established, the parent of an eligible student
37 or the emancipated eligible student may roll over for use in a
38 subsequent year a maximum of one thousand dollars (\$1,000).
39 However, for each year thereafter, the parent of the eligible student or
40 the emancipated eligible student may roll over one thousand dollars
41 (\$1,000) plus any amount rolled over in a previous year.

42 (c) An eligible student's ESA account shall terminate the later of:



- 1 (1) the date the student graduates high school; or
- 2 (2) July 1 of the year in the year which the student graduates high
- 3 school.

4 Any money, including interest that remains in the eligible student's
 5 ESA account when it terminates under this subsection ~~reverts~~ **does not**
 6 **revert** to the state general fund **and remains available to provide**
 7 **grants to eligible students under this chapter.**

8 SECTION 11. IC 20-51.4-4-3, AS AMENDED BY P.L.213-2025,
 9 SECTION 213, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The Indiana education
 11 scholarship account program fund is established for the purpose of
 12 providing grants to eligible students under the ESA program. Money
 13 appropriated to the fund may be used to provide grants under this
 14 chapter in the manner prescribed in section 2 of this chapter.

15 (b) The department shall administer the ESA program fund.

16 (c) The ESA program fund consists of the following:

- 17 (1) Appropriations by the general assembly.
- 18 (2) Interest deposited in the ESA program fund under subsection
- 19 (d).

20 (d) The treasurer of state shall invest money in the ESA program
 21 fund not currently needed to meet the obligations of the ESA program
 22 fund in the same manner as other public money may be invested.
 23 Interest that accrues from these investments shall be deposited in the
 24 ESA program fund.

25 (e) Money in the ESA program fund at the end of a state fiscal year
 26 ~~reverts~~ **does not revert** to the state general fund **and remains in the**
 27 **fund for the purposes of the fund.**

28 SECTION 12. IC 20-51.4-4-3.5, AS AMENDED BY P.L.213-2025,
 29 SECTION 214, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2026]: Sec. 3.5. (a) The Indiana education
 31 scholarship account administration fund is established for the purpose
 32 of accepting money for the Indiana education scholarship account
 33 program to support administration of the ESA program.

34 (b) The department shall administer the fund.

35 (c) The fund consists of the following:

- 36 (1) Appropriations by the general assembly.
- 37 (2) Interest deposited in the fund under subsection (d).

38 (d) The treasurer of state shall invest money in the fund not
 39 currently needed to meet the obligations of the fund in the same
 40 manner as other public money may be invested. Interest that accrues
 41 from these investments shall be deposited in the fund.

42 (e) Money in the fund at the end of a state fiscal year ~~reverts~~ **does**



1 **not revert** to the state general fund **and remains in the fund for the**
 2 **purposes of the fund.**

3 SECTION 13. IC 20-51.4-4.5-1, AS AMENDED BY P.L.213-2025,
 4 SECTION 220, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) After June 30, 2023, a parent
 6 of a career scholarship student or an emancipated career scholarship
 7 student may establish a career scholarship account for the career
 8 scholarship student by entering into a written agreement with the
 9 department on a form prepared by the department. An application to
 10 establish a CSA account, or an application to participate in the CSA
 11 program with an ESA account, must be submitted not later than
 12 October 1 for the school year. Subject to subsection (f), the CSA
 13 account of a career scholarship student must be made in the name of
 14 the career scholarship student. The department shall make the
 15 agreement available on the website of the department.

16 (b) To be eligible to participate in the CSA program, a parent of a
 17 career scholarship student or an emancipated career scholarship student
 18 must agree that:

19 (1) a grant deposited in the career scholarship student's CSA
 20 account under section 3 of this chapter and any interest that may
 21 accrue in the CSA account will be used only for the CSA
 22 qualified expenses;

23 (2) money in the CSA account when the CSA account is
 24 terminated ~~reverts~~ **does not revert** to the state general fund **and**
 25 **remains available to provide grants to career scholarship**
 26 **students under this chapter;** and

27 (3) the parent of the career scholarship student or the emancipated
 28 career scholarship student will use the money in the CSA account
 29 for the career scholarship student to attend one (1) or more of the
 30 sequences, courses, apprenticeships, or programs of study
 31 designated and approved under section 6(a) of this chapter.

32 (c) A parent of a career scholarship student may enter into a
 33 separate agreement under subsection (a) for each child of the parent.
 34 However, not more than one (1) CSA account may be established for
 35 each career scholarship student.

36 (d) Except as provided under subsection (f), a CSA account must be
 37 established under subsection (a) by a parent of a career scholarship
 38 student or an emancipated career scholarship student for a school year
 39 not later than thirty (30) days after the date that the department
 40 approves an application submitted under subsection (a).

41 (e) Except as provided in section 2 of this chapter, an agreement
 42 made under this section is valid for one (1) school year while the career



1 scholarship student is in grades 10 through 12 and may be renewed
2 annually. Upon graduation, or receipt of:

- 3 (1) a certificate of completion under the career scholarship
- 4 student's individualized education program; or
- 5 (2) an Indiana high school equivalency diploma under
- 6 IC 22-4.1-18;

7 the career scholarship student's CSA account is terminated.

