

THE SCHOOL BULLETIN
ISSUED BY STATE BOARD OF ACCOUNTS

Volume 245, Page 1

June 2024

ITEMS TO REMEMBER

July

- 1 Open a Fund Ledger and Ledger of Receipts for the next school year by entering the balance of each fund as determined and proved for June 30. Open a Ledger of Appropriations, Allotments, Encumbrances, Disbursements, and Balances for the next school year by entering in each program account the balance of unexpended appropriations, and by entering in each expenditure account within each program, the balance of the unexpended allotment.
- 4 Legal Holiday – Independence Day (IC 1-1-9-1)
- 15 Last day to upload May files required by State Examiner Directive 2018-1 (Amended October 2023) in the Monthly and Annual Engagement Uploads application in Gateway.
- 20 Last day for Early Filers to report and make payment of state and county income tax withheld during June to the Indiana Department of Revenue. Monthly Filers have until 30 days after prior month's end. For questions on filing status contact the Indiana Department of Revenue.
- 30 Collective Bargaining Report must be completed and uploaded to IEERB in Gateway.
- 31 Last day to file quarterly reports with the Indiana Department of Workforce Development for the quarter ending June 30.
- 31 Last day to file Employer's Quarterly Federal Tax Return, Form 941, with the Internal Revenue Service for payment of federal tax withheld.
- 31 Last day to file the Biannual Financial Report (Form 9) with the Department of Education, Office of School Finance, for the period January 1, 2023 to June 30, 2023
- 31 All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local offices, with the balance statements provided by the respective depositories. [IC 5-13-6-1(e)]

August

- 1 Prove all ledgers for the month of July.
- 15 Last day to upload June files required by State Examiner Directive 2018-1 (Amended October 2023) in the Monthly and Annual Engagement Uploads application in Gateway.
- 20 Last day for Early Filers to report and make payment of state and county income tax withheld during July to the Indiana Department of Revenue. Monthly Filers have until 30 days after prior month's end. For questions on filing status contact the Indiana Department of Revenue.

ITEMS TO REMEMBER (CONTINUED)

August (Continued)

- 29 Last day to file the Gateway Annual Financial Report and ECA Risk Reports with the State Board of Accounts. (IC 5-11-1-4)
- 31 Prior to September 1 of each year, the superintendent of each school corporation shall cause to be made to the department of homeland security an inspection report of all heating systems and supporting gas, oil, propane or any other fuel lines used for school purposes. (IC 20-26-7-28)
- 31 All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local offices, with the balance statements provided by the respective depositories. [IC 5-13-6-1(e)]

September

- 1 Prove all ledgers for the month of August.
- 1 Last day for units with appointed boards to submit proposed 2024 budgets, tax rates, and tax levies to county fiscal body or other appropriate fiscal body for binding adoption, as applicable. (IC 6-1.1-17-20)
- 2 Legal Holiday – Labor Day. (IC 1-1-9-1)
- 15 Formal collective bargaining period begins (Optional informal negotiations may have been held up to this date). (IC 20-29-6-12)
- 15 Last day to upload July files required by State Examiner Directive 2018-1 (Amended October 2023) in the Monthly and Annual Engagement Uploads application in Gateway.
- 16 The Indiana Department of Education (IDOE) will collect an average daily membership (ADM) count of students. (I.C. 20-43-4-2) The fall 2023 ADM count date of the eligible pupils enrolled in each school corporation and charter school is **October 1, 2024**.
- 20 Last day for Early Filers to report and make payment of state and county income tax withheld during August to the Indiana Department of Revenue. Monthly Filers have until 30 days after prior month's end. For questions on filing status contact the Indiana Department of Revenue.
- 30 All local investment officers shall reconcile at least monthly the balance of public funds as disclosed by the records of the local offices, with the balance statements provided by the respective depositories. [IC 5-13-6-1(e)]

CHART OF ACCOUNTS UPDATES

We have updated the following items in the School Chart of Accounts on our website at <https://www.in.gov/sboa/4449.htm> .

- Chapter 5 – Receipt code 3141 Career Scholarship Account – **added.**
- Chapter 6 – Expenditure code 17300 Career and Technical Education Cooperative – **edited.**
- Chapter 6 – Expenditure code 17350 Career and Technical Education Interlocal Agreements or Consortium – **added.**
- Chapter 6 – Expenditure code 17400 Special Education Cooperative – **edited.**
- Chapter 6 – Expenditure code 17500 Special Education Interlocal Agreements or Consortium – **edited.**
- Chapter 6 – Expenditure code 21920 Dropout Recovery Educations Services – **added.**
- Chapter 6 – Expenditure code 25520 Curricular Materials Textbooks – **edited.**
- Chapter 6 – Expenditure code 25525 Curricular Materials Technology Hardware – **edited.**
- Chapter 6 – Expenditure code 25535 Curricular Materials Instructional Software – **added.**
- Chapter 6 – Expenditure code 25560 Curricular Materials Repairs – **edited.**
- Chapter 6 – Expenditure code 25570 Curricular Materials Consumables – **edited.**
- Chapter 6 – Expenditure code 25580 Curricular Materials Supplies – **edited.**
- Chapter 8 – Object code 630 Curricular Materials – **edited.**
- Chapter 8 – Object code 631 Curricular Materials Related to Reading – **added.**
- Chapter 8 – Object code 632 Curricular Materials Related to Science, Technology, Engineering, or Math (STEM) – **added.**

DEBIT/PROCUREMENT CARDS

The State Board of Accounts will not take exception to the use of debit/procurement cards by a school corporation provided the following criteria are observed:

1. The governing body must authorize debit/procurement card use through an ordinance/resolution, which has been approved in a meeting and documented in the minutes.
2. Issuance and use must be handled by an official or employee designated by the governing body.
3. The purposes for which the debit/procurement card may be used must be specifically stated in the ordinance/resolution.
4. When the purpose for which the debit/procurement card has been issued has been accomplished, the card must be returned to the custody of the responsible person.
5. The designated responsible official or employee must maintain an accounting system or log which would include the names of individuals requesting usage of the cards, their position, estimated amounts to be charged, fund and account numbers to be charged, and the date(s) the card is issued and returned.
6. Debit/procurement cards must not be used to bypass the accounting system. One reason that purchase orders are issued is to provide the fiscal officer with the means to encumber and track appropriations to provide the governing body and other officials with timely and accurate accounting information and monitoring of the accounting system.

