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HOUSE BILL No. 1176

Proposed Changes to January 8, 2026 printing by AM117609

DIGEST OF PROPOSED AMENDMENT

Income thresholds. Repeals the version of IC 20-51-1-4.3 that removes the income threshold for an eligible choice scholarship student. Removes the provision that would remove the income threshold for an eligible student for purposes of eligibility for school scholarships distributed by scholarship granting organizations.

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 4-29.5-18-1, AS ADDED BY P.L.171-2021,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2027]: Sec. 1. For so long as the Band makes payments in
4 accordance with IC 4-29.5-17, the Band shall allocate a portion of the
5 annual payment to provide funding for public **or private** postsecondary
6 and vocational education for Band citizens (the "Pokagon Indiana
7 Education Fund").

8 SECTION 2. IC 4-29.5-18-2, AS ADDED BY P.L.171-2021,
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2027]: Sec. 2. The Pokagon Indiana Education Fund shall be
11 used solely to make payments directly to Indiana public **or private**
12 institutions of higher learning or workforce development and training
13 programs approved by the Indiana Department of Workforce
14 Development for eligible Band citizens for direct costs and expenses,
15 such as tuition, on-campus room and board, and other direct education
16 expenses. To be eligible, a Band citizen must (i) be enrolled in the
17 Band prior to benefitting from any payment, and (ii) meet the education
18 or workforce provider admission requirements. Priority shall be given

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1 to Band citizens who are legal residents of the State of Indiana as of the
 2 date of their application for benefits.

3 SECTION 3. IC 6-1.1-17-3.1, AS AMENDED BY P.L.136-2024,
 4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 3.1. (a) This section:

6 (1) applies only to an operating referendum tax levy under
 7 IC 20-46-1 approved by the voters before January 1, 2023, that
 8 is imposed by a school corporation for taxes first due and
 9 payable in 2024 and 2025;

10 (2) does not apply to an operating referendum tax levy under
 11 IC 20-46-1:

12 (A) approved by the voters during a time that the school
 13 corporation imposing the levy was designated as a
 14 distressed political subdivision; or

15 (B) approved by the voters after December 31, 2022, and
 16 before January 1, 2025, that is imposed by a school
 17 corporation for taxes first due and payable in 2024 or 2025;
 18 and

19 (3) does not apply to any other tax year.

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

31 (c) Notwithstanding any increase in the assessed value of property
 32 from the previous assessment date, for taxes first due and payable in
 33 2024, the total amount of operating referendum tax that may be levied
 34 by a school corporation may not exceed the lesser of:

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

39 (2) the maximum operating referendum tax that could otherwise
 40 be levied by the school corporation for taxes first due and
 41 payable in 2024.

42 The tax rate for an operating referendum tax levy shall be decreased,

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1 if necessary, to comply with this limitation.

2 (d) Notwithstanding any increase in the assessed value of property
 3 from the previous assessment date, for taxes first due and payable in
 4 2025, the total amount of operating referendum tax that may be levied
 5 by a school corporation may not exceed the lesser of the following:

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

12 STEP ONE: Subtract:

13 (i) the school corporation's spring count of ADM made
 14 in the calendar year preceding by five (5) years the
 15 calendar year in which the property taxes are first due
 16 and payable; from

17 (ii) the school corporation's spring count of ADM
 18 made in the immediately preceding calendar year.

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

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

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

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

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

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

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

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

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

40 SECTION 4. IC 20-24-11-5 IS ADDED TO THE INDIANA
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) An existing public

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1 **elementary or secondary school may be converted into a charter**
 2 **school if the governing body of the school corporation:**
 3 **(1) votes to convert the school within the school corporation;**
 4 **and**
 5 **(2) submits to an authorizer a proposal described in**
 6 **IC 20-24-3-4 to convert the school within the school**
 7 **corporation to a charter school.**
 8 **(b) The governing body of the school corporation described in**
 9 **subsection (a) may not serve as the authorizer of the charter school**
 10 **converted in accordance with this section.**
 11 **(c) The organizer of a conversion charter school described in**
 12 **this section may be:**
 13 **(1) the school corporation; or**
 14 **(2) a nonprofit corporation that:**
 15 **(A) is established by the school corporation;**
 16 **(B) is incorporated or registered in Indiana;**
 17 **(C) has been recognized by the Internal Revenue Service**
 18 **to be tax exempt and maintains such tax exempt status;**
 19 **and**
 20 **(D) has an independent board whose members have**
 21 **been elected or selected under the organizer's**
 22 **application and that has entered into a contract under**
 23 **this article to operate a charter school.**
 24 **(d) The governing body of a school corporation may convert**
 25 **more than one (1) existing public elementary or secondary school**
 26 **within the school corporation under this section. The school**
 27 **corporation or an organizer that is a nonprofit corporation**
 28 **established by the school corporation under subsection (c)(2) may:**
 29 **(1) submit a separate proposal for each school to an**
 30 **authorizer; or**
 31 **(2) with the approval of the authorizer, operate two (2) or**
 32 **more schools under a single charter, provided that each**
 33 **school site:**
 34 **(A) is identified in the charter application and charter;**
 35 **and**
 36 **(B) is subject to the performance conditions,**
 37 **accountability measures, and renewal determinations**
 38 **established in the charter.**
 39 **(e) A conversion charter school described in this section shall**
 40 **comply with the following:**
 41 **(1) All legal requirements described in section 1(d) of this**
 42 **chapter.**

