

Education Bills 2022

Red=bill w/negative consequences

Blue=bill of some concern

Green=beneficial bill

Charter, lab, and public schools are referred to as "qualified schools." Private schools that accept vouchers are not included.

Senate Education & Career Development

1st Rding 1/5

Senate Bill 167 Authored by Sen. Scott Baldwin, Sen. Jeff Raatz, Sen. Travis Holdman.

Education matters. Defines a "qualified school". Requires each qualified school to **post educational activities and curricular materials on the school's Internet web site**. Provides that public records that are available on a qualified school's Internet web site shall be excepted from public record requests for individuals that have access to the school's Internet web site at the discretion of the qualified school. Requires the school corporation or qualified school to **add functionality that allows parents of students in the school corporation to opt in to or opt out of certain educational activities and curricular materials under certain conditions**. Provides that the governing body of a school corporation **shall create a curricular materials advisory committee (committee) comprised of parents, teachers, administrators, and community members. Requires the committee to submit recommendations regarding curricular materials and educational activities to the governing body of a school corporation**. Provides parameters for the composition of the committee, the appointment of committee members, and the appointment of a committee chairperson. Requires the **governing body to create educational activities and curricular materials review, discussion, and recommendation procedures for the committee**. Provides that the committee shall meet a certain number of times annually. Provides that a state agency, state educational institution, school corporation, or qualified school or an employee of the state agency, state educational institution, school corporation, or qualified school acting in an official capacity **may not include or promote certain concepts as part of a course of instruction or in a curriculum or direct or otherwise compel a school employee or student to adhere to certain tenets relating to the individual's sex, race, ethnicity, religion, color, national origin, or political affiliation**. Provides that a state agency, school corporation, qualified school, or state educational institution or an employee of the state agency, school corporation, qualified school, or state educational institution acting in an official capacity **may not require an employee of the school corporation, qualified school, or state educational institution to engage in training, orientation, or therapy that presents any form of racial or sex stereotyping or blame on the basis of sex, race, ethnicity, religion, color, national origin, or political affiliation**. Provides that a **student shall not be required to participate in a personal analysis, an evaluation, or a survey that reveals or attempts to affect the student's attitudes, habits, traits, opinions, beliefs, or feelings without parental consent**. Provides that, if a school corporation or qualified school uses a third party vendor in providing a personal analysis, evaluation, or survey that reveals, identifies, collects, maintains or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings, the third party vendor and the school corporation or qualified school **may not collect or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student**. Provides that before a school corporation or qualified school may provide or administer certain mental, social-emotional, or psychological services to a student, the school **must provide the parent of the student or the student, if the student is an adult or an emancipated minor, with a written request for consent to provide or administer certain mental, social-emotional, or psychological services**. Makes changes to the definition of "sexually explicit" for the purpose of trade regulation. **Removes schools and certain public libraries from the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors**. Adds colleges and universities to the entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.

Senate Bill 144 Authored by Sen. Scott Baldwin, Sen. Jeff Raatz, Sen. Brian Buchanan.

School board elections. Provides that a candidate for election to the **governing body of a school corporation may not be any of the following: (1) A teacher employed by the school corporation. (2) A member, an employee, or a**

contractor of a labor organization with which the school corporation engages in collective bargaining. Provides that candidates for election to the governing body of a school corporation **may request that the candidate's affiliation with a major political party be indicated with the candidate's name on the general election ballot.** Provides that, **beginning with the 2022 general election,** all members of the governing body of a school corporation **must be elected, eliminating the appointment of members of the governing body.** Changes population parameters to reflect the population count determined under the 2020 decennial census

Senate Bill 138 Authored by Sen. Blake Doriot.

Eligibility for resident tuition. Provides that an individual who meets certain conditions is eligible for the resident tuition rate as determined by the state educational institution. Requires such an individual to verify that the individual meets the criteria to receive the resident tuition rate.

Senate Bill 130 Authored by Sen. Jean Leising.