REIMBURSEMENTS BY HOLDING CORPORATIONS

Various occasions arise at the beginning of a construction project in which a school holding corporation will owe the school corporation certain amounts of money. The funds owed may be the result of the sale of land to the holding corporation or reimbursement for certain preliminary expenses of the project which had to be paid prior to the holding corporation receiving money from the sale of bonds.

The State Board of Accounts is of the audit position when these situations occur, the holding corporation must reimburse the school corporation as soon as the proceeds from the bonds sale have been received. We have noted that some holding corporations delay payment for the sale of land or for reimbursements until late in the project. Reimbursements should be one of the first items of business after the holding corporation receives money from the sale of bonds.

CASH CHANGE FUND

A Cash Change Fund may be established in any school corporation with the approval of the governing body (board of school trustees), where any officer or employee of the school corporation is charged with the duty of collecting fees or other cash revenues. IC 36-1-8-2 describes the process of establishing the Cash Change Fund. Such Cash Change Fund, when authorized by the governing body, shall be established by a check drawn on the Operations Fund of the school corporation in an amount to be determined by the governing body. The check is drawn in favor of the officer or employee who has been designated as custodian of the Cash Change Fund without the need for appropriation. The custodian shall convert the check to cash and be held responsible for the safekeeping of such cash and the proper accounting thereof in the same manner as required for other funds of the school corporation. The governing board shall have authority to increase or decrease such fund and shall require the entire Cash Change Fund to be returned to the Operations Fund if and when no longer needed for the purpose established or when a change is made in the custodian of the fund.

TRANSFER TUITION

School corporations should be aware of the option available for transfers between school corporations (please note, not cash transfers) as provided in IC 20-26-11-13 which states in part, "(h) Instead of the payments provided in subsection (b), the transferor corporation or state owing transfer tuition may enter into a long term contract with the transferee corporation governing the transfer of students. The contract may: (1) be entered into for a period of not more than five (5) years with an option to renew; (2) specify a maximum number of students to be transferred; and (3) fix a method for determining the amount of transfer tuition and the time of payment, which may be different from that provided in section 14 of this chapter."

IC 20-26-11-13 also states in part, "(i) A school corporation may negotiate transfer tuition agreements with a neighboring school corporation that can accommodate additional students. Agreements under this section may: (1) be for one (1) year or longer; and (2) fix a method for determining the amount of transfer tuition or time of payment that is different from the method, amount, or time of payment that is provided in this section or section 14 of this chapter."

EMERGENCY REPAIRS – PUBLIC WORKS

The Indiana Code includes special purchasing provisions in emergency public work situations. IC 36-1-12-2 provides a definition of public works and IC 36-1-2-4.5 provides a definition of an emergency.

Whether or not the political subdivision can declare a situation an emergency in order to bypass the bidding requirements of the public works statutes is fact specific. IC 36-1-12-9 provides for the governing body to contract for public works without advertising bids or quotes. We would recommend working with an attorney in order to maintain compliance with these statutes.

EMERGENCY REPAIRS – PUBLIC WORKS (CONTINUED)

During an audit we would be looking for the formal declaration of emergency noted within the official board minutes and the names of the persons invited to bid or provide quotes. Documentation should be maintained including the original bids or quotes and the board's determination of the project award. Any insurance proceeds received should be receipted into the fund the originally paid the cost and per IC 6-1.1-18-7 would be considered appropriated for 12 months after received for the sole purpose of repairing or replacing the property that was insured. Any additional funds above the insurance proceeds would need to follow normal additional appropriation procedures.

GET WITH GAAP

The GET with GAAP section of this Bulletin is provided to you by the GAAP Efficiency Team (GET) of the State Board of Accounts (SBOA). The article below applies only to those entities reporting on the GAAP, not regulatory, basis. If you have any questions about this information please contact Pam Barber (PBarber@sboafe.IN.gov) or Vicki Urbanik (VUrbanikRandall@sboafe.IN.gov)

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS

Information Related to Previous LIT Guidance from SBOA Memorandum dated July 12, 2023

We are issuing a change in guidance for preparation of your next GAAP financial statements. Complete SBOA guidance is below. Almost all of the July 12, 2023 Memorandum is unchanged by the information below. The only changes are contained within the text boxes. Therefore, if you are familiar with the Memorandum from last year regarding LIT reporting you will want to concentrate on the areas within the text boxes for the changes. These changes are minor and pertain to reporting LIT Receivable within the fund financial statements. Other reporting recommendations have not changed.

GAAP Reporting of Local Income Tax

Unified Local Income Taxes (LIT) are derived tax revenues. Therefore, a receivable should be recognized in the period when the exchange transaction on which the tax is imposed occurs or when resources are received, whichever occurs first. Revenue net of estimated refunds and estimated uncollectible amounts, is recognized in the same period the receivable is recognized in accrual based financial statements (GASB Cod. N50.113). For modified accrual (governmental fund statements) revenue will be recognized when they become available and measurable. This means the Unified Local Income Taxes recognized as an asset and revenues in the current year are based on wages/income to the taxpayer from the current year.

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS (CONTINUED)

The way the LIT statute is written and the GAAP standards that must be applied for asset and revenue recognition are difficult to align for this tax as the actual tax amount net of refunds and uncollectible amounts are not known at the time financial statements are prepared. As time passes, additional information about actual taxes imposed and collected continues to become available and can be used to adjust estimates. Therefore, it is important to determine what we know about the timing of state distributions to local governments for LIT as well as the estimated amounts of LIT.

One might think state distributions would be delayed until the tax imposed is collected and returns are processed by the State. However, that is not what is prescribed by Indiana Code. IC 6-3.6-3 requires the adopting body for LIT to adopt, increase, decrease, or rescind a tax or tax rate by ordinance. The timing of the ordinance passage determines the date of the imposition of the income tax and therefore, the date the asset and revenue should be included in the financial statements of the local government.

Based on IC 6-3.6-9-8, the State is distributing estimated LIT collections either current with the taxable transactions, when the effective date is January 1 of the following year, or within three months, when the effective date of the tax is October 1 of the current year. Per IC 6-3.6-9-16, the county shall allocate and distribute LIT to the appropriate entities upon receipt of each monthly distribution from the State. Therefore, other local governments are also receiving LIT current or within three months of imposition.

Each local government must use the information available to also determine the amount of assets and revenues appropriate to report as financial statements are prepared each year. The State provides much of the information you will find useful for calculating amounts for LIT journal entries and financial statement preparation.

