
SENATE BILL No. 239

AM023906 has been incorporated into January 16, 2026 printing.

Synopsis: Various education matters.

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SB 239—LS 7049/DI 152



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January 16, 2026

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.

SENATE BILL No. 239

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 4-21.5-2-4, AS AMENDED BY P.L.132-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 4. (a) This article does not apply to any of the
4 following agencies:
5 (1) The governor.
6 (2) The state board of accounts.
7 (3) The state educational institutions.
8 (4) The department of workforce development.
9 (5) The unemployment insurance review board of the department
10 of workforce development.
11 (6) The worker's compensation board of Indiana.
12 (7) The military officers or boards.
13 (8) The Indiana utility regulatory commission.
14 (9) The department of state revenue (excluding an agency action
15 related to the licensure of private employment agencies).

SB 239—LS 7049/DI 152



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(10) The department of local government finance.

(11) The Indiana board of tax review.

(12) The Indiana department of veterans' affairs.

(13) The Indiana veterans' affairs commission.

(14) The state board of education when issuing a final determination described in IC 20-26-7.1-4.

(b) This article does not apply to action related to railroad rate and tariff regulation by the Indiana department of transportation.

SECTION 2. IC 6-1.1-17-3.1, AS AMENDED BY P.L.136-2024, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.1. (a) This section:

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

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

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

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

(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

SB 239—LS 7049/DI 152



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

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

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

18 STEP ONE: Subtract:

19 (i) the school corporation's spring count of ADM made
20 in the calendar year preceding by five (5) years the
21 calendar year in which the property taxes are first due

22 and payable; from
23 (ii) the school corporation's spring count of ADM
24 made in the immediately preceding calendar year.

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

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

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

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

SB 239—LS 7049/DI 152



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4 SECTION 3. IC 20-19-3-45.5 IS ADDED TO THE INDIANA
5 CODE AS A NEW SECTION TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2026]: **Sec. 45.5. Beginning July 1, 2027, and**
7 **each July 1 thereafter, the department shall:**

13 SECTION 4. IC 20-24-11-5 IS ADDED TO THE INDIANA
14 CODE AS A NEW SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) An existing public
16 elementary or secondary school may be converted into a charter
17 school if the governing body of the school corporation:

28 (1) the school corporation; or

29 (2) a nonprofit corporation that:

30 (A) is established by the school corporation;

31 (B) is incorporated or registered in Indiana;

SB 239—LS 7049/DI 152



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1 **established by the school corporation under subsection (c)(2) may:**
 2 **(1) submit a separate proposal for each school to an**
 3 **authorizer; or**
 4 **(2) with the approval of the authorizer, operate two (2) or**
 5 **more schools under a single charter, provided that each**
 6 **school site:**
 7 **(A) is identified in the charter application and charter;**
 8 **and**
 9 **(B) is subject to the performance conditions,**
 10 **accountability measures, and renewal determinations**
 11 **established in the charter.**

12 **(e) A conversion charter school described in this section shall**
 13 **comply with the following:**

14 **(1) All legal requirements described in section 1(d) of this**
 15 **chapter.**

16 **(2) Except as provided in this section, all requirements for**
 17 **charter schools under this article.**

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

22 **(1) reconstitute an eligible school as a participating innovation**
 23 **network charter school; or to**

24 **(2) establish a participating innovation network charter school at**
 25 **a location:**

26 **(A) selected by the board; ~~within the boundary of the school~~**
 27 **~~corporation; or~~**

28 **(B) ~~within the geographic boundaries of any school~~**
 29 **~~corporation with which the organizer enters into an~~**
 30 **~~agreement under this chapter.~~**

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

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

35 **(1) A statement that the organizer authorizes the department to**
 36 **include the charter school's performance assessment results**
 37 **under IC 20-31-8 ~~for students who reside within the~~**
 38 **~~geographic boundaries of the school corporation~~ when**
 39 **calculating the school corporation's performance assessment**
 40 **under rules adopted by the state board.**

41 **(2) Subject to an administrative fee as described in subsection**
 42 **(g), a statement that the school corporation will distribute at least**

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1 one hundred percent (100%) of state tuition support dollars that
2 the school corporation receives ~~from student enrollment for~~
3 **students who:**

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

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

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

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

19 (4) For an agreement entered into or renewed after June 30,
20 2023, the process the board is required to follow in determining
21 whether to renew the agreement.

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

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

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

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

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

37 (1) the department shall include the participating innovation
38 network charter school's performance assessment results under
39 IC 20-31-8 **for students who reside within the geographic**
40 **boundaries of the school corporation** when calculating the
41 school corporation's performance assessment under rules
42 adopted by the state board; **and**



1 (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.

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

SB 239—LS 7049/DI 152



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1 amount of state tuition support that is distributed to the school
 2 corporation based on the participating innovation network charter
 3 school's student enrollment. each school corporation with which an
 4 organizer of a participating innovation network charter school has
 5 entered into an agreement may assess an administrative fee of not
 6 more than one percent (1%) of the tuition support dollars that the
 7 school corporation receives for students who:

8 (1) reside within the geographic boundaries of the school
 9 corporation; and
 10 (2) are enrolled in the participating innovation network
 11 charter school.