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3 SECTION 5. IC 20-25.7-5-1.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. A board may not at the same**
6 **time both:**

7 **(1) be an authorizer of a charter school; and**
8 **(2) enter into or have an agreement under this chapter with**
9 **the charter school.**

10 SECTION 6. IC 20-25.7-5-2, AS AMENDED BY P.L.213-2025,
11 SECTION 169, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The A board may enter into
13 an agreement with an organizer to:

18 (A) selected by the board; ~~within the boundary of the school~~
19 corporation; or
20 (B) **within the geographic boundaries of any school**
21 **corporation with which the organizer enters into an**
22 **agreement under this chapter.**

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

25 (b) The terms of the agreement entered into between the a board
26 of a school corporation and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to 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:**

37 students who:
38 (A) reside within the geographic boundaries of the
39 school corporation; and

39 school corporation, and
40 **(B) are enrolled** in the participating innovation network
41 charter school;

in accordance with the school funding formula to the

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

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

11 (4) For an agreement entered into or renewed after June 30,
12 2023, the process the board is required to follow in determining
13 whether to renew the agreement.

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

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

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

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

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

29 (1) the department shall include the participating innovation
30 network charter school's performance assessment results under
31 IC 20-31-8 **for students who reside within the geographic**
32 **boundaries of the school corporation** when calculating the
33 school corporation's performance assessment under rules
34 adopted by the state board;

35 (2) the department shall:

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

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(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
This subdivision expires July 1, 2023.

June 30, 2021.

(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 appeal to the state board.

42 (1) reside within the geographic boundaries of the school

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1 **corporation; and**

7 SECTION 7. IC 20-25.7-5-2.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. In addition to any state**
10 **tuition support dollars a participating innovation network charter**
11 **school receives from a school corporation under this chapter, the**
12 **department shall treat the participating innovation network**
13 **charter school as a charter school when calculating the tuition**
14 **support to be distributed to the innovation network charter school**
15 **for students of the innovation network charter school who do not**
16 **reside within the geographic boundaries of a school corporation**
17 **with which the innovation network charter school has an**
18 **agreement under this chapter.**

19 SECTION 8. IC 20-25.7-5-5, AS AMENDED BY P.L.220-2021,
20 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2026]: Sec. 5. (a) IC 20-24-5-5 (with the exception of
22 IC 20-24-5-5(g)) does not apply to a participating innovation network
23 charter school that enters into an agreement with the board to
24 reconstitute or establish an eligible school.

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

28 (c) A participating innovation network charter school that
29 reconstitutes or establishes an eligible school may limit new
30 admissions to the participating innovation network charter school to:

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

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

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

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

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

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

23 (1) the student:

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

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

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

33 (A) ten (10) or more school days;
34 (B) a violation under IC 20-33-8-16;
35 (C) causing physical injury to a student, a school employee,
36 or a visitor to the school; or
37 (D) a violation of a school corporation's drug or alcohol
38 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.

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

14 (1) those students who were enrolled in the charter school on the
15 date it entered into the innovation network agreement; and
16 (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.

33 SECTION 9. IC 20-25.7-5-6, AS ADDED BY P.L.162-2024,
34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2026]: Sec. 6. (a) Subject to an administrative fee as described
36 in section 2(g) of this chapter, a school corporation that enters into an
37 agreement with an organizer under this chapter shall distribute at least
38 one hundred percent (100%) of state tuition support dollars that the
39 school corporation receives from **student enrollment** **students who:**

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1 school;
2 in accordance with the school funding formula to the participating
3 innovation network charter school.

