HB 1002—LS 7188/DI 116

Sullivan, Porter, Goodrich, Miller D

January 7, 2019, read first time and referred to Committee on Ways and Means. January 24, 2019, amended, reported — Do Pass.
that the governing body of a career and technical education center may include a postsecondary level career and technical education course in the high school curriculum. Provides that the department of workforce development shall include any postsecondary level career and technical education courses in the list of courses provided to the state board of education. Increases, from $500 to $1,000, the maximum work Indiana grant amount that may be awarded. Provides that each school in a school corporation and each charter school shall submit as part of a school's improvement plan to the department of education (department) a summary of how the school will implement the career standards curriculum. Provides that the department shall review the submitted plans every two years and may review a plan at random to review the relevancy of the plan to the changing economy. Provides that the department shall assist schools in incorporating best practices regarding the career curriculum from around the state. Provides that each student is required to enroll, in either grade 9 or grade 10, in either: (1) a course to prepare the student for college or a career; or (2) an introductory level career and technical education course. Provides that a graduation plan should include the postsecondary goals of the student. Provides that a contract between a career and technical education center and a school or school corporation is a public document under Indiana's open door law. Provides that a school corporation that has entered into an agreement for a joint program of career and technical education may add a new career and technical education course to its curriculum without being approved by the joint program board or the governing body overseeing the joint program if the course is being offered in partnership with certain entities. Provides that the department of education shall annually compile information regarding each school corporation's pupil count and per pupil cost to the school corporation for each career and technical education program in which the school corporation receives career and technical education grants. Provides that a workforce ready grant may be used at: (1) Ivy Tech Community College; (2) Vincennes University; or (3) a program approved by the commission for higher education. (Current law provides that a workforce ready grant may be used at Ivy Tech Community College or Vincennes University.) Resolves a conflict between HEA 1074-2018 and HEA 1002-2018. Provides that the next level jobs employer training grant program is established to provide grants to reimburse training costs to employers for newly trained employees which leads to: (1) certain credentials or training for a new hire; or (2) an increase of wages and certain credentials or training for an incumbent employee. Requires the budget agency to report each year on the costs incurred by each school corporation to implement: (1) the requirement of a grade 9 or grade 10 student to enroll in a college or career course or introductory career and technical education course; and (2) the career standards curriculum. Voids an administrative rule that requires a school corporation to ensure that a teacher of a secondary school vocational program is licensed by the department of education. Makes technical corrections.
HOUSE BILL No. 1002

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-3-26-10, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. The MPH shall do the following:

(1) Establish and maintain a program to collect, analyze, and exchange government information in carrying out the powers and duties of the OMB and the powers and duties of the executive state agency sharing the data. In carrying out this program, the MPH may, in accordance with IC 4-1-6, obtain government information from each executive state agency.

(2) In accordance with IC 4-1-6 and IC 5-14-3, establish and maintain a program to make government information available to executive state agencies, political subdivisions, educational institutions, researchers, nongovernmental organizations, and the general public, subject to the following:

(A) A request for data subject to IC 4-1-6-8.6 shall be made in
(B) A program established and maintained under this chapter must include policies governing access to government information held by the MPH under this chapter. Government information may be made available only in accordance with applicable confidentiality and disclosure laws.

(3) Establish privacy and quality policies for government information that comply with all applicable Indiana and federal laws, rules, and policies.

(4) In accordance with standards developed by the office of technology established by IC 4-13.1-2-1, establish and maintain a program to ensure the security of government information under this chapter.

(5) Conduct operational and procedural audits of executive state agencies.

(6) Perform financial planning and design and implement efficiency projects for executive state agencies.

(7) Advise and assist each executive state agency to identify and implement continuous process improvement in state government.

(8) Do the following:

   (A) Collect:

   (i) postsecondary academic data;

   (ii) wage employment data;

   (iii) military enlistment data;

   (iv) incarceration data;

   (v) data regarding the receipt of Temporary Assistance for Needy Families (TANF) program assistance; and

   (vi) data regarding the receipt of the federal Supplemental Nutrition Assistance Program (SNAP) assistance;

   of a student upon the student's graduation from high school that can be linked to the student's kindergarten through grade 12 student identification number.

   (B) On November 1, 2019, and each November 1 thereafter, submit a report summarizing the data collected under clause (A) to the legislative council in an electronic format under IC 5-14-6.

   A report submitted to the legislative council under this subdivision may not contain any personal, identifiable information.

   (9) Carry out such other responsibilities as may be designated by the director of the OMB or the chief data officer to carry out
the responsibilities of the OMB or the chief data officer.

SECTION 2. IC 4-3-27-2.3 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2019]: Sec. 2.3. As used in this chapter, "fund" refers to the
career coaching grant fund established by section 15 of this
chapter.

SECTION 3. IC 4-3-27-15 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2019]: Sec. 15. (a) The career coaching grant fund is established
for the purpose of providing grants to an eligible entity to
implement programs described in section 16 of this chapter.