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

15 SECTION 6. IC 20-25.7-5-2.5 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 2.5. **In addition to any state**
 18 **tuition support dollars a participating innovation network charter**
 19 **school receives from a school corporation under this chapter, the**
 20 **department shall treat the participating innovation network**
 21 **charter school as a charter school when calculating the tuition**
 22 **support to be distributed to the innovation network charter school**
 23 **for students of the innovation network charter school who do not**
 24 **reside within the geographic boundaries of a school corporation**
 25 **with which the innovation network charter school has an**
 26 **agreement under this chapter.**

27 SECTION 7. IC 20-25.7-5-5, AS AMENDED BY P.L.220-2021,
 28 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2026]: Sec. 5. (a) IC 20-24-5-5 (with the exception of
 30 IC 20-24-5-5(g)) does not apply to a participating innovation network
 31 charter school that enters into an agreement with the board to
 32 reconstitute or establish an eligible school.

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

36 (c) A participating innovation network charter school that
 37 reconstitutes or establishes an eligible school may limit new
 38 admissions to the participating innovation network charter school to:

39 (1) ensure that any student with legal settlement in the
 40 attendance area, or in the school corporation **any school**
 41 **corporation with which the participating innovation network**
 42 **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;

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

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

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

15 (5) allow each student who qualifies for free or reduced price
16 lunch under the national school lunch program to receive
17 preference for admission to the participating innovation network
18 charter school if the preference is specifically provided for in the
19 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.

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

31 (1) the student:

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

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

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

SB 239—LS 7049/DI 152



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(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.

9 (e) A participating innovation network charter school may give
10 enrollment preferences to children of the participating innovation
11 network charter school's founders, governing board members, and
12 participating innovation network charter school employees, as long as
13 the enrollment preference under this subsection is not given to more
14 than ten percent (10%) of the participating innovation charter school's
15 total population and there is sufficient capacity for a program, class,
16 grade level, or building to ensure that any student with legal settlement
17 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:

22 (1) those students who were enrolled in the charter school on the
23 date it entered into the innovation network agreement; and
24 (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.

41 SECTION 8. IC 20-25.7-5-6, AS ADDED BY P.L.162-2024,
42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

SB 239—LS 7049/DI 152



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1 JULY 1, 2026]: Sec. 6. (a) Subject to an administrative fee as described
 2 in section 2(g) of this chapter, a school corporation that enters into an
 3 agreement with an organizer under this chapter shall distribute at least
 4 one hundred percent (100%) of state tuition support dollars that the
 5 school corporation receives from **student enrollment students who:**

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

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

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

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

17 SECTION 9. IC 20-26-7-47, AS AMENDED BY P.L.36-2024,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 47. (a) The following definitions apply throughout
 20 this section:

21 (1) "Covered school building" has the meaning set forth in
 22 IC 20-26-7.1-2.1.

23 (2) "Current school year" refers to a year in which the governing
 24 body is required to conduct a review of school building usage
 25 under subsection (c).

26 (3) "Enrollment" refers to the following:

27 (A) Except as provided in clause (B), students counted in
 28 ADM (as defined in IC 20-43-1-6) in the first count date for
 29 a school year fixed under IC 20-43-4-3.

30 (B) With regard to a school corporation, students counted in
 31 a school corporation's fall count of ADM minus all students
 32 counted in the fall count of ADM who are enrolled in
 33 eligible schools that:

34 (i) have entered into an agreement with the school
 35 corporation to participate as a participating innovation
 36 network charter school under IC 20-25.7-5; and
 37 (ii) are included in the school corporation's fall ADM
 38 count.

39 (4) "Interested person" has the meaning set forth in
 40 IC 20-26-7.1-2.2.

41 (b) This section applies to a school corporation only if:

42 (1) the total student enrollment for in-person instruction in the



1 school corporation in the current school year is at least ten
2 percent (10%) less than the student enrollment for in-person
3 instruction in the school corporation in a school year that
4 precedes the current school year by five (5); and
5 (2) the school corporation in the current school year has more
6 than one (1) school building serving the same grade level as the
7 school building subject to closure under this section.

8 (c) Each school year, the governing body of a school corporation
9 shall review the usage of school buildings used by the school
10 corporation to determine whether any school building should be closed
11 for the ensuing school year and subsequent school years.

12 (d) A school corporation shall close a school building for the
13 ensuing school year (and subsequent school years) if:

14 (1) at any time the school building had been used for classroom
15 instruction;
16 (2) in the current school year and the two (2) school years
17 immediately preceding the current school year the school
18 building was underutilized for classroom instruction purposes or
19 other allowable uses specified by this section;

20 (3) as of the end of the school year before the school building is
21 required to be closed under this section, the school corporation
22 was not subject to a transitional plan adopted by the governing
23 body and approved by the department to use the school building
24 for an allowable use not later than the next school year after the
25 school building is otherwise required to be closed under this
26 section;

27 (4) in the case of a school building that was used in any part in
28 the current school year for instructional purposes, the school
29 corporation has another school building:

30 (A) with sufficient capacity to take the students using the
31 school building being considered for closure; and
32 (B) that does not require more than twenty (20) minutes of
33 travel time by car or bus from the school building being
34 considered for closure; and

35 (5) the school building is not a school building described in
36 IC 20-26-7.1-1, IC 20-26-7.1-3(b), IC 20-26-7.1-3(c), or
37 IC 20-26-7.1-3(d).

38 (e) For purposes of this section, a school building is underutilized
39 in a school year if the school building is not used for any of the
40 following allowable uses:

41 (1) The number of full-time equivalent students enrolled for
42 in-person instruction in the school building on instructional days



1 (as determined under IC 20-30-2) for instructional purposes,
2 averaged over the current school year and the two (2) school
3 years immediately preceding the current school year, is at least
4 fifty percent (50%) of:

5 (A) the known classroom design capacity of the school
6 building; or
7 (B) if the design capacity is not known, the average
8 maximum full-time equivalent enrollment in any of the last
9 twenty-five (25) years, as validated by records created or
10 maintained by the department.