We recommend the modified accrual statements recognize LIT revenue in the amount received during the year in monthly and supplemental distributions. Because of the language in GASB Cod. § N50.108, we believe the Asset recognition in the modified accrual statements would be the same as in the full accrual statement. Our recommendation for the calculation of the LIT Receivable amount is in the following paragraph and is the same for both the modified accrual and full accrual financial statements. Although the underlying derived tax transaction has occurred, revenue recognition in the modified accrual statements for the related LIT Receivable would only occur in these statements if the resources were also available, which we do not believe is the case with LIT. Therefore, the receivable would be posted as an asset with a corresponding deferred inflow of resources-unavailable revenue.

Our recommendation for the full accrual statements is for management to consider the supplemental distribution of LIT for the ensuing year. Because the supplemental distribution equals the amount of the unencumbered balance from two years prior that is determined to be in excess of 15% of the certified distribution minus any supplemental or special distributions that have not yet been accounted for in the last known balance of the county's trust account, you should also consider the amount that equals 15% of certified distributions in your estimations for booking the appropriate LIT receivable and additional revenue.

If you choose another methodology to estimate and book the LIT receivable, deferred inflows, and revenue in your financial statements, that methodology must have a reasonable basis and be supported by documentation that can be audited.

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS (CONTINUED)

Applicable Indiana Code

IC 6-3.6-3-1 Adopting body; local income tax council; county fiscal body Sec. 1. (a) The following is the adopting body for a county: (1) The local income tax council in a county in which the county income tax council adopted either: (A) a county option income tax under IC 6-3.5-6 (repealed) that was in effect on January 1, 2015; or (B) a county economic development income tax for the county under IC 6-3.5-7 (repealed) that was in effect on January 1, 2015. (2) The county fiscal body in any other county. (3) The county fiscal body for purposes of adopting a rate dedicated to paying for a PSAP in the county as permitted by IC 6-3.6-6-2.5. (4) The county fiscal body for purposes of adopting a rate dedicated to paying for correctional facilities and rehabilitation facilities in the county as permitted by IC 6-3.6-6-2.7. (b) A local income tax council is established for each county. The membership of each county's local income tax council consists of the fiscal body of the county and the fiscal body of each city or town that lies either partially or entirely within that county. As added by P.L.243-2015, SEC.10. Amended by P.L.180-2016, SEC.15; P.L.184-2018, SEC.1.

IC 6-3.6-3-2 Actions by ordinance or resolution; uniform documents; hearing requirements and procedures Sec. 2. (a) An adopting body or, if authorized by this article, another governmental entity that is not an adopting body, may take an action under this article only by ordinance, unless this article permits the action to be taken by resolution. (b) The department of local government finance, in consultation with the department of state revenue, may make electronically available uniform notices, ordinances, and resolutions that an adopting body or other governmental entity may use to take an action under this article. An adopting body or other governmental entity may submit a proposed notice, ordinance, or resolution to the department of local government finance for review not later than thirty (30) days prior to the date that the adopting body or governing body intends to submit the notice, adopting ordinance or resolution, and vote results on an ordinance or resolution under subsection (d). If the adopting body or other governmental entity wishes to submit the proposed notice, ordinance, or resolution to the department of local government finance for review, the adopting body or other governmental entity shall submit the proposed notice, ordinance, or resolution to the department of local government finance on the prescribed forms. The department of local government finance shall provide to the submitting entity a determination of the appropriateness of the proposed notice, ordinance, or resolution, including recommended modifications, within thirty (30) days of receiving the proposed notice, ordinance, or resolution. (c) An ordinance or resolution adopted under this article must comply with the notice and hearing requirements set forth in IC 5-3-1. (d) The department of local government finance shall prescribe the procedures to be used by the adopting body or governmental entity for submitting to the department the notice, the adopting ordinance or resolution, and the vote results on an ordinance or resolution. The department of local government finance shall notify the submitting entity within thirty (30) days after submission whether the department has received the necessary information required by the department. A final action taken by an adopting body or governmental entity under this article to impose a new tax or amend an existing tax is not effective until the department of local government finance notifies the adopting body or governmental entity that it has received the required information from the submitting entity. As added by P.L.243-2015, SEC.10. Amended by P.L.247-2017, SEC.8; P.L.257-2019, SEC.69; P.L.159-2020, SEC.54.

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS (CONTINUED)

IC 6-3.6-3-3 Effective date of ordinance Sec. 3. (a) An ordinance adopted under this article takes effect as provided in this section. (b) An ordinance that adopts, increases, decreases, or rescinds a tax or a tax rate takes effect as follows: (1) An ordinance adopted after December 31 of the immediately preceding year and before September 1 of the current year takes effect on October 1 of the current year. (2) An ordinance adopted after August 31 and before November 1 of the current year takes effect on January 1 of the following year. (3) An ordinance adopted after October 31 of the current year and before January 1 of the following year takes effect on October 1 of the following year. (c) An ordinance that grants, increases, decreases, rescinds, or changes a credit against the property tax liability of a taxpayer takes effect as follows: (1) An ordinance adopted after December 31 of the immediately preceding year and before November 2 of the current year takes effect on January 1 of, and applies to property taxes first due and payable in, the year immediately following the year in which the ordinance is adopted. (2) An ordinance adopted after November 1 of the current year and before January 1 of the immediately succeeding year takes effect on January 1 of, and applies to property taxes first due and payable in, the year that follows the current year by two (2) years. (d) An ordinance that grants, increases, decreases, rescinds, or changes a distribution or allocation of taxes takes effect as follows: (1) An ordinance adopted after December 31 of the immediately preceding year and before November 2 of the current year takes effect January 1 of the year immediately following the year in which the ordinance is adopted. (2) An ordinance adopted after November 1 of the current year and before January 1 of the immediately succeeding year takes effect January 1 of the year that follows the current year by two (2) years. (e) An ordinance not described in subsections (b) through (d) takes effect as provided under IC 36 for other ordinances of the governmental entity adopting the ordinance. As added by P.L.243-2015, SEC.10. Amended by P.L.247-2017, SEC.9.

IC 6-3.6-9-1 Budget agency accounting for each county; undistributed amounts Sec. 1. (a) The budget agency shall maintain an accounting for each county imposing a tax based on annual returns filed by or for county taxpayers. Any undistributed amounts so accounted for shall be held in reserve for the respective counties separate from the state general fund. (b) Undistributed amounts shall be invested by the treasurer of state and the income earned shall be credited to the counties based on each county's undistributed amount. As added by P.L.243-2015, SEC.10. Amended by P.L.126-2016, SEC.1; P.L.165-2021, SEC.93.