(b) The fund consists of the following:
(1) Appropriations made by the general assembly.
(2) Gifts, grants, devises, or bequests made to the cabinet to
achieve the purposes of the fund.
(c) The cabinet shall administer the fund.
(d) The treasurer of state shall invest the money in the fund not
currently needed to meet the obligations of the fund in the same
manner as other public funds may be invested. Interest that
accrues from these investments shall be deposited in the fund.
(e) Money in the fund at the end of a state fiscal year does not
revert to the state general fund.

SECTION 4. IC 4-3-27-16 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2019]: Sec. 16. (a) As used in this chapter, "eligible entity" refers
to a group of:
(1) local employers;
(2) educators; and
(3) community leaders.
(b) The cabinet may award grants to an eligible entity to
establish or implement a career coaching model. The cabinet shall
establish eligibility requirements and parameters for an eligible
entity to receive a grant. To the extent possible, the cabinet must
award grants under this section to eligible entities located in
geographically diverse communities, which must include rural,
suburban, and urban communities.
(c) To receive a grant, an eligible entity must apply to the
cabinet in the manner prescribed by the cabinet.
(d) Not later than December 1, 2019, and each December 1
thereafter, the cabinet shall submit a report to the governor and,
in an electronic format under IC 5-14-6, to the general assembly
that describes grants awarded under this chapter.
(e) The cabinet may establish rules under IC 4-22-2 to implement this section.

SECTION 5. IC 5-28-7-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.5. (a) This section applies to a grant initially awarded under this chapter after June 30, 2019.

(b) Eligibility for a grant from the skills enhancement fund under this chapter is limited to cooperative arrangements or agreements that lead to:

1. for a participating employee that is a new hire, a postsecondary credential that is approved by the department of workforce development, a nationally recognized industry credential, or specialized company training approved by the department of workforce development; or

2. for a participating employee that is an existing worker:
   (A) a postsecondary credential that is approved by the department of workforce development, a nationally recognized industry credential, or specialized company training approved by the department of workforce development; and

   (B) an increase of wages.

SECTION 6. IC 20-19-2-19, AS AMENDED BY P.L.7-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 19. (a) The state board governor's workforce cabinet (established by IC 4-3-27-3) shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The governor's workforce cabinet may enter into agreements with the federal government for receiving federal funds under this subsection. However, an agreement under this subsection is subject to the approval of the budget agency. The governor's workforce cabinet shall make recommendations to the budget committee concerning the allocation of federal funds received under this subsection.

(b) The state board governor's workforce cabinet may not expend or distribute funds received under subsection (a) unless those funds have been allocated by the general assembly.

SECTION 7. IC 20-20-38-6, AS AMENDED BY P.L.152-2018, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The state board shall do the following:

1. Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment
training and career and technical education on a regional and
statewide basis.

(2) Consult with any state agency, commission, or organization
that supervises or administers programs of career and technical
education concerning the coordination of career and technical
education, including the following:

(A) The Indiana economic development corporation.
(B) The cabinet.
(C) A private industry council (as defined in 29 U.S.C. 1501
et seq.).
(D) The department of labor.
(E) The commission for higher education.
(F) The department of workforce development.
(G) The board for proprietary education.
(H) The department of veterans' affairs.

(3) Review and make recommendations concerning plans
submitted by the commission for higher education and the
cabinet. The state board may request the resubmission of plans or
parts of plans that:

(A) are not consistent with the long range state plan of the
state board;
(B) are incompatible with other plans within the system; or
(C) duplicate existing services.

(4) Report to the general assembly on the state board's
conclusions and recommendations concerning interagency
cooperation, coordination, and articulation of career and technical
education and employment training. A report under this
subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between
secondary level career and technical education and postsecondary
level career and technical education.

(6) Enter into agreements with the federal government that may
be required as a condition of receiving federal funds under the
Carl D. Perkins Vocational and Applied Technology Act (20
U.S.C. 2301 et seq.). An agreement entered into under this
subdivision is subject to the approval of the budget agency.

(b) The state board shall use data from the department of workforce
development in carrying out the state board's duties under this section.

SECTION 8. IC 20-20-38-11, AS AMENDED BY P.L.152-2018,
SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 11. Upon request of the budget director, the state
board shall prepare a legislative budget request for state and federal
funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the cabinet before the request's review by the budget committee.

SECTION 9. IC 20-20-38-12, AS AMENDED BY P.L.152-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the cabinet, the state board shall make recommendations to the budget committee concerning the appropriation of state funds for secondary and postsecondary career and technical education, and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:

1) the minimum funding levels required by 20 U.S.C. 2301 et seq.

2) (1) the categories of expenditures and the distribution plan or formula for secondary schools; and

3) (2) the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations, and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board, and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

(e) The state board shall use data from the department of workforce
development in making a recommendation under this section.