11 (2) The school corporation demonstrates through facts included
12 in a resolution that the school building is being used and that it
13 is financially prudent to continue to use the school building,
14 considering all community resources, for a distinct student
15 population that reasonably cannot be served through integration
16 with the general school population, such as students attending an
17 alternative education program (as defined in IC 20-30-8-1).
18 However, to be an allowable use under this subdivision, the
19 average number of full-time equivalent students using the school
20 building in a school year for instructional purposes must be at
21 least thirty percent (30%) of:

22 (A) the known classroom design capacity of the school
23 building; or
24 (B) if the design capacity is not known, the average
25 maximum full-time equivalent enrollment in any of the last
26 twenty-five (25) years, as validated by records created or
27 maintained by the department; and

28 (if multiple school buildings are used for the same purposes)
29 combining the student populations into fewer school buildings
30 is not reasonably feasible.

31 (3) The school corporation demonstrates through facts included
32 in a resolution that the school building is being used and that it
33 is financially prudent to continue to use the school building,
34 considering all community resources, for administrative or other
35 school offices. However, to be an allowable use under this
36 subdivision, at least fifty percent (50%) of the square footage of
37 the school building must be used for offices, the personnel
38 headquartered in the school building must consistently use the
39 space for office purposes, and the occupancy cost of using the
40 school building cannot be more than comparable office space
41 that is available in the school district.

42 (4) The school corporation demonstrates through facts included



1 in a resolution that the school building is being used and that it
 2 is financially prudent to continue to use the school building,
 3 considering all community resources, for storage. However, to be
 4 an allowable use under this subdivision, at least fifty percent
 5 (50%) of the square footage of the school building must be used
 6 for storage, on average the storage space must be used to
 7 capacity, and the cost of using the school building for storage
 8 must be less than comparable storage space that is available in
 9 the school district.

10 (5) The school corporation demonstrates through facts included
 11 in a resolution that the school building is being used and that it
 12 is financially prudent to continue to use the school building,
 13 considering all community resources, for a combination of office
 14 space and storage. However, to be an allowable use under this
 15 subdivision, at least fifty percent (50%) of the square footage of
 16 the school building must be used for a combination of office
 17 space and storage and:

18 (A) the personnel headquartered in the school building must
 19 consistently use the office space for office purposes, and the
 20 occupancy cost of using the office space, calculated using
 21 the costs of operating the school building, cannot be more
 22 than comparable office space that is available in the school
 23 district; and

24 (B) on average, the storage space must be used to capacity
 25 and the cost of using the school building for storage must be
 26 less than comparable storage space that is available in the
 27 school district.

28 (f) Closure of a school building that is:

29 (1) owned by the school corporation or any other entity that is
 30 related in any way to, or created by, the school corporation or the
 31 governing body; or

32 (2) jointly owned in the same manner by two (2) or more school
 33 corporations;

34 shall be carried out in conformity with IC 20-26-7.1.

35 (g) Before filing a petition under subsection (h), a charter school
 36 or state educational institution that is interested in a school
 37 corporation's school building must give written notice to the school
 38 corporation to determine whether an agreement can be reached
 39 regarding the school corporation making the school building available
 40 for lease or purchase under IC 20-26-7.1.

41 (h) If an agreement is not reached within forty-five (45) days after
 42 the date that the school corporation receives the notice under



1 subsection (g), the charter school or state educational institution may
 2 petition the department to initiate or the department on its own may
 3 initiate a proceeding for a determination as to whether a school
 4 building meets the criteria for closure under this section or a covered
 5 school building that is no longer used for classroom instruction by a
 6 school corporation should be made available under IC 20-26-7.1. If a
 7 charter school or state educational institution petitions the department
 8 under this subsection, the charter school or state educational institution
 9 must provide a copy of the petition to the applicable school
 10 corporation.

11 (i) An interested person that is not otherwise a party to the
 12 proceeding may intervene in the proceeding under subsection (h) as a
 13 party. The school corporation has the burden of going forward with the
 14 evidence and the burden of proof to demonstrate that the school
 15 building does not meet the criteria for closure or the covered school
 16 building is not required to be made available under IC 20-26-7.1.

17 (j) Not more than ~~sixty (60)~~ **thirty (30)** days after receiving notice
 18 of a petition under subsection (h), the school corporation must:

19 (1) file a response to the petition that notifies the department that
 20 the school corporation:

21 (A) is not contesting the petition; or
 22 (B) is contesting the petition and states the facts upon which
 23 the school corporation relies in contesting the petition; and
 24 (2) provide a copy of the response to the petitioner and any
 25 intervening party.

26 (k) If the school corporation:

27 (1) files a response that the school corporation is not contesting
 28 the petition; or

29 (2) fails to submit a timely response under subsection (j);
 30 the department shall issue an order granting the petition. A petition and
 31 any response or reply are public documents.

32 (l) If a school corporation contests a petition under subsection (j),
 33 a party to the proceeding has not more than ~~sixty (60)~~ **thirty (30)** days
 34 after the date that the school corporation files a response under
 35 subsection (j) to submit a reply to the school corporation's response.

36 (m) The department shall make a determination regarding a
 37 petition under subsection (h) not more than ~~one hundred twenty (120)~~
 38 **sixty (60)** days after the date that the:

39 (1) petitioner and any intervening party have submitted a reply
 40 under subsection (l); or

41 (2) time period to reply under subsection (l) has expired.

42 (n) **Not later than sixty (60) days after the date that the**



1 **department issues a determination under subsection (m)**, a school
 2 corporation or another party to the proceeding may file with the state
 3 board a petition requesting review of the department's determination.
 4 Upon receipt of a petition under this subsection, the state board shall
 5 review the department's determination. An appeal to the state board
 6 shall be subject to the procedure described in IC 20-26-11-15(b).