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

9 SECTION 10. IC 20-32-6.5-3, AS ADDED BY P.L.180-2025,
10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 3. (a) Beginning with the 2026-2027 school year,
12 if a school determines that a student in kindergarten through grade 8 is
13 at risk of not achieving grade level proficiency in mathematics as
14 determined by an analysis of the student's data from:

15 (1) a grade level screener approved by the department; or
16 (2) a through-year statewide assessment;

19 subsection (1) that meets the following conditions:

20 (1) The intervention includes a multitiered system of support that

21 progresses from less to more intensive support based on the

22 student's individual needs.

23

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

26 (3) The intervention is:

27 (A) targeted;
28 (B) differentiated; and

29 (C) supplemental to Tier I instruction.

30 (4) The intervention:

(A) is aligned with evidence based instructional strategies to promote conceptual understanding, procedural fluency, and real world problem solving; and

34 (B) allows a student opportunities to interact, show
35 progress, and demonstrate understanding through rigorous
36 grade level content

36 grade level content.

37 (5) The intervention includes continual assessment and in depth

38 analysis of each student's data to inform the flexible movement

39 in and out of Tiers II and III.

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1 **determination. The notification may contain the following:**

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

3 (2) Information about the intervention the student will

4 receive from the school.

5 (3) A list or description of any recommended resources

6 available for use at home to support the student's academic

7 growth in mathematics.

8 (e) (d) The department shall provide guidance on the multitiered

9 system that a school is required to provide under subsection (b).

10 SECTION 11. IC 20-43-13-4, AS AMENDED BY P.L.213-2025,

11 SECTION 197, IS AMENDED TO READ AS FOLLOWS

12 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Except as provided in

13 subsections (c) and (d), the complexity index is the percentage of the

14 school corporation's students who were receiving Supplemental

15 Nutrition Assistance Program (SNAP) benefits, Temporary Assistance

16 for Needy Families (TANF) benefits, or foster care services as of

17 October 1 in the school year ending in the later of:

18 (1) 2025; or

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

20 (b) For a conversion charter school, the percentage determined

21 under this section is the percentage of the sponsor school corporation.

22 (c) Except as provided in subsection (d), the complexity index for

23 a school corporation that has entered into an agreement with one (1) or

24 more charter schools to participate as an innovation network charter

25 school under IC 20-25.7-5 for a state fiscal year is equal to the result

26 using the following formula:

27 STEP ONE: Determine:

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

29 (B) the enrollment **of students described in**

30 **IC 20-25.7-5-2(b)(2)** of each participating innovation

31 network charter school.

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

33 corporation who were receiving Supplemental Nutrition

34 Assistance Program (SNAP) benefits, Temporary Assistance for

35 Needy Families (TANF) benefits, or foster care services as of

36 October 1 in the school year ending in 2025, not including

37 students enrolled in each participating innovation network

38 charter school.

39 STEP THREE: Divide the result of STEP TWO by the result of

40 STEP ONE.

41 STEP FOUR: Determine the enrollment **of students described**

42 **in IC 20-25.7-5-2(b)(2)** of each participating innovation network

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1 ~~(3) either has been or is currently enrolled in a participating~~
 2 ~~school; and~~
 3 ~~(4) is a member of a household with an annual income of not~~
 4 ~~more than four hundred percent (400%) of the amount required~~
 5 ~~for the individual to qualify for the federal free or reduced price~~
 6 ~~lunch program>[199, IS REPEALED [EFFECTIVE JUNE 29,~~
 7 ~~2026]. Sec. 4.3. "Eligible choice scholarship student" refers to an~~
 8 ~~individual who:~~
 9 ~~(1) has legal settlement in Indiana; and~~
 10 ~~(2) is at least five (5) years of age and less than twenty-two (22)~~
 11 ~~years of age on October 1 of the applicable school year].~~

12 SECTION 13. IC 20-51.4-4-1, AS AMENDED BY P.L.213-2025,

13 SECTION 211, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) After June 30, 2022, a parent
 15 of an eligible student or an emancipated eligible student may establish
 16 an Indiana education scholarship account for the eligible student by
 17 entering into a written agreement with the department on a form
 18 prepared by the department. The department shall establish a date by
 19 which an application to establish an ESA account for the upcoming
 20 school year must be submitted. However, for a school year beginning
 21 after July 1, 2022, applications must be submitted for an eligible
 22 student not later than September 1 for the immediately following
 23 school year. The ESA account of an eligible student shall be made in
 24 the name of the eligible student. The department shall make the
 25 agreement available on the website of the department. To be eligible,
 26 a parent of an eligible student or an emancipated eligible student
 27 wishing to participate in the ESA program must agree that:

28 (1) subject to subsection (i), a grant deposited in the eligible
 29 student's ESA account under section 2 of this chapter and any
 30 interest that may accrue in the ESA account will be used only for
 31 the eligible student's ESA qualified expenses;
 32 (2) if the eligible student participates in the CSA program, a
 33 grant deposited in the eligible student's ESA account under
 34 IC 20-51.4-4.5-3 and any interest that may accrue in the ESA
 35 account will be used only for the eligible student's ESA qualified
 36 expenses;
 37 (3) money in the ESA account when the ESA account is
 38 terminated ~~reverts does not revert~~ to the state general fund **and**
 39 **remains available to provide grants to eligible students under**
 40 **this chapter;**
 41 (4) the parent of the eligible student or the emancipated eligible
 42 student will use part of the money in the ESA account:

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(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 Rehabilitation Act of 1973, 29 U.S.C. 794;

(5) the eligible student will not be enrolled in a school that receives tuition support under IC 20-43; and

(6) the eligible student will take the statewide summative assessment, as applicable based on the eligible student's grade level, as provided under IC 20-32-5.1, or the assessment specified in the eligible student's:

(A) individualized education program developed under IC 20-35;

(B) service plan developed under 511 IAC 7-34;

(C) choice special education plan developed under 511 IAC 7-49; or

(D) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) A parent of an eligible student may enter into a separate agreement under subsection (a) for each child of the parent. However, not more than one (1) ESA account may be established for each eligible student.

(c) The ESA account must be established under subsection (a) by a parent of an eligible student or an emancipated eligible student for a school year on or before a date established by the department which must be at least thirty (30) days before the fall count day of ADM established under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may not enter into an agreement under this section or maintain an ESA account under this chapter if the eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible student may not receive a grant under section 2 of this chapter if the eligible student is currently included in a school corporation's ADM count under IC 20-43-4.

38 (d) Except as provided in subsections (e) and (f), an agreement
39 made under this section is valid for one (1) school year while the
40 eligible student is in kindergarten through grade 12 and may be
41 renewed annually. Upon graduation, or receipt of a certificate of
42 completion under the eligible student's individualized education

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1 program, the eligible student's ESA account is terminated.

2 (e) An agreement entered into under this section terminates
3 automatically for an eligible student if:

4 (1) the eligible student no longer resides in Indiana while the
5 eligible student is eligible to receive grants under section 2 of
6 this chapter; or
7 (2) the ESA account is not renewed within three hundred
8 ninety-five (395) days after the date the ESA account was either
9 established or last renewed.

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

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

19 (g) A distribution made to an ESA account under section 2 of this
20 chapter is considered tax exempt as long as the distribution is used for
21 an ESA qualified expense. The amount is subtracted from the
22 definition of adjusted federal gross income under IC 6-3-1-3.5 to the
23 extent the distribution used for the ESA qualified expense is included
24 in the taxpayer's adjusted federal gross income under the Internal
25 Revenue Code.

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

28 (i) A student described in IC 20-51.4-2-4(3)(B) may not use the
29 money deposited into the eligible student's ESA account for ESA
30 qualified expenses described in IC 20-51.4-2-9(a)(3),
31 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).

32 SECTION 14. IC 20-51.4-4-2, AS AMENDED BY P.L.213-2025,
33 SECTION 212, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) An eligible student who
35 currently maintains an ESA account is entitled to an ESA annual grant
36 amount for each school year until the student graduates or obtains a
37 certificate of completion under the student's individualized education
38 program. An eligible student may not receive a grant under this section
39 after graduating or obtaining a certificate of completion. The ESA
40 annual grant amount shall be paid from the ESA program fund. The
41 department shall deposit the ESA annual grant amount under this
42 section, in quarterly deposits, into an eligible student's ESA account.

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(b) Except as provided in subsection (c), at the end of the year in which an ESA account is established, the parent of an eligible student or the emancipated eligible 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 eligible student or the emancipated eligible student may roll over one thousand dollars (\$1,000) plus any amount rolled over in a previous year.

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

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

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

SECTION 15. IC 20-51.4-4-3, AS AMENDED BY P.L.213-2025, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The Indiana education scholarship account program fund is established for the purpose of providing grants to eligible students under the ESA program. Money appropriated to the fund may be used to provide grants under this chapter in the manner prescribed in section 2 of this chapter.

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

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

(1) Appropriations by the general assembly.

(2) Interest deposited in the ESA program fund under subsection (d).

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

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

SECTION 16. IC 20-51.4-4-3.5, AS AMENDED BY P.L.213-2025, SECTION 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. (a) The Indiana education scholarship account administration fund is established for the purpose of accepting money for the Indiana education scholarship account program to support administration of the ESA program.

(b) The department shall administer the fund.