SECTION 10. IC 20-28-5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 22. (a) After June 30, 2019, a school corporation, a school, or a secondary school vocational program may employ an instructor who does not have a license under this chapter for not more than fifty percent (50%) of the career and technical education courses offered by the school corporation, school, or secondary school vocational program, if the instructor:

1. has:
   (A) six thousand (6,000) hours of work experience in the five (5) years immediately preceding the year of employment as an instructor in the secondary vocational program;
   (B) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and provides evidence of occupational licensure or occupational proficiency based on a regional, state, or national board training and evaluation approved by the department;
   (C) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and provides evidence of completion of an accredited two (2) year or higher degree in the specific area in which the instructor will teach; or
   (D) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and has completed an apprenticeship or internship program; and

2. obtains an expanded criminal history check and child protection index search under IC 20-26-5-10.

(b) An instructor is considered a teacher for purposes of collective bargaining under IC 20-29.

SECTION 11. IC 20-28-9-1.5, AS AMENDED BY P.L.215-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or
8

graduate credits earned before the effective date of a local
compensation plan created under this chapter before July 1, 2015, shall
continue for school years beginning after June 30, 2015. Compensation
attributable to additional degrees for which a teacher has started course
work before July 1, 2011, and completed course work before
September 2, 2014, shall also continue for school years beginning after
June 30, 2015. For school years beginning after June 30, 2015, a school
corporation may provide a supplemental payment to a teacher in excess
of the salary specified in the school corporation's compensation plan
under any of the following circumstances:

(1) The teacher:
   (A) teaches an advanced placement course or a Cambridge
       International course; or
   (B) has earned a master's degree from an accredited
       postsecondary educational institution in a content area directly
       related to the subject matter of:
       (i) a dual credit course; or
       (ii) another course;

   taught by the teacher.

(2) Beginning after June 30, 2018, the teacher:
   (A) is a special education professional; or
   (B) teaches in the areas of science, technology, engineering, or
       mathematics.

(3) Beginning after June 30, 2019, the teacher teaches a career
    or technical education course.

In addition, a supplemental payment may be made to an elementary
school teacher who earns a master's degree in math, reading, or
literacy. A supplement provided under this subsection is not subject to
collective bargaining, but a discussion of the supplement must be held.
Such a supplement is in addition to any increase permitted under
subsection (b).

(b) Increases or increments in a local salary range must be based
upon a combination of the following factors:

(1) A combination of the following factors taken together may
account for not more than thirty-three and one-third percent
(33.33%) of the calculation used to determine a teacher's increase
or increment:
   (A) The number of years of a teacher's experience.
   (B) The possession of either:
       (i) additional content area degrees beyond the requirements
           for employment; or
       (ii) additional content area degrees and credit hours beyond

the requirements for employment, if required under an
agreement bargained under IC 20-29.

(2) The results of an evaluation conducted under IC 20-28-11.5.
(3) The assignment of instructional leadership roles, including the
responsibility for conducting evaluations under IC 20-28-11.5.
(4) The academic needs of students in the school corporation.

(c) To provide greater flexibility and options, a school corporation
may differentiate the amount of salary increases or increments
determined for teachers under subsection (b)(4). A school corporation
shall base a differentiated amount under this subsection on any
academic needs the school corporation determines are appropriate,
which may include the:

(1) subject or subjects, including the subjects described in
subsection (a)(2), taught by a given teacher;
(2) importance of retaining a given teacher at the school
corporation; and
(3) need to attract an individual with specific qualifications to fill
a teaching vacancy.

(d) A school corporation may provide differentiated increases or
increments under subsection (b), and in excess of the percentage
specified in subsection (b)(1), in order to reduce the gap between the
school corporation's minimum teacher salary and the average of the
school corporation's minimum and maximum teacher salaries.

(e) Except as provided in subsection (f), a teacher rated ineffective
or improvement necessary under IC 20-28-11.5 may not receive any
raise or increment for the following year if the teacher's employment
contract is continued. The amount that would otherwise have been
allocated for the salary increase of teachers rated ineffective or
improvement necessary shall be allocated for compensation of all
teachers rated effective and highly effective based on the criteria in
subsection (b).

(f) Subsection (e) does not apply to a teacher in the first two (2) full
school years that the teacher provides instruction to students in
elementary school or high school. If a teacher provides instruction to
students in elementary school or high school in another state, any full
school year, or its equivalent in the other state, that the teacher provides
instruction counts toward the two (2) full school years under this
subsection.

(g) A teacher who does not receive a raise or increment under
subsection (e) may file a request with the superintendent or
superintendent's designee not later than five (5) days after receiving
notice that the teacher received a rating of ineffective. The teacher is
entitled to a private conference with the superintendent or
superintendent's designee.

(h) The Indiana education employment relations board established
in IC 20-29-3-1 shall publish a model compensation plan with a model
salary range that a school corporation may adopt.

(i) Each school corporation shall submit its local compensation plan
to the Indiana education employment relations board. For a school year
beginning after June 30, 2015, a local compensation plan must specify
the range for teacher salaries. The Indiana education employment
relations board shall publish the local compensation plans on the
Indiana education employment relations board's Internet web site.