Statewide assessment results. Provides that, after a school receives statewide assessment score reports, a **teacher of a student shall discuss the student's statewide assessment results with a parent at the next parent/teacher conference or, if the school does not hold parent/teacher conferences, send a notice to a parent of the student offering to meet with the parent to discuss the results.** (*Current law* requires that, after a school receives statewide assessment score reports, the school shall offer a parent/teacher conference to discuss a student's statewide assessment results with a parent who **requests the parent/teacher conference or the parent of each student who does not receive a passing score on the test.**) Requires the department of education to include in a contract entered into or renewed after June 30, 2022, with a statewide assessment vendor a requirement that the vendor provide a summary of a student's statewide assessment results that meets certain requirements.

Senate Bill 123 Authored by Sen. Aaron Freeman.

Dyslexia screening and intervention. Provides that the **dyslexia screening and intervention** provisions apply to: (1) qualified districts or qualified high schools; and (2) innovation network schools. Provides that the following may not waive or suspend the dyslexia screening and intervention provisions: (1) A coalition of continuous improvement school districts. (2) State accredited schools. Requires state accredited nonpublic schools to comply with the dyslexia screening and intervention provisions. Adds, for consistency, the dyslexia screening and intervention provisions to the list of statutes that apply to charter schools. (Under current law, the dyslexia screening and intervention requirements already apply to charter schools because of the language in the dyslexia screening and intervention provisions.)

Senate Bill 118 Authored by Sen. Jeff Raatz.

Montessori program day care licensure exemption. Provides that an educational program that is validated as a Montessori program by the United Montessori Schools of Indiana is exempt from licensure as a day care center.

Senate Bill 115 Authored by Sen. Aaron Freeman.

School employee misconduct. Provides that a policy adopted by a school corporation, charter school, or nonpublic school with at least one employee addressing expanded criminal history background checks or expanded child protection index checks (background checks) must **prohibit the hiring or continuing employment of a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.** (Current law provides that such a policy addressing background checks must prohibit the hiring of a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.) Provides that an entity: (A) with which a school corporation or charter school contracts for services; and (B) that has employees who are likely to have direct, ongoing contact with children within the scope of the employees' employment; shall use information obtained from the background checks concerning an individual's conviction for certain offenses as grounds to not employ, continue employment, or contract with the individual. Provides that, in the event that an entity obtains information that an individual employed by the entity who works at a particular school corporation or charter school has been convicted of certain offenses, the entity shall immediately notify the school corporation or charter school of the employee's conviction. Makes changes to the list of offenses for which the department of education shall permanently revoke a teacher's license. Makes conforming changes.

Senate Bill 113 Authored by Sen. Jeff Raatz.

Indiana state board of education. Amends the membership of the state board of education.

Senate Bill 93 Authored by Sen. Mike Bohacek.

School corporation disannexation. Establishes a process to disannex a township from an existing school corporation and annex the township to an adjacent school corporation.

Senate Bill 91 Authored by Sen. Linda Rogers.

Accreditation of teacher preparation programs. Allows a teacher preparation program to report the program's admission practices, in accordance with the Association for Advancing Quality in Educator Preparation (AAQEP) standards, for teacher preparation programs accredited by the AAQEP. Requires the department of education to approve at least two accreditors that: (1) accredit teacher preparation programs; and (2) are recognized by the Council for Higher Education Accreditation; to accredit teacher preparation programs for use in Indiana.

Senate Bill 89 Authored by Sen. Linda Rogers.

Higher education scholarships. Provides that the commission's annual schedule of awards must provide award amounts on the basis of a federal needs calculation. Amends language concerning teacher stipends to teacher scholarships. Provides that the total amount of scholarships or other financial aid received by an individual may not exceed certain total expenses.

Senate Bill 83 Authored by Sen. Jean Leising.

Meetings of school boards and charter schools. Requires the governing body of a school corporation or charter school (governing body) to **allow public comment at meetings**. Allows a governing body to conduct an electronic meeting (other than an executive session) only in the following circumstances: (1) The charter school or school within the school corporation is closed because of an outbreak of communicable disease not more than five days before the meeting. (2) The school or schools have not reopened for in-person classroom instruction. (3) Public comment is allowed during the meeting. (Current law allows a governing body to conduct an electronic meeting if: (1) at least 50% of the members are physically present; or (2) a state or local disaster emergency is declared.)

