
TITLE 511 INDIANA STATE BOARD OF EDUCATION**Notice of Intent to Adopt a Rule**

LSA Document #23-504

Under [IC 4-22-2-23](#), the Indiana State Board of Education intends to adopt a rule concerning the following:

OVERVIEW: Adds [511 IAC 4-1.5-9](#) concerning instruction for students with injuries and temporary or chronic illnesses; Adds [511 IAC 4-1.5-10](#) concerning medication administration; Adds [511 IAC 6-7.1-12](#) concerning authority to award locally developed certificates; Amends [511 IAC 7-32-32](#) to add a definition for "Educational surrogate parent"; Amends [511 IAC 7-32-40](#) to add a definition for "Free appropriate public education"; Amends [511 IAC 7-32-52](#) to add a definition for "Institution of higher education"; Amends [511 IAC 7-32-103](#) to add a definition for "Virtual instruction"; Amends [511 IAC 7-34-1](#) concerning special education and related services for parentally-placed students in nonpublic schools; Amends [511 IAC 7-34-3](#) concerning educational evaluations for parentally-placed nonpublic school students attending nonpublic schools outside the school corporation of legal settlement; Amends [511 IAC 7-34-4](#) concerning consultation with nonpublic school representatives and representatives of parents; Amends [511 IAC 7-34-5](#) concerning decisions regarding services provided by the public agency and service plans; Amends [511 IAC 7-34-6](#) concerning due process hearings and complaints; Amends [511 IAC 7-34-7](#) concerning requirements pertaining to Part B funds; Amends [511 IAC 7-35-2](#) concerning supports for public agency personnel; Amends [511 IAC 7-36-10](#) concerning state and local assessments; Amends [511 IAC 7-40-2](#) concerning comprehensive and coordinated early intervening services; Amends [511 IAC 7-40-3](#) concerning educational evaluations in general; Amends [511 IAC 7-40-5](#) concerning conducting an initial educational evaluation; Amends [511 IAC 7-40-7](#) concerning independent educational evaluation; Amends [511 IAC 7-40-8](#) concerning reevaluation; Adds [511 IAC 7-40-9](#) concerning notice by electronic mail; Amends [511 IAC 7-41-9](#) concerning multiple disabilities; Amends [511 IAC 7-42-3](#) concerning case conference committee participants; Amends [511 IAC 7-42-6](#) concerning developing an individualized education program; Amends [511 IAC 7-42-8](#) concerning implementation and termination of individualized education programs; Amends [511 IAC 7-42-9](#) concerning review and revision of the individualized education program; Amends [511 IAC 7-42-10](#) concerning least restrictive environment and delivery of special education and related services; Amends [511 IAC 7-42-11](#) concerning instruction for student at student's home or alternative setting; Adds [511 IAC 7-42-16](#) concerning notice by electronic mail; Amends [511 IAC 7-43-1](#) concerning related services; Amends [511 IAC 7-43-4](#) concerning transition individualized education program; Amends [511 IAC 7-43-7](#) concerning summary of performance; Amends [511 IAC 7-44-1](#) concerning removals and services in general; Amends [511 IAC 7-44-2](#) concerning disciplinary change of placement; Amends [511 IAC 7-44-3](#) concerning removals of more than 10 cumulative days that do not result in a change of placement; Amends [511 IAC 7-44-4](#) concerning removals of more than 10 consecutive days or 10 cumulative days that results in a change of placement; Amends [511 IAC 7-44-6](#) concerning interim alternative educational setting; weapons, drugs, and serious bodily injury; Adds [511 IAC 7-45-0.5](#) concerning dispute resolution; Amends [511 IAC 7-45-2](#) concerning mediation; Amends [511 IAC 7-45-3](#) concerning due process hearing requests; Amends [511 IAC 7-45-4](#) concerning sufficiency of the request for a due process hearing; Amends [511 IAC 7-45-5](#) concerning responding to the request for a due process hearing; Amends [511 IAC 7-45-6](#) concerning the resolution process; Adds [511 IAC 7-45-6.5](#) concerning prehearing procedures; Amends [511 IAC 7-45-7](#) concerning conducting the hearing; Amends [511 IAC 7-45-8](#) concerning independent hearing officer qualifications; Amends [511 IAC 7-45-10](#) concerning expedited due process hearings and petition for judicial review; Amends [511 IAC 7-46-1](#) concerning federal child count procedures; Amends [511 IAC 7-47-1](#) concerning application from school corporation of legal settlement or charter school; Amends [511 IAC 7-47-2](#) appeal from denial of application; Amends [511 IAC 7-49-2](#) to add a definition of "Local school corporation"; Amends [511 IAC 7-49-4](#) concerning the Choice special education plan; Amends [511 IAC 7-49-10](#) concerning proportionate share; Adds [511 IAC 7-50](#) concerning the Indiana Education Scholarship Account Education Service Plan. Repeals [511 IAC 7-32-67](#) and [511 IAC 7-42-12](#). Statutory authority: [IC 20-19-2-1](#); [IC 20-19-2-8](#); [IC 20-19-2-16](#); [IC 20-26-3](#); [IC 20-43-1-34](#); [IC 20-51-4-4.6](#); [IC 20-51.4](#); [IC 20-51.4-4-5](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

William Ottensmeyer
Staff Attorney
Indiana Department of Education
100 North Senate Avenue
Indianapolis, IN 46204
(317) 233-5490
wottensmeyer1@doe.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Matthew Jaworowski
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 650-0126
majaworowski@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

Posted: 06/21/2023 by Legislative Services Agency
An [html](#) version of this document.