(j) The Indiana education employment relations board shall review
a compensation plan for compliance with this section as part of its
review under IC 20-29-6-6.1. The Indiana education employment
relations board has jurisdiction to determine compliance of a
compensation plan submitted under this section.

(k) This chapter may not be construed to require or allow a school
corporation to decrease the salary of any teacher below the salary the
teacher was earning on or before July 1, 2015, if that decrease would
be made solely to conform to the new compensation plan.

(l) After June 30, 2011, all rights, duties, or obligations established
under IC 20-28-9-1 before its repeal are considered rights, duties, or
obligations under this section.

SECTION 12. IC 20-30-4-2, AS AMENDED BY P.L.191-2018,
SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 2. In consultation with the student's school
counselor, after seeking consultation with each student's parents, and
not later than the date on which the student completes grade 9, each
student shall further develop the graduation plan developed in grade 6
under section 1.5 of this chapter to also include the following:

(1) The subject and skill areas of interest to the student.

(2) The postsecondary goals of the student. The postsecondary
goals of the student should indicate whether the student plans
to complete:

(A) a career aptitude exam;

(B) a work based learning course; or

(C) a certificate, two (2) year, or four (4) or more year
postsecondary education program.

(2) (3) A program of study under the college/technology
preparation curriculum adopted by the state board under
IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests,
and aptitude, and postsecondary goals of the student.
Assurances that, upon satisfactory fulfillment of the plan, the student:

(A) is entitled to graduate; and
(B) will have taken at least the minimum variety and number of courses necessary to gain admittance to a state educational institution.

An indication of assessments (other than the statewide assessment program and the graduation examination (before July 1, 2018)) that the student plans to take voluntarily during grade 10 through grade 12 and which may include any of the following:

(A) The SAT Reasoning Test.
(B) The ACT test.
(C) Advanced placement exams.
(D) College readiness exams approved by the department.
(E) Workforce readiness exams approved by the department of workforce development established under IC 22-4.1-2.
(F) Cambridge International examinations.

An indication of the graduation pathway requirement (after June 30, 2018) that the student plans to take.

SECTION 13. IC 20-30-4-4, AS AMENDED BY P.L.140-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. A graduation plan may be modified after initial development. However, the modifications may not interfere with the assurances described in section 2(3) 2(4) of this chapter.

SECTION 14. IC 20-30-5-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 24. (a) Except as provided in IC 20-35, each student is required to enroll, in either grade 9 or grade 10, in either:

(1) a course to prepare the student for college or a career, as prescribed by the state board; or
(2) an introductory level career and technical education course.

(b) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the requirement described in subsection (a) and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.

SECTION 15. IC 20-31-5-4, AS AMENDED BY P.L.233-2015, SECTION 233, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A plan must:
(1) state objectives for a three (3) year period; and
(2) be annually reviewed and revised to accomplish the
achievement objectives of the school.
(b) A plan must establish objectives for the school to achieve.
(c) A plan must address the learning needs of all students, including
programs and services for exceptional learners.
(d) A plan must specify how and to what extent the school expects
to make continuous improvement in all areas of the education system
where results are measured by setting benchmarks for progress on an
individual school basis.
(e) A plan must note specific areas where improvement is needed
immediately.
(f) On or before November 1 of the year in which the pilot
program described in subsection IC 20-30-5-14(i) expires, each
school in a school corporation and each charter school shall include
in the plan a summary of how the school will implement the
curriculum described in IC 20-30-5-14(f), including the proposed
student activities. A school may subsequently amend the school's
plan under this subsection in a manner prescribed by the
department. The department shall review the submitted plans
under this subsection every two (2) years and may review a plan at
random to review the relevancy of the plan to the changing
economy. The department shall assist schools in incorporating best
practices from around the state.
(g) Each year before November 1, the budget agency shall
estimate the costs incurred by each school corporation in the
immediately preceding school year to implement the curriculum
described in IC 20-30-5-14(f), including the proposed student
activities, and submit a report of these costs by school corporation
to the general assembly in an electronic format under IC 5-14-6.

SECTION 16. IC 20-37-2-2, AS AMENDED BY P.L.69-2015,
SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2018 (RETROACTIVE)]: Sec. 2. (a) A governing body may:
(1) establish career and technical education centers, schools, or
departments in the manner approved by the state board; and
(2) maintain these schools or departments from the general fund.
(b) The governing body may include in the high school curriculum
without additional state board approval any secondary or
postsecondary level career and technical education course that is
approved under section 11 of this chapter, if applicable.
(c) The governing body shall notify the department and the
department of workforce development whenever the governing body:
(1) includes an approved course for; or
(2) removes an approved course from;
the high school curriculum.

(d) A contract between a career and technical education center
and a school or school corporation is a public document under
IC 5-14-3.

SECTION 17. IC 20-37-2-11, AS AMENDED BY P.L.69-2015,
SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 11. (a) As used in this section, "career and
technical education course" means a career and technical education
course that is an approved high school course under the rules of the
state board.