IC 6-3.6-9-4 Distribution of revenue to a county; amount Sec. 4. Revenue derived from the imposition of the tax shall, in the manner prescribed by this chapter, be distributed to the county that imposed it. The amount that is to be distributed to a county during an ensuing calendar year equals the amount of tax revenue that the budget agency determines has been: (1) attributed to that county for a taxable year ending in a calendar year preceding the calendar year in which the determination is made; and (2) reported on an annual return or amended return filed by or for a county taxpayer and processed by the department in the state fiscal year ending before July 1, or for a federal income tax deadline set after July 1, a date set by the department for a period of not more than sixty (60) days beyond the federal deadline, of the calendar year in which the determination is made. As added by P.L.243-2015, SEC.10. Amended by P.L.165-2021, SEC.94; P.L.137-2022, SEC.54.

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS (CONTINUED)

IC 6-3.6-9-8 Adjustment of certified distribution; tax; tax rate Sec. 8. This section applies to a county that imposes, increases, decreases, or rescinds a tax or tax rate under this article before November 1 in the same calendar year in which the budget agency makes a certification under this section. The budget agency shall adjust the certified distribution of a county to provide for a distribution in the immediately following calendar year and in each calendar year thereafter. The budget agency shall provide for a full transition to certification of distributions as provided in section 4(1) through 4(2) of this chapter in the manner provided in section 6 of this chapter. If the county imposes, increases, decreases, or rescinds a tax or tax rate under this article after the date for which a certification under section 5(b) of this chapter is based, the budget agency shall adjust the certified distribution of the county after October 1 and before December 1 of the calendar year. The adjustment must reflect any other adjustment required under sections 6 and 7 of this chapter. The adjusted certification shall be treated as the county's certified distribution for the immediately succeeding calendar year. The budget agency shall certify the adjusted certified distribution to the county auditor for the county and provide the county council with an informative summary of the calculations that revises the informative summary provided in section 9 of this chapter and reflects the changes made in the adjustment. As added by P.L.243-2015, SEC.10.

IC 6-3.6-9-16 Allocation and distribution of a county's monthly payment to the appropriate entities Sec. 16. Upon receipt, each monthly payment of a county's certified distribution or supplemental distribution shall be allocated and distributed to the appropriate entities in accordance with this article and the allocation ordinances adopted under this article. As added by P.L.243-2015, SEC.10.

Additional Authoritative Literature*Derived Tax Revenue Transactions**Asset Reporting Full Accrual and Modified Accrual*

GASB Cod. § N50.108: "All standards in this section apply whether the accrual basis or the modified accrual basis of accounting is required, except for the revenue recognition standards. (When the modified accrual basis of accounting is used for governmental funds in the fund financial statements, the requirements of this section for the recognition of *expenses* should be interpreted as requirements for the recognition of *expenditures*.) For revenue recognition, the standards in paragraphs [.113-.125](#) apply when the accrual basis of accounting is required and the standards in paragraphs [.126 and .127](#) apply when the modified accrual basis of accounting is required. On either basis of accounting, recognition of nonexchange transactions in the financial statements is required unless the transactions are not *measurable* (reasonably estimable) or are not *probable* ⁶ of collection. Transactions that are not recognizable because they are not measurable should be disclosed. [GASBS 33, ¶11, as amended by GASBS 35, ¶5; GASBS 34, ¶79]"

UPDATED LIT GUIDANCE FOR SCHOOLS REPORTING ON GAAP BASIS (CONTINUED)

Full accrual basis

GASB Cod. § N50.113: "Governments should recognize *assets* from derived tax revenue transactions in the period when the exchange transaction on which the tax is imposed occurs or when the resources are received, whichever occurs first. *Revenues* should be recognized, net of estimated refunds and estimated uncollectible amounts, in the same period that the assets are recognized, provided that the underlying exchange transaction has occurred. Resources received in advance should be reported as liabilities until the period of the exchange. Derived tax revenues generally do not have time requirements. However, if they apply, asset and revenue recognition should be consistent with the requirements for imposed nonexchange revenue transactions. [GASBS 33, ¶16, as amended by GASBS 65, ¶31; GASBS 33, fn8]"

Modified accrual basis

GASB Cod. § N50.127(a): "When the modified accrual basis of accounting is used, revenues resulting from nonexchange transactions should be recognized as follows:

a. *Derived tax revenues*. Recipients should recognize revenues in the period when the underlying exchange transaction has occurred *and* the resources are available."

GASB 65 Paragraph 30: "[Paragraph 62](#) of NCGA Statement 1 provides that revenues and other governmental fund financial resources should be recognized in the accounting period in which they become both measurable and available. When an asset is recorded in governmental fund financial statements but the revenue is not available, the government should report a deferred inflow of resources until such time as the revenue becomes available."

NEW LAWS AFFECTING SCHOOLS

The following is a Digest of some of the laws passed by the 2024 Regular and Special Sessions of the General Assembly affecting Schools. Please note the effective dates. Some of the laws do not pertain directly to Schools but are included for ready reference to the covered subject matter.

The Digest is not intended as an expression of legal interpretation. The Digest is also not intended to be all inclusive. References in the Digest will be to the Indiana Code in the following form (Amends IC 20-26-1-4) (Amends Indiana Code, Title 20, Article 26, Chapter 1, Section 4). The final version of each Public Law can be found on the Indiana General Assembly website (<http://iga.in.gov/>). If you have any questions regarding legal interpretation, please consult your school attorney.

**Public Law 135-2024, House Enrolled Act 1104 – Various Effective Dates
School Safety**

Adds IC 20-34-3-27; IC 36-8-8-2.2; IC 36-8-8-21.5

Amends IC 10-21-1-10; IC 20-21-1-14; IC 20-26-5-42.5; IC 20-34-3-20; IC 36-8-8-1; IC 36-8-8-2; IC 36-8-8-2.1; IC 36-8-8-3; IC 36-8-8-18; IC 36-8-8-18.1;

Provides that a school safety plan developed by a school corporation or charter school must establish an armed intruder drill protocol. Requires safe school committees to develop a policy that considers the effect of armed intruder drills on the safety and mental health of students, faculty, and staff. Prohibits an armed intruder drill that includes sensory components or activities from: (1) requiring student participation; or (2) taking place during regular school hours if a majority of the student body is present on school property. Allows a school corporation or charter school that: (1) employs a school resource officer; or (2) enters into a contract or a memorandum of understanding with a local law enforcement agency, private entity, or nonprofit corporation to employ a school resource officer; to participate in the 1977 fund. Provides that a school resource officer hired or rehired after June 30, 2024, who is a member of the 1977 fund shall remain in the 1977 fund. Provides that a school resource officer may become a member of the 1977 fund by meeting certain age and training requirements. Makes corresponding changes.