7 (o) Upon the issuance of a final unappealable order granting a
 8 petition, the school corporation shall make the school building
 9 available for lease or purchase in accordance with IC 20-26-7.1. **The**
 10 **school corporation has not more than ten (10) days after the date**
 11 **the notice of a final unappealable order is received by the school**
 12 **corporation to complete the lease or sale of the covered school**
 13 **building to the charter school or state educational institution.**

14 (p) If the transaction described in subsection (o) is not
 15 completed within thirty (30) days, the charter school or state
 16 educational institution may bring a civil action against the school
 17 corporation. The court may award to a charter school or state
 18 educational institution who prevails in an action under this
 19 subsection the following:

20 (1) Injunctive relief.
 21 (2) Liquidated damages computed at a rate of ten thousand
 22 dollars (\$10,000) per day for each day that exceeds the ten
 23 (10) day time frame described in subsection (o).

24 (q) A lease or sale of a covered school building to a charter
 25 school or a state educational institution under this section includes
 26 transfer of:

27 (1) those assets that are fixtures of the covered school
 28 building; and
 29 (2) property that is directly adjacent to the covered school
 30 building and owned by the school corporation, including
 31 property used for school activities, athletics, recreational
 32 facilities, and parking.

33 SECTION 10. IC 20-26-7-48, AS ADDED BY P.L.189-2023,
 34 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 48. (a) The following definitions apply throughout
 36 this section:

37 (1) "Current school year" refers to a year in which the governing
 38 body is required to conduct a review of school building usage
 39 under section 47(c) of this chapter.
 40 (2) "Enrollment" has the meaning set forth in section 47(a)(3) of
 41 this chapter.
 42 (b) This section applies to a school corporation only if:



17 (A) Designed occupancy, regardless of current use.
18 (B) Current use (and percentage of use) for classroom
19 instruction, as special use classrooms, as office space, or as
20 storage or alternatively the building's status as transitioning
21 from one (1) use or combination of uses to another.
22 (C) The following information:

22 (C) The following information:

23 (i) Current average full-time equivalent student
24 enrollment for in-person instruction in the school
25 building on instructional days (as determined under
26 IC 20-30-2) in a school year.

27 (ii) Percentage of instructional use.

28 (iii) Percentage of use for other purposes.

28 (iii) Percentage of use for other purposes.

29 (D) Self-evaluation of whether the building qualifies for

30 closure under section 47 of this chapter or the school board

31 otherwise intends to close the building and the date closure

32 will occur (if applicable).

41 SECTION 11. IC 20-26-7.1-4, AS AMENDED BY P.L.1-2025,
42 SECTION 188, IS AMENDED TO READ AS FOLLOWS

SB 239—LS 7049/DI 152



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1 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Not later than thirty (30) days
 2 after the date a governing body of a school corporation determines at
 3 a public meeting to cease using a covered school building for
 4 classroom instruction on student instructional days (as described in
 5 IC 20-30-2-2) for a school year as required under IC 20-30-2-3, a
 6 school corporation shall provide written notice to the department
 7 regarding the date that the covered school building has ceased or will
 8 cease being used for classroom instruction as described in this
 9 subsection.

10 (b) If the school corporation does not intend to make a covered
 11 school building available for lease or purchase in accordance with this
 12 chapter, the school corporation shall state in the notice required under
 13 subsection (a) the factual and legal basis for the school corporation's
 14 contention that the covered school building is not required to be made
 15 available under this chapter. **The school corporation has the burden of going forward with the evidence and the burden of proof to demonstrate that the covered school building is not required to be made available under this chapter.** Any claim for exclusion from a
 16 requirement to make the covered school building available under this
 17 chapter which is not stated in the notice under this subsection is
 18 waived.

19 (c) If a school corporation does not provide notice to the
 20 department under subsection (a), any claim for exclusion from a
 21 requirement to make the covered school building available under this
 22 chapter is waived.

23 (d) Not later than fifteen (15) days after the date that the
 24 department receives a notice from a school corporation under
 25 subsection (a), the department shall provide written notice to all
 26 interested persons regarding the notice from the school corporation
 27 submitted under subsection (a).

28 (e) If a notice from a school corporation under subsection (a)
 29 acknowledges that the covered school building will be made available
 30 in accordance with this chapter, the department's notice to interested
 31 persons shall provide that any notice of interest by an interested person
 32 for the covered school building must be submitted to the department
 33 not later than sixty (60) days after the date the interested person
 34 receives the department's notice under subsection (d).

35 (f) If a notice from a school corporation under subsection (a)
 36 includes a claim that the covered school building will not be made
 37 available under this chapter, an interested person may submit to the
 38 department, not later than thirty (30) days after the date the interested
 39 person receives the notice from the department under subsection (d),

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1 a rebuttal to the factual and legal basis for the school corporation's
 2 contention that the covered school building is not required to be made
 3 available under this chapter.

4 (g) The department shall, not later than sixty (60) days after the
 5 date that a rebuttal is due under subsection (f), issue a determination to
 6 the school corporation and interested persons as to whether the covered
 7 school building must be made available under this chapter. The
 8 department shall publish a copy of the department's determination on
 9 the department's website.