(b) Except as provided in subsection (c), a school corporation that
has entered into an agreement for a joint program of career and
technical education with one (1) or more other school corporations may
not add a new career and technical education course to its curriculum
unless the course has been approved in the following manner:
(1) In the case of an agreement under IC 20-37-1, the course must
be approved by the management board for the joint program.
(2) In the case of an agreement under IC 20-26-10, the course
must be approved by the governing body of the school corporation
that is designated to administer the joint program under
IC 20-26-10-3. However, if that governing body refuses to
approve the course, the course may be approved by a majority of
the governing bodies of the school corporations that are parties to
the agreement.

(c) A school corporation that has entered into an agreement for
a joint program of career and technical education may add a new
career and technical education course to its curriculum without
being approved under subsection (b)(1) or (b)(2) if the course is
being offered in partnership with an employer or an employer and
either:
(1) a postsecondary educational institution; or
(2) a third party trainer that is eligible to receive funding
under the federal Workforce Innovation and Opportunity Act
(WIOA) of 2014 under 29 U.S.C. 3101 et seq., including
reauthorizations of WIOA, and is listed on the department of
workforce development's eligible training provider list on the
department of workforce development's Internet web site.

(d) A student who is enrolled in a career and technical education
course offered by a school corporation that has not been approved
under subsection (b)(1) or (b)(2) after June 30, 2018, shall receive
credit for completion of the course if the course meets the
requirements set forth for a course described in subsection (c).

SECTION 18. IC 20-43-1-1, AS AMENDED BY P.L.217-2017,
SECTION 107, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE UPON PASSAGE]: Sec. 1. This article expires June 30,

SECTION 19. IC 20-43-8-4, AS AMENDED BY P.L.230-2017,
SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 4. In addition to the amount a school corporation
is entitled to receive in basic tuition support, each school corporation
is entitled to receive a grant for career and technical education
programs. A school corporation must use at least eighty percent
(80%) of the grant it receives under this chapter for career and
technical education programming. The amount of the grant is
determined as follows:

(1) For state fiscal years beginning after June 30, 2015, and
ending before July 1, 2018, under section 12 of this chapter.
(2) For state fiscal years beginning after June 30, 2018, under
section 15 of this chapter.

SECTION 20. IC 20-43-8-13, AS ADDED BY P.L.230-2017,
SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 13. (a) This section applies to a state fiscal year
beginning after June 30, 2018.
(b) A school corporation shall count each pupil enrolled in a
program designated under section 7.5 of this chapter for the purposes
determining a school corporation’s career and technical education
enrollment grant under section 15 of this chapter. Each school
corporation shall report its pupil enrollment count under this section to
the department.
(c) A pupil may be counted in more than one (1) of the career and
technical education programs if the pupil is enrolled in more than one
(1) of the career and technical education programs at the time pupil
enrollment is determined.
(d) If the department adjusts a count of ADM after a distribution is
made under this chapter, the adjusted count retroactively applies to the
grant amounts distributed to a school corporation affected by the
adjusted count. The department shall settle any overpayment or
underpayment of grant amounts resulting from an adjusted count of
ADM on a schedule determined by the department and approved by the
budget agency.
(e) The distribution of the grant amounts under this chapter shall be
made each state fiscal year under a schedule set by the budget agency.
and approved by the governor.

(f) Each school corporation that receives a grant under this chapter shall report to the department, in a manner prescribed by the department, the pupil count and the per pupil cost to the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation’s enrollment count under subsection (b). The department shall annually compile information regarding each school corporation’s pupil count and per pupil cost within the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation’s employment under subsection (b). The department shall post the school corporation’s pupil count and per pupil costs on the department’s Internet web site.

SECTION 21. IC 21-12-8-9, AS AMENDED BY P.L.174-2018, SECTION 8, AND AS AMENDED BY P.L.178-2018, SECTION 6, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:

1. An approved secondary school.
2. An accredited nonpublic school.
3. A nonaccredited nonpublic school.
(b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:

1. The applicant is domiciled in Indiana, as defined by the commission.
2. The applicant:
   (A) has received a diploma of graduation from a school described in subsection (a);
   (B) has been granted a:
      (i) high school equivalency certificate before July 1, 1995;
      or
      (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18;
   (C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.
3. The applicant is enrolled in an eligible certificate program, as determined under IC 21-12-8-2(4), section 2(4) of this chapter, at Ivy Tech Community College or Vincennes University.

HB 1002—LS 7188/DI 116
Tech Community College, Vincennes University, or a program approved by the commission.

(4) The applicant enrolls at least half-time for purposes of federal financial aid.

(5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.

(6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).

(7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).

(8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.

(9) Except as provided under subsection (c), the applicant maintains satisfactory academic progress, as determined by the eligible institution, unless one (1) or more of the following conditions is met:

(A) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.

(B) The applicant attended an eligible institution at any time during the immediately preceding two (2) academic years and the applicant maintained satisfactory academic progress during the period in which the applicant attended the eligible institution.