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

**Public Law 136-2024, House Enrolled Act 1120 – Various Effective Dates
State and Local Administration**

Adds	IC 6-1.1-20-4.2; IC 6-1.1-20-4.3; IC 20-40-2-5.5; IC 20-40-22-10; IC 36-1-32; Various Others
Amends	IC 6-1.1-12-10.1; IC 6-1.1-12-12; IC 6-1.1-12-14; IC 6-1.1-12-15; IC 6-1.1-12-17; IC 6-1.1-12-27.1; IC 6-1.1-12-30; IC 6-1.1-12.-35.5; IC 6-1.1-12-37; IC 6-1.1-12-38; IC 6-1.1-12-44; IC 6-1.1-12-45; IC 6-1.1-12.6-3; IC 6-1.1-12.8-4; IC 6-1.1-17-3.1; IC 6-1.1-18.5-1; IC 6-1.1-20.1.1; IC 6-1.1-20.3.1; IC 6-1.1-20.3.5; IC 6-1.1-20-3.6; IC 6-1.1-20-4.5; IC 6-1.1-49-10; IC 20-26-12-1; IC 20-26-12-2; IC 20-28-9-28; IC 20-40-2-3; IC 20-40-2-4; IC 20-40-2-63; IC 20-40-2-7; IC 36-8-8.5-10; IC 36-8-8.5-10.5; IC 36-8-8.5-14; IC 36-8-13-4; IC 36-8-13-4.7; Various Others
Repealed	IC 20-40-22-9

Increases the assessed value limit for the disabled veteran property tax deduction from \$200,000 to \$240,000. Allows that, for purposes of various property tax deductions, an individual has until January 15 of a calendar year in which property taxes are first due and payable to complete, date, and file the required certified statement with the county auditor. Extends through 2025 the expiration of the threshold amounts used for determining whether a political subdivision's project is a controlled project and whether the petition and remonstrance process or the referendum process applies based on the political subdivision's total debt service tax rate. Specifies that a political subdivision's total debt service tax rate does not include a tax rate approved by voters for a referendum debt service tax levy. Extends the current cap on operating referendum tax that may be levied by a school corporation to taxes due and payable in 2025, and provides a formula to determine the cap for that year. Reestablishes, and enumerates requirements and procedures for, a petition and remonstrance and a referendum for controlled projects funded by debt service if the project scope changes from the purpose initially advertised to taxpayers. Adds trailer provisions pertaining to SEA 228-2024 regarding alcoholic beverage taxes on liquor, wine, and hard cider. Requires the state fair commission to approve future dates of the state fair and the state fair board to advise the commission on future dates of the state fair. Provides that a state employee may affirmatively elect to enroll in the deferred compensation plan prior to the auto enroll date on day 31 of the state employee's employment. Requires, effective July 1, 2025, the trustee of the state police pension trust to maintain a supplemental allowance reserve account for the purpose of paying postretirement benefit adjustments. Requires certain political subdivisions to present to the interim study committee on pension management oversight concerning a delinquent employee retirement plan offered by the political subdivision. Increases the maximum date that a member or participant of certain retirement funds can participate in the deferred retirement option plan from 36 to 60 months. Removes a reference in current law to outstanding bonds for which a fee replacement appropriation was made in a provision prohibiting a state educational institution from issuing bonds for refunding or advance refunding of outstanding bonds without approval of the budget agency and the board of trustees of the issuing state educational institution making certain findings. Provides that grant awards authorized in the 2023 budget bill and awarded after December 31, 2024, for regional mental health facility grants to counties for use in constructing

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

new facilities or renovating existing facilities to provide mental health services for certain incarcerated individuals may not exceed \$5,000,000 per county (instead of \$2,500,000 per county). Prohibits a unit from entering into a sister city or cooperative agreement with a city, town, province, county, school, college, or university located in a foreign adversary. Provides parameters for the northwestern Indiana regional planning commission, beginning with calendar year 2025 and for each year thereafter through calendar year 2029, to annually adjust each participating county's portion of the budget. Authorizes the office of the secretary of family and social services (office of the secretary) to implement a risk based managed care program for certain Medicaid recipients. Requires the office of Medicaid policy and planning to convene a workgroup and, with managed care organizations, to conduct a claims submission testing period before the risk based managed care program is established. Authorizes the establishment of home health agency cooperative agreements and provides for the expiration of those provisions on June 30, 2027. (A similar law enacted in 2022 expired on July 1, 2023.) Specifies that a home health agency may contract directly or indirectly through a network of home health agencies. Provides that distributions for curricular materials may not be considered for purposes of determining whether a school corporation met the requirement to expend a minimum amount of state tuition support for teacher compensation. Repeals the requirement that each school maintained by a school corporation and each charter school establish a curricular materials account. Requires a public school to deposit distributions for curricular materials in: (1) the education fund of the school corporation that maintains the school; or (2) the fund in which a charter school receives state tuition support.

**Public Law 137-2024, House Enrolled Act 1121 – Various Effective Dates
Local Income Taxes**

Adds IC 6-3.6-6-2.6; IC 6-3.6-6-21.3; IC 6-3.6-7-28; Various Others

Amends IC 6-3-2-7.4; IC 6-3.6-3-1; IC 6-3.6-3-5; IC 6-3.6-3-6; IC 6-3.6-3-8; IC 6-3.6-3-9.5; IC 6-3.6-6-2.7; IC 6-3.6-6-3; IC 6-3.6-7-17; IC 6-3.6-9-10; Various Others

Extends the expiration of provisions concerning a county with a single voting bloc and the allocation of votes for a local income tax council. Specifies the amount of revenue from a local income tax rate imposed for correctional facilities and rehabilitation facilities in a county that may be used for operating expenses of those facilities. Allows a county fiscal body to adopt a local income tax rate for an acute care hospital located in the county to be used only for the operating expenses of the acute care hospital. Provides that, for the purpose of distributing the local income tax (LIT), if two or more school corporations or civil taxing units merge or consolidate to form a single school corporation or civil taxing unit, the school corporation or civil taxing unit is entitled to the combined pro rata distribution of the LIT revenue allocated to each applicable school corporation or civil taxing unit in existence on January 1 of the immediately preceding calendar year prior to the merger or consolidation. Provides that the department of local government finance shall make certain adjustments pertaining to the distribution of LIT for Floyd County in 2025, which provide that the Highlander Fire Protection District (district) shall receive an amount equal