10 (h) Not later than **thirty (30) sixty (60)** days after the date that the
 11 department issues a determination under subsection (g), a school
 12 corporation or interested person may appeal the determination to the
 13 state board. An appeal to the state board shall be subject to the
 14 procedure described in IC 20-26-11-15(b) **and shall be considered**
 15 **final and binding on the parties to the proceeding.**

16 (i) **The state board shall issue a final determination on an**
 17 **appeal filed under subsection (h) not later than forty-five (45) days**
 18 **after the date on which an appeal is filed.**

19 (j) **If the school corporation or interested person chooses to**
 20 **appeal a final determination issued by the state board under**
 21 **subsection (i), the appeal may only be filed in the court of appeals**
 22 **and must be filed not later than thirty (30) days after the date the**
 23 **final determination is issued by the state board. A school**
 24 **corporation that files an appeal of the state board's final**
 25 **determination and is determined to be the nonprevailing party by**
 26 **the court of appeals shall be responsible for the reasonable**
 27 **attorney's fees incurred by the prevailing party.**

28 (f) (k) Not later than fifteen (15) days after:

29 (1) the time expires for an appeal to the state board of a
 30 department determination under subsection (g) or IC 20-26-7-47
 31 that a covered school building be made available; or

32 (2) a **final** determination by the state board that a covered school
 33 building is to be made available is issued;

34 the governing body shall take the actions specified by subsection (j).

35 (l) If the governing body fails to take the actions, the department shall
 36 request that the attorney general enforce the order under section 9(a)
 37 of this chapter.

38 (f) (l) **If Not later than fifteen (15) days after the department**
 39 **provides notice to all interested parties under subsection (d) that**
 40 **a covered school building is to be made available, the governing body**
 41 **shall do the following:**

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(1) Make the covered school building available for inspection by a charter school or state educational institution that notifies the department that it is interested in leasing or purchasing the covered school building.

(2) Make the following information available to a charter school or state educational institution described in subdivision (1):

(A) Estimates of the operating expenses for the covered school building for the past three (3) years.

(B) Written information regarding the condition of the covered school building, including the age of the roof and the HVAC system, and any known conditions which, in the governing body's opinion, require prompt repair or replacement.

(C) A legal description of the property.

(k) (m) If the governing body fails to take the actions required under subsection **(j), (l)**, a charter school having notified the school corporation of its interest in the covered school building is entitled to an injunction requiring the governing body to take the actions under subsection **(j), (l)**.

(f) (n) The school corporation shall lease the covered school building to a charter school or state educational institution for one dollar (\$1) per year for as long as the state educational institution uses the covered school building for an academic purpose or the charter school uses the covered school building for classroom instruction, for a term at the state educational institution's or charter school's discretion, or sell the covered school building for one dollar (\$1), if the charter school or state educational institution does the following:

(1) Within ninety (90) days of receiving the department's notice under subsection (d), a charter school or state educational institution must submit a preliminary request to purchase or lease the covered school building.

(2) Subject to subsection (m), (o), within ninety (90) days of receiving the department's notice under subsection (d), a charter school or state educational institution must submit to the school corporation the following information:

(A) The name of the charter school or state educational institution that is interested in leasing or purchasing the covered school building.

(B) A time frame, which may not exceed three (3) years from the date that the covered school building is to be closed, no longer used, or no longer occupied, in which the:



- (i) charter school intends to begin providing classroom instruction in the covered school building; or
- (ii) state educational institution intends to begin using the covered school building for an academic purpose.

(C) A resolution, adopted by the board of the charter school or state educational institution stating that the board of the charter school or state educational institution has determined that, after the charter school or state educational institution has made any necessary repairs or modifications, the covered school building will be sufficient to meet the charter school's or state educational institution's needs and can be operated within the charter school's or state educational institution's budget.

14 (m)(o) If the department does not receive any preliminary requests
15 to purchase or lease a covered school building within the time frame
16 described in subsection (t)(1), (n)(1), the department shall send
17 notification to the school corporation that the department has not
18 received any preliminary requests to purchase or lease the covered
19 school building. Upon receipt of the notification under this subsection,
20 the school corporation may sell or lease the covered school building
21 to the county or municipal government in which the school
22 corporation is located for a mutually agreed upon price. If the
23 county or municipal government does not purchase or lease the
24 covered school building, the school corporation may sell or
25 otherwise dispose of the covered school building in accordance with
26 IC 36-1-11, IC 20-25-4-14, and IC 20-26-5-4(a)(7).

SB 239—LS 7049/DI 152



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1 or lease the covered school building or determine if two (2) or more
 2 charter schools should co-locate within the covered school building.
 3 The committee shall base the committee's decision on the following
 4 criteria:

5 (1) Preference shall be given to existing charter schools that have
 6 a proven track record of student academic performance.
 7 (2) If two (2) or more charter schools of proven academic
 8 performance are competing and only one (1) charter school is
 9 operating in the county in which the covered school building is
 10 located, the charter school in the same county as the covered
 11 school building shall be given preference.

12 In the event that the committee determines that two (2) or more charter
 13 schools should co-locate in the covered school building, the charter
 14 schools have sixty (60) days to submit a memorandum of
 15 understanding stating that the charter schools shall be jointly and
 16 severally liable for the obligations related to the sale or lease of the
 17 covered school building, and specifying how the charter schools will
 18 utilize the covered school building and share responsibility for
 19 operational, maintenance, and renovation expenses. If the charter
 20 schools are unable to agree, the charter schools shall be deemed to have
 21 revoked their prior request regarding the lease or sale of the covered
 22 school building. The committee shall give notice of the committee's
 23 decision to the school corporation and each interested person. A charter
 24 school that is not selected by the committee may appeal the decision to
 25 the state board not more than thirty (30) days after receipt of the
 26 committee's decision. The state board shall issue a final order in the
 27 appeal not more than sixty (60) days after receipt of a properly filed
 28 appeal. Notice of the appeal and the final order in the appeal must be
 29 given to the school corporation.