(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.

(11) The applicant meets any other minimum criteria established by the commission.

(c) This subsection applies to an applicant who does not maintain satisfactory academic progress under subsection (b)(9) but meets all the other conditions required under subsection (b). An applicant is eligible to receive a high value workforce ready credit-bearing grant if the applicant meets one (1) of the following:

(1) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.

(2) The applicant:

(A) attended an eligible institution at any time during the immediately preceding two (2) academic years; and

(B) maintained satisfactory academic progress, as determined by the eligible institution, during the period described in clause (A) in which the applicant attended the eligible
institution.

(d) If an applicant is identified as dependent as determined by the Free Application for Federal Student Aid (FAFSA), the applicant must:

1. meet the criteria specified in subsection (b), except for subsection (b)(4), (b)(7), and (b)(9);
2. enroll full time for purposes of federal financial aid;
3. maintain satisfactory academic progress, as determined by the eligible institution; and
4. complete a workforce ready grant success program, as determined by the commission, if the applicant graduates from high school after December 31, 2018.

(e) If the demand for high value workforce ready credit-bearing grants exceeds the available appropriation, as determined by the commission, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).

SECTION 22. IC 22-4.1-19-6, AS AMENDED BY P.L.152-2018, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The cabinet may make recommendations to the state board concerning the legislative budget requests prepared under IC 20-20-38-12 by state educational institutions for state and federal funds for career and technical education.

SECTION 23. IC 22-4.1-20-4, AS AMENDED BY P.L.152-2018, SECTION 32, AND AS AMENDED BY P.L.174-2018, SECTION 39, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Not less than twenty-five percent (25%) of the money appropriated by the general assembly for adult education and the work Indiana program shall be used as provided in subsections (b) and (c).

(b) Money described in subsection (a) may be used only to reimburse an eligible provider for adult education that is provided to individuals who:

1. need the education to master a skill that leads to:
   (A) the completion of grade 8; or
   (B) an Indiana high school equivalency diploma under IC 22-4.1-18;
2. need the education to receive high school credit to obtain a high school diploma; or
3. have graduated from high school (or received a high school equivalency certificate, a general educational development (GED)}
diploma, or an Indiana high school equivalency diploma), but who demonstrate basic skill deficiencies in mathematics or English/language arts.

(c) The department shall use the money described in subsection (a) for adult education grants to employers. An employer is eligible for an adult education grant for each eligible employee who obtains a high school diploma or a high school equivalency diploma through a program organized or funded by the employer. The amount of the grant is the lesser of five hundred dollars ($500) one thousand dollars ($1,000) or the out-of-pocket expenditure by the employer for the costs described in subsection (e). To qualify as an eligible employee, an individual must meet all of the following criteria:

1. The individual must be at least eighteen (18) years of age and not enrolled in a school corporation’s kindergarten through grade 12 educational program.
2. The individual must be a resident of Indiana for at least thirty (30) days before enrolling in a program of adult education.
3. The individual must be employed on a part-time or full-time basis in Indiana.
4. When initially employed by the employer, the individual:
   (A) did not have sufficient high school credits to earn a high school diploma; or
   (B) had not passed the examination to earn a high school equivalency diploma or a general educational development (GED) diploma.

(d) For purposes of reimbursement under this section, the eligible provider may not count an individual who is also enrolled in a school corporation’s kindergarten through grade 12 educational program. An individual described in subdivision (3) subsection (b)(3) may be counted for reimbursement by the eligible provider only for classes taken in mathematics and English/language arts.

(e) The council department shall provide for reimbursement to an eligible provider or employer under this section for instructor salaries and administrative and support costs. However, the council department may not allocate more than fifteen percent (15%) of the total appropriation under subsection (a) for administrative and support costs.

SECTION 24. IC 22-4.1-26-5, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) Except as provided in section 5.5 of this chapter, eligible employees must be trained, hired, and retained for at least six (6) months by the employer. If an eligible employee separates
from employment with the employer that provided the training in order
to accept employment with another employer before the end of the six
(6) month period, the retention requirement is waived.

(b) Eligible employment must be in one (1) of the following sectors:

1. Manufacturing.
2. Technology business services.
3. Transportation and logistics.
5. Building and construction.
6. Agriculture.

SECTION 25. IC 22-4.1-26-5.5 IS ADDED TO THE INDIANA
CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.5. (a) The requirements
described in section 5(a) of this chapter do not apply to this section.
(b) A high school student is eligible to participate in the
program if the student is enrolled in a work based learning course
(as defined in IC 20-43-8-0.7) that is aligned with the sectors for
eligible employment described in section 5(b) of this chapter.

SECTION 26. IC 22-4.1-26-6, AS ADDED BY P.L.174-2018,
SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 6. (a) Eligible training must be job skills training
that ties to an in demand occupation and leads to:

1. for an eligible employee (including a high school student
described in section 5.5 of this chapter) that is a new hire, a
postsecondary credential that is approved by the department,
a nationally recognized industry credential, or specialized
company training approved by the department; or

2. for an eligible employee that is an existing worker:
   A postsecondary credential that is approved by the
department, a nationally recognized industry credential, or
specialized company training approved by the department;
and
   B an increase of wages.