Senate Bill 82 Authored by Sen. Jean Leising.

FAFSA requirement. Requires all students, except for students at certain nonpublic schools, in their **senior year** to **complete and submit the FAFSA unless**: (1) a parent of a student or a student, if the student is an emancipated minor, signs a waiver that the student understands what the FAFSA is and declines to complete it; or (2) the principal or school counselor of the student's high school waives the requirement due to extenuating circumstances. Requires that the: (1) model notice prepared by the commission for higher education; and (2) notice that each school corporation is required to send regarding the FAFSA; include information regarding the requirements and exceptions for completing the FAFSA.

Senate Bill 81 Authored by Sen. Jean Leising.

School curriculum. Requires each school corporation, charter school, and state accredited nonpublic elementary school to include cursive writing in its curriculum.

Senate Bill 63 Authored by Sen. J.D. Ford.

Equal educational opportunity. Extends certain antidiscrimination educational rights statutes to **prohibit discrimination based on sexual orientation and gender identity**.

Senate Bill 36 Authored by Sen. Dennis Kruse.

Audiology and speech-language pathology compact. Adopts the audiology and speech-language pathology interstate compact. Establishes requirements regarding: (1) speech-language pathology assistants; and (2) the supervision of speech-language pathology support personnel. Requires the speech-language pathology and audiology board to adopt rules not later than June 30, 2023. Makes conforming amendments.

Senate Bill 17 Authored by Sen. James Tomes.

Material harmful to minors. Removes schools and certain public libraries from the list of entities eligible for a **specified defense to criminal prosecutions alleging**: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors. **Adds colleges and universities to the list of entities eligible for a specified defense to criminal prosecutions alleging**: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.

Senate Bill 11 Authored by Sen. Dennis Kruse.

Display of historical documents. Provides that a document of educational and historical significance with acknowledged **religious history (document) may be displayed on property owned by the state.** Provides that a display of a document must be accompanied by a statement providing its context in American history. Provides that a document may only be displayed if the document is: (1) donated; (2) purchased with funds made available through voluntary contributions to the Indiana department of administration (department); or (3) reprinted from a document donated or purchased with contributions to the department. Requires, upon request, the department to provide certain documents to a state office, clerk of court, judge, or legislative body.

1st Rding 1/5

Senate Bill 2 Authored by Sen. Jeff Raatz.

Virtual instruction and tuition support. Provides that, in determining whether at least 50% of the instructional services that a student receives from a school corporation is virtual instruction for purposes of the 2021 fall count of average daily membership (ADM), the **department of education (department) shall review the attendance of each student on each school day from the school corporation's first day of school until the school corporation's last day of school of the 2021 fall semester.** Makes an exception regarding the school days the department reviews for students who transferred to or from a school corporation during the 2021 fall semester. Provides that, if a school corporation's tuition support amount is adjusted as a result of the application of this provision, the department shall, after December 31, 2021, settle any overpayment or underpayment of state tuition support to a school corporation resulting from the adjustment of tuition support on the schedule determined by the department

House Education

1st Rding Jan. 10

House Bill 1134 (Same as SB 167) Authored by Rep. Anthony Cook Co-Authored by Rep. J.D. Prescott, Rep. Chuck Goodrich.

Education matters. Education matters. Defines a "qualified school". **Requires each qualified school to post educational activities and curricular materials on the school's Internet web site.** Provides that public records that are available on a qualified school's Internet web site shall be excepted from public record requests for individuals that have access to the school's Internet web site at the discretion of the qualified school. Requires the school corporation or qualified school to add functionality that **allows parents of students in the school corporation to opt in to or opt out of certain educational activities and curricular materials under certain conditions.** Provides that the governing body of a school corporation shall **create a curricular materials advisory committee** (committee) comprised of parents, teachers, administrators, and community members. Requires the committee to submit recommendations regarding curricular materials and educational activities to the governing body of a school corporation. Provides parameters for the composition of the committee, the appointment of committee members, and the appointment of a committee chairperson. Requires the governing body to create educational activities and curricular materials review, discussion, and recommendation procedures for the committee. Provides that the committee shall meet a certain number of times annually. Provides that a **state agency, state educational institution, school corporation, or qualified school or an employee of the state agency, state educational institution, school corporation, or qualified school acting in an official capacity may not include or promote certain concepts as part of a course of instruction or in a curriculum or direct or**