30 (t) (q) If a charter school does not submit a preliminary request to
 31 purchase or lease the covered school building and only one (1) state
 32 educational institution submits a preliminary request to purchase or
 33 lease the covered school building, the department shall:

34 (1) notify the school corporation of the identity of the state
 35 educational institution; and
 36 (2) direct the school corporation to complete a sale or lease to
 37 the state educational institution in accordance with subsection
 38 (t). (t).

39 (p) (r) If one (1) or more state educational institutions submit
 40 preliminary requests to purchase or lease a covered school building, a
 41 selection committee shall be established consisting of one (1) member
 42 appointed by the executive of the largest city or town in the county in



1 which the covered school building is located, one (1) member
 2 appointed by the city or town council of the largest city or town in the
 3 county in which the covered school building is located, one (1) member
 4 appointed by the county commissioners of the county in which the
 5 covered school building is located, one (1) member appointed by the
 6 county council of the county in which the covered school building is
 7 located, and one (1) member appointed by the chamber of commerce
 8 of the county in which the covered school building is located.

9 ~~(q)~~ (s) Not later than sixty (60) days after the date that a member
 10 is appointed under subsection ~~(p)~~ (r), the committee shall:

- 11 (1) select which state educational institution may proceed to
 12 purchase or lease the covered school building; or
- 13 (2) determine whether more than one (1) state educational
 14 institution should co-locate within the covered school building.

15 In making the committee's determination, the committee shall give
 16 preference to a state educational institution whose proposed use of the
 17 covered school building is assessed as having the greatest educational
 18 benefit for prekindergarten through grade 12 education. A committee
 19 determination under this subsection may not be appealed.

20 ~~(r)~~ (t) A school corporation shall lease the covered school building
 21 for one dollar (\$1) per year to the charter school or state educational
 22 institution for as long as the:

- 23 (1) charter school uses the covered school building for classroom
 24 instruction for any combination of kindergarten through grade
 25 12; or

26 (2) state educational institution uses the covered school building
 27 for an academic purpose.

28 The term of the lease shall be established at the charter school's or state
 29 educational institution's discretion and include an option for the state
 30 educational institution or charter school to purchase the covered school
 31 building for one dollar (\$1). Alternatively, the school corporation shall
 32 sell the covered school building to the charter school or state
 33 educational institution for one dollar (\$1), if the charter school or state
 34 educational institution has met the requirements set forth in subsection
 35 ~~(t)~~ (n) and uses the covered school building in the manner prescribed
 36 by this subsection. If the charter school or state educational institution
 37 selected to lease or purchase the covered school building has met the
 38 requirements under subsection ~~(t)~~ (n), the school corporation has not
 39 more than ~~ninety~~ (90) ~~ten~~ (10) days after the date notice of a final
 40 unappealable decision is received by the school corporation to
 41 complete the lease or sale of the covered school building to the charter
 42 school or state educational institution. If the transaction is not

SB 239—LS 7049/DI 152



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1 completed within ~~ninety (90)~~ **ten (10)** days, the department or the
 2 selected charter school or state educational institution may, under
 3 section 9 of this chapter, request that the attorney general enforce the
 4 sale or lease or may file suit to enforce the sale or lease. If a charter
 5 school or state educational institution has not met the requirements
 6 under subsection ~~(f)~~; **(n)**, the school corporation may sell or otherwise
 7 dispose of the covered school building in accordance with IC 36-1-11,
 8 IC 20-25-4-14, and IC 20-26-5-4(a)(7).

9 **(u) In addition to a request that the attorney general enforce**
 10 **the sale or lease or file suit to enforce the sale or lease of a covered**
 11 **school building under subsection (t), if the transaction described in**
 12 **subsection (t) is not completed within ten (10) days after the date**
 13 **the notice of a final unappealable decision is received by the school**
 14 **corporation, the charter school or state educational institution may**
 15 **bring a civil action against the school corporation. The court shall**
 16 **award to a charter school or state educational institution that**
 17 **prevails in an action under this subsection the following:**

18 **(1) Injunctive relief.**
 19 **(2) Liquidated damages computed at a rate of ten thousand**
 20 **dollars (\$10,000) per day for each day that exceeds the ten**
 21 **(10) day time frame described in subsection (t).**

22 **(v) A lease or sale of a covered school building to a charter**
 23 **school or a state educational institution under this section includes**
 24 **transfer of:**

25 **(1) those assets that are fixtures of the covered school**
 26 **building; and**
 27 **(2) property that is directly adjacent to the covered school**
 28 **building and owned by the school corporation, including**
 29 **property used for school activities, athletics, recreational**
 30 **facilities, and parking.**

31 SECTION 12. IC 20-26-7.1-5, AS AMENDED BY P.L.135-2025,
 32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2026]: Sec. 5. (a) If:

34 **(1) a covered school building is sold to a charter school or state**
 35 **educational institution under section 4 of this chapter; and**
 36 **(2) the charter school or state educational institution described**
 37 **in subdivision (1) no longer intends to use the covered school**
 38 **building for the purposes described in section ~~4(f)~~ **4(n)** of this**
 39 **chapter;**

40 **the charter school or state educational institution shall offer to transfer**
 41 **the covered school building back to the school corporation that initially**



1 sold the covered school building to the charter school or state
 2 educational institution.