(b) Eligible training does not include human resource training or job
shadowing.

SECTION 27. IC 22-4.1-26-7, AS ADDED BY P.L.174-2018,
SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 7. (a) The maximum grant amount provided to an
employer for each eligible employee is five thousand dollars ($5,000).
However, if the eligible employee is a high school student, the
maximum grant amount provided to an employer for the student
is the lesser of:

HB 1002—LS 7188/DI 116
(1) one thousand dollars ($1,000); or
(2) not more than one-third (1/3) of the cost of the student's
work based learning course.
(b) The maximum grant amount provided to a particular employer
is fifty thousand dollars ($50,000).
SECTION 28. [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)] (a) 511 IAC 8-2-6 is void. The publisher of the
Indiana Administrative Code and Indiana Register shall remove
this section from the Indiana Administrative Code.
(b) This SECTION expires January 1, 2020.
SECTION 29. An emergency is declared for this act.
COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-3-26-10, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. The MPH shall do the following:

(1) Establish and maintain a program to collect, analyze, and exchange government information in carrying out the powers and duties of the OMB and the powers and duties of the executive state agency sharing the data. In carrying out this program, the MPH may, in accordance with IC 4-1-6, obtain government information from each executive state agency.

(2) In accordance with IC 4-1-6 and IC 5-14-3, establish and maintain a program to make government information available to executive state agencies, political subdivisions, educational institutions, researchers, nongovernmental organizations, and the general public, subject to the following:

(A) A request for data subject to IC 4-1-6-8.6 shall be made in conformance with that section.

(B) A program established and maintained under this chapter must include policies governing access to government information held by the MPH under this chapter. Government information may be made available only in accordance with applicable confidentiality and disclosure laws.

(3) Establish privacy and quality policies for government information that comply with all applicable Indiana and federal laws, rules, and policies.

(4) In accordance with standards developed by the office of technology established by IC 4-13.1-2-1, establish and maintain a program to ensure the security of government information under this chapter.

(5) Conduct operational and procedural audits of executive state agencies.

(6) Perform financial planning and design and implement..."
efficiency projects for executive state agencies.

(7) Advise and assist each executive state agency to identify and implement continuous process improvement in state government.

(8) Do the following:

(A) Collect:
   (i) postsecondary academic data;
   (ii) wage employment data;
   (iii) military enlistment data;
   (iv) incarceration data;
   (v) data regarding the receipt of Temporary Assistance for Needy Families (TANF) program assistance; and
   (vi) data regarding the receipt of the federal Supplemental Nutrition Assistance Program (SNAP) assistance;

   of a student upon the student's graduation from high school that can be linked to the student's kindergarten through grade 12 student identification number.

(B) On November 1, 2019, and each November 1 thereafter, submit a report summarizing the data collected under clause (A) to the legislative council in an electronic format under IC 5-14-6.

A report submitted to the legislative council under this subdivision may not contain any personal, identifiable information.

(8) (9) Carry out such other responsibilities as may be designated by the director of the OMB or the chief data officer to carry out the responsibilities of the OMB or the chief data officer.".

Page 2, delete lines 1 through 2.
Page 2, line 3, delete "(e)" and insert "(d)".
Page 2, line 7, delete "(f)" and insert "(e)".
Page 2, line 39, delete ";" and insert "of workforce development, a nationally recognized industry credential, or specialized company training approved by the department of workforce development;".

Page 3, line 1, delete ";" and insert "of workforce development, a nationally recognized industry credential, or specialized company training approved by the department of workforce development;".

Page 5, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 10. IC 20-28-5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 22. (a) After June 30, 2019, a school corporation, a school, or a secondary school vocational program may employ an instructor who does not
have a license under this chapter for not more than fifty percent (50%) of the career and technical education courses offered by the school corporation, school, or secondary school vocational program, if the instructor:

(1) has:

(A) six thousand (6,000) hours of work experience in the five (5) years immediately preceding the year of employment as an instructor in the secondary vocational program;
(B) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and provides evidence of occupational licensure or occupational proficiency based on a regional, state, or national board training and evaluation approved by the department;
(C) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and provides evidence of completion of an accredited two (2) year or higher degree in the specific area in which the instructor will teach; or
(D) four thousand (4,000) hours of work experience in the ten (10) years immediately preceding the year of employment as an instructor in the secondary vocational program and has completed an apprenticeship or internship program; and

(2) obtains an expanded criminal history check and child protection index search under IC 20-26-5-10.

(b) An instructor is considered a teacher for purposes of collective bargaining under IC 20-29."

Page 9, line 14, after "24." insert "(a)".
Page 9, between lines 20 and 21, begin a new paragraph and insert:
"(b) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the requirement described in subsection (a) and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.".
Page 10, between lines 5 and 6, begin a new paragraph and insert:
"(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the
immediately preceding school year to implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities, and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6."