otherwise compel a school employee or student to adhere to certain tenets relating to the individual's sex, race, ethnicity, religion, color, national origin, or political affiliation. Provides that a state agency, school corporation, qualified school, or state educational institution or an employee of the state agency, school corporation, qualified school, or state educational institution acting in an official capacity may not require an employee of the school corporation, qualified school, or state educational institution to engage in training, orientation, or therapy that presents any form of racial or sex stereotyping or blame on the basis of sex, race, ethnicity, religion, color, national origin, or political affiliation. Provides that a student shall not be required to participate in a personal analysis, an evaluation, or a survey that reveals or attempts to affect the student's attitudes, habits, traits, opinions, beliefs, or feelings without parental consent. Provides that, if a school corporation or qualified school uses a third party vendor in providing a personal analysis, evaluation, or survey that reveals, identifies, collects, maintains or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings, the third party vendor and the school corporation or qualified school may not collect or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student. Provides that before a school corporation or qualified school may provide or administer certain mental, social-emotional, or psychological services to a student, the school **must provide the parent of the student or the student, if the student is an adult or an emancipated minor, with a written request for consent to provide or administer certain mental, social-emotional, or psychological services.** Makes changes to the definition of "sexually explicit" for the purpose of trade regulation. **Removes schools and certain public libraries from the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.** Adds colleges and universities to the entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors.

House Bill 1125 Authored by Rep. Gregory Porter. Ways and Means Committee

Childcare assistance program funding. Provides that the state board of finance may transfer, assign, or reassign any appropriation to the office of the secretary of family and social services for the scholarship program established to **provide assistance to families** for before school and after school care or early childhood education known as the Build, Learn, Grow Scholarship Program.

House Bill 1124 Authored by Rep. Gregory Porter. Ways and Means Committee

Payments to retirement fund members. Provides for a \$250 payment in 2022 to members of the Indiana state teachers' retirement fund and public employees' retirement fund from the funds made available to the state under the American Rescue Plan Act of 2021. Provides for an additional \$250 payment in 2022 to members of the Indiana state teachers' retirement fund and public employees' retirement fund who received less than \$20,000 in retirement benefits during calendar year 2020. Makes an appropriation to the board of trustees of the Indiana public retirement system.

House Bill 1118 Authored by Rep. Michelle Davis Co-Authored by Rep. Terri Jo Austin.

High school equivalency pilot program. Adds Elwood Community School Corporation, Anderson Community Schools, Clark-Pleasant Community School Corporation, Center Grove Community School Corporation, and

Greenwood Community School Corporation to the school corporations that are part of the high school equivalency pilot program. Changes the expiration date of the program from June 30, 2024, to June 30, 2025. Makes conforming changes and a technical correction.

House Bill 1107 Authored by Rep. Edward Clere Co-Authored by Rep. Robert Behning, Rep. Chuck Goodrich, Rep. Tonya Pfaff.