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

to the combined distribution that would have been distributed to the Greenville Fire Protection District (FPD) and the Lafayette Fire Protection District (FPD) in 2024, but for their elimination resulting from the merger to establish the district. Requires corresponding adjustments in 2025 to reduce the distribution for each applicable civil taxing unit and school corporation in Floyd County, excluding the district, by an amount that equals the proportionate share of the amount of LIT received in 2024 of the combined distribution that would have been distributed to the Greenville FPD and the Lafayette FPD in 2024, but for their elimination. Provides that funds accumulated from a Perry County special purpose tax rate to construct or improve the county jail after the redemption of bonds issued or final payment of lease rentals due under a lease shall be transferred to a county capital project fund to be used to finance capital projects within Perry County. (Current law specifies that such remaining funds are to be transferred to the county jail operations fund to be used for financing the maintenance and operations of the Perry County detention center.) Allows Grant County, under specified circumstances, to adopt an ordinance to impose a special purpose local income tax rate to fund and finance the construction of a county jail. Provides, for purposes of calculating distributions of the financial institutions tax to local taxing units, how to calculate distributions for a taxing unit that did not receive distributions in 2012 because the unit was subsequently established from the merger or consolidation of two or more taxing units that received distributions from the financial institutions tax fund in 2012. Provides, for purposes of calculating qualified distributions of the commercial motor vehicle excise tax to local taxing units, how to calculate base revenue distributions for a taxing unit that did not receive a base revenue distribution in 2001 because the taxing unit was subsequently established from the merger or consolidation of two or more taxing units that received base revenue distributions in 2001. Provides that, for purposes of determining the apportionment or distribution of the motor vehicle excise tax, that the county auditor may make adjustments to reflect the merger or consolidation of two or more taxing units. Authorizes Knox County to impose its innkeeper's tax at a rate of 8% (instead of 6% under current law). Provides that, if the tax rate is increased to more than 6%, the portion of the tax rate that exceeds 6% expires on December 31, 2045. Authorizes the city of Hammond to impose a food and beverage tax. Authorizes the town of Cicero to impose a food and beverage tax.

**Public Law 146-2024, House Enrolled Act 1204 – Effective July 1, 2024
Publication of Public Notices**

Adds IC 5-3-1-0.1; IC 5-3-1-1.6

Amends IC 5-3-1-1.5; IC 5-3-1-2; IC 6-1.1-23.5-10; IC 36-1-11-5; IC 36-7-14-22.6; IC 36-7-15.1-15.6; Various Others

Allows a political subdivision to publish notice in the print or electronic edition of a newspaper or locality newspaper that issues a print edition not more than three times a week. Allows, if a newspaper or locality newspaper issues a print edition not more than two times a week, a political subdivision to publish notice: (1) in the print edition or on the newspaper or locality newspaper's website; or (2) if the newspaper or locality newspaper does not have a website, in the print edition or the political subdivision's official website. Allows a notice regarding the sale of certain tracts of real property by a political subdivision to be published solely on the official website of the political subdivision. Provides that if the assessed value of a tract is less than \$10,000, based on the most recent assessment of the tract or of the tract of which it was a part before it was acquired, the disposing agent or redevelopment commission is not required to have the tract appraised.

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

**Public Law 150-2024, House Enrolled Act 1243 – Effective Various Dates
Various Education Matters**

- Adds IC 20-19-3-35; IC 20-20-49-3.2; IC 20-20-49-3.5; IC 20-24-9-2; IC 20-28-3-3.2; IC 20-28-5-28; IC 20-30-6.1-4; IC 20-32-4-18; IC 20-36-7
- Amends IC 20-18-2-6.3; IC 20-19-2-21; IC 20-19-3-17; IC 20-19-3-18; IC 20-20-43-4; IC 20-20-49-4; IC 20-20-49-5; IC 20-20-49-6; IC 20-24-4-1; IC 20-26-5-37; IC 20-26-5-37; IC 20-26-13-10; IC 20-26-13-16.5; IC 20-26.5-2-3; IC 20-28-3-1; IC 20-28-5-19.7; IC 20-28-9-27; IC 20-28-9-28; IC 20-30-2-2.2; IC 20-30-4-6; IC 20-30-5-2; IC 20-30-5-4; IC 20-30-5-19; IC 20-30-5-23; IC 20-30-8.5-13; IC 20-31-3-3; IC 20-31-3-6; IC 20-31-8-1; IC 20-32-4-1.5; IC 20-32-4-4.1; IC 20-32-4-5; IC 20-32-4-9; IC 20-32-4-14; IC 20-32-5.1-4; IC 20-32-5.1-6; IC 20-32-5.1-7; IC 20-32-5.1-8; IC 20-32-5.1-10; IC 20-32-5.1-12; IC 20-32-5.1-13; IC 20-32-5.1-14; IC 20-32-5.1-14.5; IC 20-32-5.1-15; IC 20-32-5.1-17; IC 20-32-5.1-18; IC 20-32-5.1-18.4; IC 20-32-5.1-18.5; IC 20-32-8-4; IC 20-32-9-2; IC 20-33-8-19; IC 20-35-3-1; IC 20-36-5-1; IC 20-40-22-8; IC 20-43-8-15.5; IC 20-51.4-4-1; IC 20-51.4-5-3; IC 20-51-5.5-3; IC 20-51.4-5.5-5: Various Others