8 (f) If:

- 9 (1) a parent of a career scholarship student or an emancipated
- 10 career scholarship student enters into a written agreement with the
- 11 department on a form under subsection (a); and
- 12 (2) the career scholarship student participates in the ESA program
- 13 under this article;

14 the parent or emancipated career scholarship student must participate
15 in the CSA program using the student's ESA account instead of
16 establishing a CSA account. However, if the student ceases to
17 participate in the ESA program, the parent of the student or the
18 emancipated student must establish a CSA account to participate in the
19 CSA program.

20 SECTION 14. IC 20-51.4-4.5-2, AS AMENDED BY P.L.213-2025,
21 SECTION 221, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) An agreement entered into
23 under section 1 of this chapter terminates automatically for a career
24 scholarship student if:

- 25 (1) the career scholarship student no longer resides in Indiana
- 26 while the career scholarship student is eligible to receive grants
- 27 under section 3 of this chapter; or
- 28 (2) the CSA account is not renewed within three hundred
- 29 ninety-five (395) days after the date the CSA account was either
- 30 established or last renewed.

31 If a CSA account is terminated under this section, money in the career
32 scholarship student's CSA account, including any interest accrued,
33 **reverts does not revert** to the state general fund **and remains**
34 **available to provide grants to career scholarship students under**
35 **this chapter.**

36 (b) An agreement made under section 1 of this chapter for a career
37 scholarship student while the career scholarship student is in grades 10
38 through 12 may be terminated before the end of the school year if the
39 parent of the career scholarship student or the emancipated career
40 scholarship student notifies the department in a manner specified by
41 the department.

42 (c) A distribution made to a CSA account or ESA account, as



applicable, under section 3 of this chapter is considered tax exempt as long as the distribution is used for:

- (1) a CSA qualified expense; or
- (2) an ESA qualified expense if the career scholarship student is participating in the ESA program.

The amount is subtracted from the definition of "adjusted gross income" under IC 6-3-1-3.5 to the extent the distribution used for the CSA qualified expense or ESA qualified expense, as applicable, is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

(d) If a career scholarship student does not have a student test number, the department shall establish a student test number as described in IC 20-19-3-9.4 for the career scholarship student. The department shall provide the department information necessary for the department to comply with this subsection.

SECTION 15. IC 20-51.4-4.5-3, AS AMENDED BY P.L.213-2025, SECTION 222, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A career scholarship student who currently maintains a CSA account or an ESA account and participates in the CSA program is entitled to an annual grant amount for each school year until the student:

- (1) graduates; or
- (2) obtains:
 - (A) a certificate of completion under the student's individualized education program; or
 - (B) an Indiana high school equivalency diploma under IC 22-4.1-18.

(b) A career scholarship student may not receive a grant under this section after graduating, receiving an Indiana high school equivalency diploma, or obtaining a certificate of completion. The CSA annual grant amount shall be paid from the CSA program fund. The department shall deposit the CSA annual grant amount under this section, in quarterly deposits, into a career scholarship student's:

- (1) CSA account; or
- (2) ESA account if the student participates in the ESA program; in a manner established by the department.

(c) Except as provided in subsection (d), at the end of the year in which a CSA account is established, the parent of a career scholarship student or the emancipated career scholarship student may roll over for use in a subsequent year a maximum of one thousand dollars (\$1,000). However, for each year thereafter, the parent of the career scholarship student or emancipated eligible student may roll over one thousand



1 dollars (\$1,000) plus any amount rolled over in a previous year.

2 (d) A career scholarship student's CSA account shall terminate the
3 later of:

4 (1) the date the student graduates high school or obtains an
5 Indiana high school equivalency diploma; or

6 (2) July 1 of the year in which the student graduates high school
7 or obtains an Indiana high school equivalency diploma.

8 Any money, including interest that remains in the career scholarship
9 student's CSA account when it terminates under this subsection, ~~reverts~~
10 **does not revert** to the state general fund **and remains available to**
11 **provide grants to career scholarship students under this chapter.**

12 SECTION 16.IC 20-51.4-4.5-4, AS AMENDED BY P.L.213-2025,
13 SECTION 223, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The career scholarship
15 account program fund is established for the purpose of providing grants
16 to career scholarship students under the CSA program.

17 (b) The department shall administer the CSA program fund.

18 (c) The CSA program fund consists of the following:

19 (1) Appropriations by the general assembly.

20 (2) Interest deposited in the CSA program fund under subsection

21 (d).

22 (d) The treasurer of state shall invest money in the CSA program
23 fund not currently needed to meet the obligations of the CSA program
24 fund in the same manner as other public money may be invested.
25 Interest that accrues from these investments shall be deposited in the
26 CSA program fund.

27 (e) Money in the CSA program fund at the end of a state fiscal year
28 ~~reverts~~ **does not revert** to the state general fund **and remains in the**
29 **fund for the purposes of the fund.**