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11 SECTION 17. IC 20-51.4-4.5-1, AS AMENDED BY
12 P.L.213-2025, SECTION 220, IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) After June 30,
14 2023, a parent of a career scholarship student or an emancipated career
15 scholarship student may establish a career scholarship account for the
16 career scholarship student by entering into a written agreement with the
17 department on a form prepared by the department. An application to
18 establish a CSA account, or an application to participate in the CSA
19 program with an ESA account, must be submitted not later than
20 October 1 for the school year. Subject to subsection (f), the CSA
21 account of a career scholarship student must be made in the name of
22 the career scholarship student. The department shall make the
23 agreement available on the website of the department.

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

27 (1) a grant deposited in the career scholarship student's CSA
28 account under section 3 of this chapter and any interest that may
29 accrue in the CSA account will be used only for the CSA
30 qualified expenses:

30 qualified expenses;
31 (2) money in the CSA account when the CSA account is
32 terminated ~~reverts~~ **does not revert** to the state general fund **and**
33 **remains available to provide grants to career scholarship**
34 **students under this chapter;** and

34 students under this chapter, and
35 (3) the parent of the career scholarship student or the
36 emancipated career scholarship student will use the money in the
37 CSA account for the career scholarship student to attend one (1)
38 or more of the sequences, courses, apprenticeships, or programs
39 of study designated and approved under section 6(a) of this
40 chapter.

41 (c) A parent of a career scholarship student may enter into a
42 separate agreement under subsection (a) for each child of the parent.

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1 However, not more than one (1) CSA account may be established for
 2 each career scholarship student.

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

8 (e) Except as provided in section 2 of this chapter, an agreement
 9 made under this section is valid for one (1) school year while the career
 10 scholarship student is in grades 10 through 12 and may be renewed
 11 annually. Upon graduation, or receipt of:

- 12 (1) a certificate of completion under the career scholarship
 13 student's individualized education program; or
- 14 (2) an Indiana high school equivalency diploma under
 15 IC 22-4.1-18;

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

17 (f) If:

- 18 (1) a parent of a career scholarship student or an emancipated
 19 career scholarship student enters into a written agreement with
 20 the department on a form under subsection (a); and
- 21 (2) the career scholarship student participates in the ESA
 22 program under this article;

23 the parent or emancipated career scholarship student must participate
 24 in the CSA program using the student's ESA account instead of
 25 establishing a CSA account. However, if the student ceases to
 26 participate in the ESA program, the parent of the student or the
 27 emancipated student must establish a CSA account to participate in the
 28 CSA program.

29 SECTION 18. IC 20-51.4-4.5-2, AS AMENDED BY
 30 P.L.213-2025, SECTION 221, IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) An agreement
 32 entered into under section 1 of this chapter terminates automatically for
 33 a career scholarship student if:

- 34 (1) the career scholarship student no longer resides in Indiana
 35 while the career scholarship student is eligible to receive grants
 36 under section 3 of this chapter; or
- 37 (2) the CSA account is not renewed within three hundred
 38 ninety-five (395) days after the date the CSA account was either
 39 established or last renewed.

40 If a CSA account is terminated under this section, money in the career
 41 scholarship student's CSA account, including any interest accrued, [
 42 reverts does not revert to the state general fund **and remains**

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1 **available to provide grants to career scholarship students under**
 2 **this chapter.**

3 (b) An agreement made under section 1 of this chapter for a career
 4 scholarship student while the career scholarship student is in grades 10
 5 through 12 may be terminated before the end of the school year if the
 6 parent of the career scholarship student or the emancipated career
 7 scholarship student notifies the department in a manner specified by
 8 the department.

9 (c) A distribution made to a CSA account or ESA account, as
 10 applicable, under section 3 of this chapter is considered tax exempt as
 11 long as the distribution is used for:

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

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

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

25 SECTION 19. IC 20-51.4-4.5-3, AS AMENDED BY
 26 P.L.213-2025, SECTION 222, IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A career
 28 scholarship student who currently maintains a CSA account or an ESA
 29 account and participates in the CSA program is entitled to an annual
 30 grant amount for each school year until the student:

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

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

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

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

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

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

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

28 (1) Appropriations by the general assembly.

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

30 (d).

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

39 I SECTION 21. [EFFECTIVE UPON PASSAGE] (a) This act
40 repeals the version of IC 20-51-1-4.3 amended by P.L.213-2025,
41 SECTION 199. The version of IC 20-51-1-4.3 amended by
42 P.L.201-2023, SECTION 215 continues in effect.

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1 **(b) This SECTION expires June 30, 2027.**
2 **SECTION 22. An emergency is declared for this act.**
3 **1**

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