Makes various changes to the education law concerning the following: (1) Indiana diploma requirements and designations and satisfying certain course requirements by obtaining a diploma. (2) The criteria to receive a waiver from postsecondary readiness competency requirements. (3) The minimum number of alternate diplomas that may be counted in determining a school's or school corporation's graduation rate. (4) Use of the terms "statewide assessment program" and "statewide summative assessment". (5) The responsibilities of the state advisory council on the education of children with disabilities. (6) The criteria an individual must meet to participate in the Indiana high school equivalency diploma program. Establishes notice and posting requirements regarding school corporations that fail to meet: (1) certain expenditure requirements regarding full-time teacher salaries; or (2) the percentage of state tuition support that must be expended on teacher compensation. Provides that the amount a school corporation expends on teacher compensation shall also include amounts the school corporation expends on certain dropout recovery education services. Provides that state tuition support for certain virtual students is not included in determining the amount a school corporation expends on teacher compensation. Requires the following: (1) Each public high school to offer, after June 30, 2028, at least once each school year at least one computer science course as a separate subject in the public high school's curriculum. (2) The department of education (department), in revising and updating academic standards, to consider integrating: (A) computer science; and (B) data literacy and data science; standards into a subject area being revised. (3) Beginning with the cohort of students who are expected to graduate from a public school or a state accredited nonpublic school in 2029, a student to successfully complete instruction on computer science as a separate subject before the student may graduate. (4) Each public school to participate in an annual statewide survey concerning school fees charged to students or parents to be eligible to receive a distribution from the curricular materials fund. (5) The department to develop proposals to align diploma waiver statutes with new diploma requirements. (6) Charter schools to post certain information. Provides that the state board of education (state board) may allow a computer science course to satisfy one or more diploma course requirements. Removes provisions regarding the application and waiver of requirements concerning: (1) certain expenditure requirements regarding full-time teacher salaries; and (2) the percentage of state tuition support that must be used for teacher compensation. Removes provisions that have expired concerning high school graduation requirements

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

and graduation waivers. Removes language concerning the disqualification of certain students for state scholarships, grants, or assistance administered by the commission for higher education and provides that a student may not receive or use any state scholarships, grants, or assistance administered by the commission for certain noncredit-bearing, nondegree seeking courses. Amends the expiration date for the high school equivalency pilot program to June 30, 2026. (The current expiration date is June 30, 2024.) Allows school corporations to provide certain notices regarding expulsion meetings by electronic mail. Provides each school corporation, charter school, and state accredited nonpublic school shall include in its curriculum for students enrolled in grade 8, 9, 10, 11, or 12 (instead of all high school students) instruction concerning personal financial responsibility. Provides that a literacy achievement grant is not subject to collective bargaining. Provides that a school corporation may include instruction regarding Internet safety in the school corporation's curriculum. Requires the department to approve previously developed age appropriate curricula concerning Internet safety not later than July 1, 2025. Requires the office of management and budget to establish a kindergarten through grade 12 data governance team. Establishes the duties of the data governance team, including the submission of a report to the legislative council. Requires, not later than July 1, 2024, the department to: (1) establish an online, self-paced professional development module with regard to mathematics; (2) develop math descriptions correlated to proficiency level descriptors to track proficiency at the student level; (3) create and identify dedicated math resources to assist with intervention and enrichment opportunities and instructional strategies; and (4) post the resources on the department's website. Requires, not later than December 1, 2024, the department to submit a plan to the legislative council that includes: (1) strategies for the early identification of students who are at risk of not meeting grade level proficiency in mathematics; and (2) recommendations for high quality intervention policies for mathematics. Defines "literacy coach" and requires literacy coaches to prioritize certain duties. Provides for the availability of certain grants for literacy coaches. Establishes certain restrictions and requirements regarding visiting teacher licenses. Requires the department and the commission for higher education, in conjunction with the state board, to partner with teacher preparation programs to receive an outside evaluation of teacher preparation reading instruction programs. Requires the department to develop guidelines regarding the use of curriculum or content that prepares elementary school teacher candidates in math instruction. Provides that a student's latest statewide assessment program test results are included on the student's transcript upon request of the student. Provides that successful completion of an International Baccalaureate diploma program course (course) shall count for high school credit. Provides that any rule adopted by the state board or the department concerning certain diplomas must provide that successful completion of a course is credited toward fulfilling the requirements of certain diplomas. Provides that high school students who have taken a course examination and received a score of four or higher on the examination are entitled to postsecondary academic credit at state educational institutions under certain conditions. Amends the requirements to receive a literacy endorsement. Requires the governing body of each school corporation to have a policy regarding the participation of habitually truant students in extracurricular and co-curricular activities.

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

**Public Law 156-2024, House Enrolled Act 1328 – Various Effective Dates
Department of Local Government Finance**

Adds	IC 6-1.1-17-5.4; IC 6-1.1-18-34.5; IC 6-1.1-31.5-5.5; Various Others
Amends	IC 5-14-3.8-3.5; IC 5-22-2-23; IC 6-1.1-4-39; IC 6-1.1-8-28; IC 6-1.1-8-29; IC 6-1.1-8-29; IC 6-1.1-12-17.8; IC 6-1.1-12-37; IC 6-1.1-17-1; IC 6-1.1-18-5; IC 6-1.1-18.5-12; IC 6-1.1-20-3.6; IC 6-1.1-28-1; IC 6-1.1-31.5-2; IC 6-1.1-37-7; IC 6-3.6-6-2.9; IC 6-3.6-11-1; IC 20-46-1-8; IC 20-46-8-3; IC 20-46-9-6; Various Others
Repealed	IC 6-1.1-37-7.5

Provides that a county fiscal body may provide a stipend, not to exceed \$2,500, to a circuit court clerk that serves as a voter registration officer each year in which a general election is held. Requires a political subdivision to upload to the Indiana transparency website any contract: (1) related to the provision of fire services or emergency medical services; or (2) entered into with another unit or entity that provides fire services or emergency medical services. Requires a political subdivision to annually attest that the political subdivision uploaded any contract related to the provision of fire services or emergency medical services as a part of the political subdivision budgeting process and specifies the consequence for failure to satisfy the attestation requirement. Provides that for purposes of public purchasing, the term "public funds" does not include proceeds of bonds payable exclusively by, or used by, a private entity. Provides a 15% procurement price preference to a business offering to provide supplies or services under a contract awarded by a state agency to a business that provides "specialized employee services" to its employees. Extends the duration of an entrepreneur and enterprise district (district) to the later of: (1) December 31, 2029 (rather than December 31, 2024); or (2) five years after the date the district is designated. Amends provisions of a statute pertaining to the assessment of rental property. Requires the department of local government finance (department) to notify the county assessor of the department's tentative assessment, or information related to tentative valuation changes, of a utility company's distributable property not later

than June 1. Reinstates a provision that was repealed in SEA 325-2023 (P.L.182-2023) that includes as a "homestead" property that is an individual's principal place of residence, is located in Indiana, and is owned by an entity, if the individual is a shareholder, partner, or member of the entity that owns the property. Requires a county auditor to submit an amended certified statement of the assessed value for the ensuing year to the department by the later of: (1) September 1; or (2) 15 days after the certified statement is submitted to the department. Requires the proper officers of a political subdivision that desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined to hold a public hearing after submitting information regarding the proposed additional appropriation to the department's computer gateway. Provides for a maximum property tax levy increase for Knox Township in Jay County. Prohibits certain civil taxing units that determine they cannot carry out their governmental functions for an ensuing calendar year under various levy limitations from submitting an appeal unless the civil taxing unit receives approval from the appropriate fiscal body to submit the appeal. Similarly prohibits a participating unit of a fire protection territory from submitting an appeal unless each participating unit of the fire protection territory has adopted a resolution approving submission of the appeal. Requires the department, regarding the referendum process for bonds or leases for certain projects, to certify its approval or recommendations to the county auditor and the county election board not more than 10 days after both the required certification of the county auditor and the language of the public question are submitted to the department for review. Provides for the staggering of terms for property tax assessment board of appeals members. Provides that if the department determines that certified computer software or a certified provider