Various education matters. Amends the limits on the amount of compensation that may be paid to a member of a **governing body of a school corporation** for the member's service. Provides that a **public agency shall not** require, as part of a resolution of a due process hearing or a dispute relating to the provision of special education services to a particular student, that a **parent of a student or an emancipated student enter into a nondisclosure, nondisparagement, or confidentiality agreement or clause**. Provides that, for purposes of a special education due process hearing, **a public agency shall have the burden of proof, including the burden of persuasion and production**, of the: (1) appropriateness of the child's program or placement; or (2) program or placement proposed by a public agency. Provides that in the event that a case conference committee discusses the appointment of a guardian for the student upon completion of high school, the case conference committee shall also include a discussion of alternative options or programs for the student in lieu of the appointment of a guardian. Provides that the treasurer of state shall convene an advisory council known as the Indiana education scholarship account program advisory council (advisory council) comprised of experts in special education and advocacy organizations for students receiving special education services. Provides that the advisory council shall provide advice and feedback to the treasurer on how to improve the program's administrative materials, technology, and communications. Makes changes to the categories used to determine special education grants. Requires the department of education (department) to establish and maintain on the department's Internet web site a public data base of information concerning employees of each public school who were physically injured while on the job by students of the public school. Requires each public school to provide information concerning an employee of the public school who was physically injured while on the job by a student of the public school. **Requires: (1) teacher preparation programs to include content within the curriculum regarding; and (2) certain teacher training to include training on; conflict deescalation techniques and conflict prevention and intervention strategies.** Provides that each school corporation and charter school that receives or has received funds from the Elementary and Secondary School Emergency Relief Fund (ESSER funds) shall prioritize the use of any ESSER funds the school corporation or charter school, after June 30, 2022, has or receives to fund a program that addresses out of school factors that affect student learning by providing support services or assistance to students or connecting students with support services or assistance. Requires the commission for higher education (commission) to establish an education and career support services pilot program (pilot program). Establishes the education and career support services pilot program fund. Provides that: (1) a state educational institution may apply to the commission for participation in the pilot program; (2) the commission shall select three state educational institution campuses to participate in the pilot program; and (3) a state educational institution participating in the pilot program may only use the education and career support services pilot program grant for certain purposes, including awarding education partnership grants to eligible adult students. Requires the following: (1) Not later than July 1, 2024, and not later than July 1 each year thereafter, each participating state educational institution submit a report to the commission that includes certain information and recommendations regarding the pilot program. (2) Not later than November 1, 2024, and not later than November 1 each year thereafter, the commission prepare and submit a report to the governor and legislative council that includes certain information and recommendations regarding the pilot program. Requires the commission, in cooperation with Ivy Tech Community College, Vincennes University, and the family and social services administration's office of early and out-of-school learning, **to conduct a study regarding provision of**

childcare services on the campuses of Indiana community colleges. Requires the commission to submit a report regarding the study not later than October 15, 2022, to specified standing committees of the general assembly and to the governor's workforce cabinet

House Bill 1098 Authored by Rep. Timothy O'Brien Co-Authored by Rep. Steve Bartels.

Reduction of educational costs. Provides that certain eligible applicants for higher education cost exemptions are entitled to a 100% reduction in educational costs.

House Bill 1097 Authored by Rep. Chris Jeter. Courts and Criminal Code Committee

Material harmful to minors. Removes the defense to prosecution for dissemination of matter or conducting a performance harmful to minors that the matter was disseminated or displayed to or that the performance was performed before the recipient by a bona fide school, museum, or public library that qualifies for certain property tax exemptions, or by an employee of such a **school, museum, or public library** acting within the scope of the employee's employment.

1st Reading 1/5

House Bill 1094 Authored by Rep. Jake Teshka. Co-Authored by Rep. Robert Behning.

Career and technical education. Requires the **department of education to provide adequate employer liability and worker's compensation insurance coverage for students enrolled in a work-based learning course.** Provides that the department of workforce development shall designate certain career and technical education programs as youth apprenticeship programs. Provides that, under the career and technical education enrollment grant, **school corporations shall receive \$500 for each pupil enrolled in a youth apprenticeship program.** Makes conforming amendments.

1st Rding 1/6

House Bill 1093 Authored by Rep. Robert Behning.

Education matters. Amends the membership and duties of the early learning advisory committee. Makes **changes to the definition of "school resource officer"**. Provides that, after June 30, 2023, if a school corporation or charter school enters into a contract for a school resource officer, the school corporation or charter school must enter into a memorandum of understanding with the law enforcement agency that employs or appointed the individual who will perform the duties of a school resource officer. Provides that certain parties are **prohibited from incentivizing the enrollment, reenrollment, or continued attendance** of a student or prospective student by offering or giving an item that has monetary value. **Requires the Indiana charter school board (board) to appoint an executive director to carry out the duties and daily operations of the board.** Establishes the executive director's duties. Provides that the board shall establish certain processes. Establishes the Indiana charter school board fund and provides that money in the fund is appropriated continuously for purposes of the board. Provides that the **department of education (department) may grant an accomplished practitioner's license under certain conditions.** Provides that the instructional days tuition support distribution formula account for certain schools within a school corporation. Authorizes the department to study and, if recommended, use machine scoring. Changes the department's review period for certain funds. Repeals a provision concerning staffing of the board.