3 (b) If a school corporation described in subsection (a) declines the
 4 offer to transfer a covered school building back to the school
 5 corporation, the charter school or state educational institution may sell
 6 or transfer the covered school building to a third party. If a charter
 7 school or state educational institution sells or transfers a covered
 8 school building to a third party under this subsection, the charter school
 9 or state educational institution must transfer an amount equal to the
 10 gain in the property minus the adjusted basis (including costs of
 11 improvements to the covered school building) to the school corporation
 12 that initially sold the covered school building to the charter school or
 13 state educational institution. Gain and adjusted basis shall be
 14 determined in the manner prescribed by the Internal Revenue Code and
 15 the applicable Internal Revenue Service regulations and guidelines.

16 (c) A charter school or state educational institution that purchases
 17 a covered school building assumes total control of the covered school
 18 building and must maintain the covered school building, including
 19 utilities, insurance, maintenance, and repairs. Except as provided in
 20 subsection (d), in the event a:

- 21 (1) charter school does not use the covered school building for
 22 classroom instruction; or
- 23 (2) state educational institution does not use the covered school
 24 building for an academic purpose;

25 within ~~two (2)~~ **three (3)** years after acquiring the covered school
 26 building, the covered school building shall revert to the school
 27 corporation, which may sell or otherwise dispose of the covered school
 28 building under IC 36-1-11.

29 (d) In the event a:

- 30 (1) charter school does not use the covered school building for
 31 classroom instruction; or
- 32 (2) state educational institution does not use the covered school
 33 building for an academic purpose;

34 as a result of being engaged in ongoing renovations for an acquired
 35 covered school building, within ~~two (2)~~ **three (3)** years after acquiring
 36 an occupancy permit for the covered school building, the covered
 37 school building shall revert to the school corporation, which may sell
 38 or otherwise dispose of the covered school building under IC 36-1-11.

39 SECTION 13. IC 20-26-7.1-5.3, AS AMENDED BY P.L.36-2024,
 40 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 5.3. (a) This section applies to a covered school
 42 building to which the following apply:

SB 239—LS 7049/DI 152



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(1) The covered school building was purchased or leased by a charter school under this chapter.

(2) The total student enrollment for in-person instruction in the school building in the current school year is at least ten percent (10%) less than the student enrollment for in-person instruction in the school building in a school year that precedes the current school year by five (5).

(b) A school corporation may not petition the department under subsection (c) within the first five (5) years after a charter school purchased or initially leased a covered school building under this chapter.

(c) Subject to subsection (f), if:

(A) the number of full-time equivalent students enrolled for in-person instruction in a school building on instructional days (as determined under IC 20-30-2) for instructional purposes for a school year is not at least fifty percent (50%) of the classroom design capacity of the school building; **and**

(B) **it is consistent with the needs of the school corporation's strategic plan;**

the school corporation that leased or sold the school building to the charter school may file a petition with the department requesting that the charter school transfer the school building back to the school corporation.

(d) Before filing a petition under subsection (c), the school corporation must give written notice to the charter school to determine whether an agreement can be reached regarding transferring the school building to the school corporation.

(e) A petition filed under this section is subject to the same procedures under IC 20-26-7-47 as a petition filed under IC 20-26-7-47(h).

(f) For purposes of determining classroom design capacity under subsection (c), if a charter school reconfigures a school building after the charter school leases or purchases the school building, the classroom design capacity must be determined based on the reconfigured school building and not the classroom design capacity of the school building at the time of the lease or purchase.

(g) **A school corporation that receives a school building back from a charter school pursuant to a petition filed under subsection (c) shall pay the charter school for capital improvements the charter school made to the school building minus depreciation.**

SB 239—LS 7049/DI 152



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1 JULY 1, 2026]: Sec. 3. (a) Beginning with the 2026-2027 school year,
 2 if a school determines that a student in kindergarten through grade 8 is
 3 at risk of not achieving grade level proficiency in mathematics as
 4 determined by an analysis of the student's data from:
 5 (1) a grade level screener approved by the department; or
 6 (2) a through-year statewide assessment;
 7 the school must provide intervention that meets the requirements under
 8 subsection (b).
 9 (b) A school shall provide intervention to a student described in
 10 subsection (a) that meets the following conditions:
 11 (1) The intervention includes a multilevel system of support that
 12 progresses from less to more intensive support based on the
 13 student's individual needs.
 14 (2) The intervention is aligned to daily Tier I instruction and
 15 standard level learning progressions.
 16 (3) The intervention is:
 17 (A) targeted;
 18 (B) differentiated; and
 19 (C) supplemental to Tier I instruction.
 20 (4) The intervention:
 21 (A) is aligned with evidence based instructional strategies
 22 to promote conceptual understanding, procedural fluency,
 23 and real world problem solving; and
 24 (B) allows a student opportunities to interact, show
 25 progress, and demonstrate understanding through rigorous
 26 grade level content.
 27 (5) The intervention includes continual assessment and in depth
 28 analysis of each student's data to inform the flexible movement
 29 in and out of Tiers II and III.
 30 (c) **Not later than fifteen (15) days after a school makes a**
 31 **determination under subsection (a) that a student is at risk, the**
 32 **school shall provide notice to a parent of the student regarding the**
 33 **determination. The notification may contain the following:**
 34 (1) **Specific information about how the student is performing.**
 35 (2) **Information about the intervention the student will**
 36 **receive from the school.**
 37 (3) **A list or description of any recommended resources**
 38 **available for use at home to support the student's academic**
 39 **growth in mathematics.**
 40 (e) (d) The department shall provide guidance on the multilevel
 41 system that a school is required to provide under subsection (b).