Replace the effective date in SECTION 14 with "[EFFECTIVE JULY 1, 2018 (RETROACTIVE)].".

Page 10, line 13, after "secondary" insert "or postsecondary".

Page 10, line 28, strike "high school".

Page 11, delete lines 2 through 15, begin a new paragraph and insert:
"(c) A school corporation that has entered into an agreement for a joint program of career and technical education may add a new career and technical education course to its curriculum without being approved under subsection (b)(1) or (b)(2) if the course is being offered in partnership with an employer or an employer and either:

(1) a postsecondary educational institution; or
(2) a third party trainer that is eligible to receive funding under the federal Workforce Innovation and Opportunity Act (WIOA) of 2014 under 29 U.S.C. 3101 et seq., including reauthorizations of WIOA, and is listed on the department of workforce development's eligible training provider list on the department of workforce development's Internet web site.

(d) A student who is enrolled in a career and technical education course offered by a school corporation that has not been approved under subsection (b)(1) or (b)(2) after June 30, 2018, shall receive credit for completion of the course if the course meets the requirements set forth for a course described in subsection (c).".

Page 11, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 18. IC 20-43-8-13, AS ADDED BY P.L.230-2017, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) This section applies to a state fiscal year beginning after June 30, 2018.

(b) A school corporation shall count each pupil enrolled in a program designated under section 7.5 of this chapter for the purposes of determining a school corporation's career and technical education enrollment grant under section 15 of this chapter. Each school corporation shall report its pupil enrollment count under this section to the department.

(c) A pupil may be counted in more than one (1) of the career and technical education programs if the pupil is enrolled in more than one (1) of the career and technical education programs at the time pupil..."
enrollment is determined.

(d) If the department adjusts a count of ADM after a distribution is made under this chapter, the adjusted count retroactively applies to the grant amounts distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of grant amounts resulting from an adjusted count of ADM on a schedule determined by the department and approved by the budget agency.

(e) The distribution of the grant amounts under this chapter shall be made each state fiscal year under a schedule set by the budget agency and approved by the governor.

(f) Each school corporation that receives a grant under this chapter shall report to the department, in a manner prescribed by the department, the pupil count and the per pupil cost to the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation's enrollment count under subsection (b). The department shall annually compile information regarding each school corporation's pupil count and per pupil cost within the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation's employment under subsection (b). The department shall post the school corporation's pupil count and per pupil costs reported to the department under this subsection on the department's Internet web site."

Page 11, delete lines 33 through 42.
Delete pages 12 through 14.
Page 15, delete lines 1 through 35.
Page 16, line 21, delete "a state" and insert "Ivy Tech Community College, Vincennes University, or a program approved by the commission.".

Page 16, delete line 22.
Page 19, between lines 15 and 16, begin a new paragraph and insert:
"SECTION 22. IC 22-4.1-26-5, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) Except as provided in section 5.5 of this chapter, eligible employees must be trained, hired, and retained for at least six (6) months by the employer. If an eligible employee separates from employment with the employer that provided the training in order to accept employment with another employer before the end of the six (6) month period, the retention requirement is waived.

(b) Eligible employment must be in one (1) of the following sectors:
   (1) Manufacturing.

HB 1002—LS 7188/DI 116
(2) Technology business services.
(3) Transportation and logistics.
(4) Health sciences.
(5) Building and construction.
(6) Agriculture.

SECTION 23. IC 22-4.1-26-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.5. (a) The requirements described in section 5(a) of this chapter do not apply to this section.

(b) A high school student is eligible to participate in the program if the student is enrolled in a work based learning course (as defined in IC 20-43-8-0.7) that is aligned with the sectors for eligible employment described in section 5(b) of this chapter.

Page 19, line 20, after "employee" insert "(including a high school student described in section 5.5 of this chapter)".

Page 19, line 21, delete ";" and insert ", a nationally recognized industry credential, or specialized company training approved by the department;".

Page 19, line 24, delete ";" and insert ", a nationally recognized industry credential, or specialized company training approved by the department;".

Page 19, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 25. IC 22-4.1-26-7, AS ADDED BY P.L.174-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The maximum grant amount provided to an employer for each eligible employee is five thousand dollars ($5,000). However, if the eligible employee is a high school student, the maximum grant amount provided to an employer for the student is the lesser of:

(1) one thousand dollars ($1,000); or
(2) not more than one-third (1/3) of the cost of the student's work based learning course.

(b) The maximum grant amount provided to a particular employer is fifty thousand dollars ($50,000)."

Page 19, delete lines 28 through 42.
Page 20, delete lines 1 through 27.
Page 20, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 26. [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)] (a) 511 IAC 8-2-6 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove
this section from the Indiana Administrative Code.
(b) This SECTION expires January 1, 2020.”.
Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to HB 1002 as introduced.)

HUSTON

Committee Vote: yeas 22, nays 0.