Provides that the state board of education shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2021-2022 school year.

House Bill 1072 Authored by Rep. Robert Behning. Ways and Means Committee

School referendum levies. Provides that a **school corporation must distribute a portion of revenue** received from a school operating **referendum tax levy or school safety referendum levy to each charter school** in which students who reside within the attendance area of the school corporation attend. Makes conforming amendments.

House Bill 1047 Authored by Rep. Sue Errington. Co-Authored by Rep. Tonya Pfaff.

Sexual health education. **Prohibits** the state board of education from **distributing** human immunodeficiency virus literature to students **without the consent** of the governing body of the school corporation the students attend. **Requires instruction** in state accredited schools on human **sexuality or sexually transmitted diseases** to be based on information that is **medically and scientifically accurate and age appropriate**. Lists the criteria that instruction on human sexuality and sexually transmitted diseases must meet.

House Bill 1044 Authored by Rep. Earl Harris.

Tuition caps. Provides that the commission for higher education shall determine a tuition rate and mandatory fee cost of living adjustment for specified postsecondary educational institutions. Requires that, except for cost-of-living adjustments, the tuition rate and mandatory fees at specified postsecondary educational institutions **may not increase from the time the student initially enrolls until the student graduates for an undergraduate student** who is an Indiana resident.

House Bill 1042 Authored by Rep. Jeffrey Thompson.

Various school board matters. Provides that the primary **voting history of each candidate for school board office for the two most recent primary elections must be indicated on the ballot and if a candidate did not vote in the most recent primary elections, that fact must also be stated**. Provides a procedure to adjust the term of office of certain elected members of the governing body of a school corporation. **Increases the maximum annual salary of a school board member from \$2,000 per year to \$5,000 per year**. Requires the state board of education to establish a maximum per diem rate for meetings of members of the governing bodies of school corporations, including Indianapolis Public Schools. Removes a provision that provides that, if a governing body is totally comprised of appointed members, the appointive authority must approve the per diem rate before the governing body may make payments to the members. Requires the **governing body** of each school corporation to **file** with the department of education (department) a copy of the school corporation's organization plan and all amendments to the **organization plan**. Requires the department to publish each school corporation's organization plan on the department's Internet web site. **Requires a school employer that is seeking to hire a prospective employee to contact the school employer that previously employed (or is currently employing) the prospective employee and request certain information**. Requires a school employer that receives a request for certain employment information to comply with that request within 10 days. Provides that a school employer who

receives a request for information must provide the prospective employee, upon request, with a copy of any information that is sent to the requesting school employer.

House Bill 1041 Authored by Rep. Michelle Davis. Co-Authored by Rep. Chris Jeter, Rep. Joanna King, Rep. Robert Heaton.

Participation in school sports. Requires, for purposes of interscholastic athletic events, school corporations, public schools, nonpublic schools, state educational institutions, private postsecondary educational institutions, and certain athletic associations to expressly **designate an athletic team or sport** as one of the following: (1) A male, men's, or boys' team or sport. (2) A female, women's, or girls' team or sport. (3) A coeducational or mixed team or sport. **Prohibits a male, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, from participating on an athletic team or sport designated as being a female, women's, or girls' athletic team or sport.** Requires school corporations, public schools, certain nonpublic schools, state educational institutions, certain private postsecondary educational institutions, and certain athletic associations to establish grievance procedures for a violation of these provisions. Establishes a civil action for a violation of these provisions. Provides that school corporations, public schools, certain nonpublic schools, state educational institutions, certain private postsecondary educational institutions, and certain athletic associations **are not subject to liability in a civil, administrative, disciplinary, or criminal action for acting in compliance with these provisions**

House Bill 1040 Authored by Rep. J.D. Prescott. Co-Authored by Rep. Chris Jeter, Rep. Michelle Davis, Rep. Alan Morrison.