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1 SECTION 15. IC 20-43-13-4, AS AMENDED BY P.L.213-2025,
2 SECTION 197, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Except as provided in
4 subsections (c) and (d), the complexity index is the percentage of the
5 school corporation's students who were receiving Supplemental
6 Nutrition Assistance Program (SNAP) benefits, Temporary Assistance
7 for Needy Families (TANF) benefits, or foster care services as of
8 October 1 in the school year ending in the later of:

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

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

18 STEP ONE: Determine:

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

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

23 STEP TWO: Determine the number of students in the school
24 corporation who were receiving Supplemental Nutrition
25 Assistance Program (SNAP) benefits, Temporary Assistance for
26 Needy Families (TANF) benefits, or foster care services as of
27 October 1 in the school year ending in 2025, not including
28 students enrolled in each participating innovation network
29 charter school

29 charter school.
30 STEP THREE: Divide the result of STEP TWO by the result of
31 STEP ONE

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

41 (A) 2025; or

SB 239—LS 7049/DI 152



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(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 16. IC 20-51-1-5, AS AMENDED BY P.L.162-2024, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. "Eligible student" refers to an individual who:

(1) has legal settlement in Indiana;

(2) is at least four (4) years of age and less than twenty-two (22) years of age on October 1 of the applicable school year; **and**

(3) either has been or is currently enrolled in a participating school, and

(4) is a member of a household with an annual income of not more than four hundred percent (400%) of the amount required for the individual to qualify for the federal free or reduced price lunch program;

SECTION 17. IC 21-18-15.1-5, AS ADDED BY P.L.74-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The teacher residency grant pilot program

SB 239—LS 7049/DI 152



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1 fund is established for the purpose of providing funds to school
 2 corporations, **and charter schools, and state accredited nonpublic**
 3 **schools** for the development and implementation of teacher residency
 4 programs as described in section 6 of this chapter.

5 (b) The fund consists of the following:
 6 (1) Appropriations made by the general assembly.
 7 (2) Gifts, grants, devises, or bequests made to the commission to
 8 achieve the purposes of the fund.
 9 (c) The commission shall administer the fund.
 10 (d) The expenses of administering the fund shall be paid from
 11 money in the fund.

12 (e) The treasurer of state shall invest the money in the fund not
 13 currently needed to meet the obligations of the fund in the same
 14 manner as other public funds may be invested. Interest that accrues
 15 from these investments shall be deposited in the fund.

16 (f) Money in the fund at the end of a state fiscal year does not
 17 revert to the state general fund but remains available to be used for the
 18 purposes of this chapter.

19 SECTION 18. IC 21-18-15.1-6, AS ADDED BY P.L.74-2019,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 6. The commission may award grants under the
 22 pilot program to an applicant that meets the following requirements:

23 (1) The applicant is a school corporation, **or charter school, or**
 24 **state accredited nonpublic school** that has partnered with one
 25 (1) approved postsecondary educational institution to establish
 26 and implement a teacher residency program.
 27 (2) The applicant submits a teacher residency plan that:
 28 (A) establishes a teacher residency program in which:
 29 (i) program participants receive teacher training under
 30 the teacher residency program for a one (1) year
 31 period; and
 32 (ii) program participants and teachers who act as
 33 mentors to program participants under the teacher
 34 residency program receive stipends;
 35 (B) includes the name and contact information of the
 36 approved postsecondary educational institution with which
 37 the school corporation, **or charter school, or state**
 38 **accredited nonpublic school** has partnered; and
 39 (C) includes any other information regarding the teacher
 40 residency program that is required by the commission.
 41 (3) Any other requirements established by the commission.

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1 SECTION 19. IC 21-18-15.1-7, AS ADDED BY P.L.74-2019,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 7. A school corporation, **or** charter school, **or**
 4 **state accredited nonpublic school** that is awarded a grant under
 5 section 6 of this chapter:

6 (1) shall provide stipends to:
 7 (A) program participants; and
 8 (B) teachers who act as mentors to program participants
 9 under the teacher residency program; and
 10 (2) may use money from the grant award to pay the approved
 11 postsecondary educational institution with which the school
 12 corporation, **or** charter school, **or** **state accredited nonpublic**
 13 **school** has partnered for administrative costs incurred by the
 14 approved postsecondary educational institution in developing
 15 and implementing the teacher residency program.

16 SECTION 20. IC 21-18-15.1-8, AS ADDED BY P.L.74-2019,
 17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2026]: Sec. 8. The commission shall, upon request, provide
 19 technical assistance to school corporations, charter schools, **state**
 20 **accredited nonpublic schools**, and approved postsecondary
 21 educational institutions participating in the pilot program in the
 22 development of competency based curriculum and support systems for
 23 program participants.

24 SECTION 21. IC 21-18-15.1-9, AS AMENDED BY
 25 P.L.214-2025, SECTION 213, IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The commission
 27 shall annually prepare a report that includes the following:

28 (1) Information regarding school corporations, **and** charter
 29 schools, **and** **state accredited nonpublic schools** that participate
 30 in the pilot program.
 31 (2) The annual retention rate of teachers employed by a school
 32 corporation, **or** charter school, **or** **state accredited nonpublic**
 33 **school** who completed the school corporation's, **or** charter
 34 school's, **or** **state accredited nonpublic school's** teacher
 35 residency program within the immediately preceding five (5)
 36 years.
 37 (3) The number of program participants who were not employed
 38 by a school corporation, **or** charter school, **or** **state accredited**
 39 **nonpublic school** after completing the school corporation's, **or**
 40 charter school's, **or** **state accredited nonpublic school's** teacher
 41 residency program.
 42 (4) The number of teachers who:

SB 239—LS 7049/DI 152



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9 (1) The governor.

10 (2) The general assembly in an electronic format under
11 IC 5-14-6.

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SB 239—LS 7049/DI 152



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