Education matters. Defines "qualified school". Provides that a school corporation or qualified school is **prohibited from subjecting any student to, or making available, disseminating, or providing to any student, any obscene matter or performance or certain matters or performances harmful to minors.** Provides that each school corporation or qualified school **shall provide for all students in grades 6 through 12 as part of required recitation concerning the system of government in Indiana and in the United States, instruction that socialism, Marxism, communism, totalitarianism, or similar political systems are incompatible with and in conflict with the principles of freedom upon which the United States was founded.** Provides that a school corporation or qualified school may not provide instruction that socialism, Marxism, totalitarianism, or similar political systems are compatible with the principles of freedom upon which the United States was founded. Provides that a **parent of a student or an emancipated student who attends a school corporation or qualified school may opt out of a face mask or face covering requirement.** Requires the department of education (department) to develop a notice form that may be used by a parent or an emancipated student to indicate that the parent or emancipated student opts out of the face mask or face covering requirement. **Provides that the governor, a state agency, a local health board or local health officer, or a school corporation or qualified school may not require a student of a school corporation or qualified school to quarantine against COVID-19 or other communicable disease if the student is asymptomatic.** Provides that the **governor, a state agency, a local health board or local health officer, or a school corporation or qualified school may not require, as a condition for employment, enrollment, attendance, or participation in a school corporation or qualified school or in a school extracurricular activity, a student to be immunized against COVID-19 or other communicable disease.** Provides that, after December 31, 2020, the list of communicable diseases that **require documentation of immunity for a student may be expanded or modified only by an act of the general assembly.** Establishes certain consent requirements regarding students. Provides that, if the attorney general determines that a school corporation or qualified school: (1) discloses a

student education record, or any information in a student education record; or (2) has a student who is less than 18 years of age and is not emancipated participate in any medical inspection, medical treatment, mental health assessment, mental health service, psychiatric or psychological examination or test, or psychiatric or psychological treatment **without the informed written consent of the student's parent; the attorney general may assess a civil penalty against the school corporation, charter school, or laboratory school. Provides that the parent of a student or protected right petitioner may bring a civil action for certain violations.** Defines "protected right violations". Defines "protected right petitioner". Establishes procedures for a protected right petitioner to file a **complaint form alleging a protected right violation occurred within a school corporation or qualified school. Provides that a protected right petitioner may appeal a school corporation's or qualified school's findings to the department. Requires the department to appoint an administrative law judge to adjudicate appeals. Requires the department to issue a final order. Requires the attorney general or the attorney general's designee to review a school corporation's or qualified school's findings or the department's final order. Provides that the attorney general may assess civil penalties if the attorney general determines a protected right violation occurred.** Provides that a school corporation or qualified school may not take retaliatory action against a protected right petitioner or an individual related to or associated with the protected right petitioner. Provides that, if a school corporation or qualified school uses a third party vendor in providing a personal analysis, evaluation, or survey that reveals or attempts to affect a student's attitudes, habits, traits, opinions, beliefs, or feelings, the third party vendor and the school corporation or public school **may not collect or maintain** the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student. Provides that the **consent requirements** for certain student personal analysis, evaluations, or surveys apply even if the analysis, evaluation, or survey is directly related to academic instruction. Requires, not later than June 30, 2022, and not later than June 30 each year thereafter, each qualified school to **post on the qualified school's Internet web site, in a manner that is accessible by the public, certain information regarding learning materials and educational activities.** Requires the **department to develop and post on the department's Internet web site a model plan for presenting the learning material or educational activity information.** Makes changes to information that must be included on a school corporation's annual performance report. Makes changes to information that must be included on a school's longitudinal dashboard. Reconciles versions of IC 10-21-1-2 that were enacted by the 2019 general assembly. **Repeals provisions requiring the department to develop the children's social, emotional, and behavioral health plan.** Makes conforming amendments.

House Bill 1017 Authored by Rep. Earl Harris.

Resident tuition for eligible individuals. Provides that an individual who meets certain conditions is eligible for the resident tuition rate as determined by the state educational institution. Requires such an individual to verify that the individual meets the criteria to receive the resident tuition rate.