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

is not in compliance with certain specifications or standards or the rules of the department, the department may request that the provider develop a corrective action plan. Provides that a contract with a computer provider under a corrective action plan is not void unless the department: (1) determines that the provider has failed to substantially correct the noncompliance; and (2) revokes the provider's certification. Establishes corrective action plan provisions for noncompliant computer providers. Provides the amount of the additional penalty added to taxes payable if a person fails to file a personal property return within 30 days after the due date. Amends a provision regarding the local income tax rate for local costs of the state judicial system in the county. Requires the department to approve a lower levy freeze tax rate if it finds that the lower rate, in addition to: (1) the supplemental distribution as determined in an adopted resolution; and (2) the amount in certain repealed stabilization funds, as applicable; would fund the levy freeze dollar amount. Provides that certain acute care hospitals may apply to the division of mental health and addiction for certification as a community mental health center. Requires the division of mental health and addiction to review applications for certification as a community mental health center: (1) to ensure an applicant meets certain standards; and (2) without consideration for previously established exclusive geographic primary service restrictions. Requires the department to send its decision regarding referendum language to the governing body of a school corporation not more than 10 days after: (1) the certification of the county auditor; and (2) the resolution is submitted to the department. Provides that, for purposes of the transportation levy component of an operations fund property tax levy, a school corporation, whose budget for the upcoming year is subject to review by a fiscal body, may not submit an appeal to the department unless the school corporation receives approval from the fiscal body. Provides that a county fiscal body may establish a salary schedule that includes a stipend, not to exceed \$2,500 in a year, to be paid to the county auditor for duties when warranted as determined by the county fiscal body. Requires a county recorder to provide the owner of a farm with: (1) a copy of the recorded document that contains the name of the owner's farm; and (2) documentation of a description of the land to which the name of the farm applies. Provides that for a county having a United States government military base that is scheduled for closing, the expiration date of the allocation area may be extended for the purposes of paying certain expenses. Repeals a provision that prohibits a local unit from amending the boundaries of an economic improvement district (EID). Instead, allows a local unit to amend the boundaries of an EID only if an owner of real property wishes to include the owner's real property in the EID and voluntarily enters into a written agreement with the legislative body of the local unit in which the owner requests and consents to increasing the boundaries of the EID to include the owner's real property. Specifies that, for real property subject to such a written agreement that is subsequently sold to a new owner, the new owner of that real property may opt out of the prior owner's agreement. Provides that no ordinance or safety board action to fix compensation may provide for any increase in the compensation of any member of a police department or fire department, or any other appointee, from the prior budget year if the city has not fixed a budget, tax rate, and tax levy for the ensuing budget year. Allows a qualified taxpayer to file a property tax exemption application before September 1, 2024, for eligible property for assessment dates beginning within assessment dates occurring within the six years prior to the assessment date at issue. Provides that if a qualified taxpayer files a property tax exemption application for eligible property: (1) the property tax exemption for the eligible property is allowed and granted for the applicable assessment date by the county assessor and county auditor of the county in which the eligible property is located; and (2) the qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property for the applicable assessment date. Provides that, to the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for an applicable assessment date, the qualified taxpayer is entitled to a refund of the amounts paid.

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

**Public Law 162-2024, House Enrolled Act 1380 – Various Effective Dates
Various Education Matters**

Adds	IC 20-19-3-32; IC 20-19-3-33; IC 20-25.7-5-6; IC 20-35-14; Various Others
Amends	IC 20-20-40-10; IC 20-20-40-12; IC 20-20-40-13; IC 20-20-40-13.6; IC 20-25.7-4-5; IC 20-25.7-4-6; IC 20-25.7-5-2; IC 20-25.7-5-3; IC 20-26-11-6; IC 20-26-11-6.7; IC 20-27-12.1-2; IC 20-32-8.7-5; IC 20-32-8.7-7; IC 20-32-8.7-8; IC 20-32-8.7-13; IC 20-33-2-17; IC 20-35-2-1; IC 20-40-18-8; IC 20-46-1-8; IC 20-46-9-6; IC 20-51-1-5; IC 20-51.4-2-4; IC 20-52.3-3; IC 20-52-4-2; Various Others
Repealed	IC 20-32-8.7-15; IC 20-32-8.7-16; IC 20-52-7

Requires the secretary of education to prepare and submit to the general assembly the following: (1) A plan to establish a pilot program concerning the use, operation, and management of school facilities to promote student learning and outcomes. (2) A plan to establish a pilot program concerning student transportation. Provides that the commission on seclusion and restraint in schools (commission) must include eliminating or minimizing the need for use of time-out in its model restraint and seclusion plan. Requires the commission to meet biannually (instead of annually, under current law), and requires the commission to submit a biannual report to the state advisory council on the education of children with disabilities. Makes various changes to innovation network school and participating innovation network charter school provisions regarding the following: (1) The terms that must be included in an agreement entered into between: (A) an innovation network team and the governing body of a school corporation; and (B) an organizer and the governing body of a school corporation. (2) Restrictions on altering an agreement. (3) Restrictions on a school corporation charging a participating innovation network charter school for goods and services. (4) Required distribution of state tuition support to participating innovation network charter schools. (5) Restrictions regarding altering the use of a facility occupied by an innovation network school or participating innovation network charter school. Provides that a school corporation may use the school corporation's operations fund for transportation of school children to certain: (1) apprenticeship programs; (2) career and technical education programs; (3) modern youth apprenticeships; and (4) work based learning courses. Makes changes to the student learning recovery grant program concerning the following: (1) The establishment of the program is subject to available funding. (2) The purpose for which the program was established with regard to disruption in education caused by the coronavirus disease pandemic and insufficient alternatives. (3) The limitation of the program to only certain state fiscal years. (4) Allowing the department of education (department) to require matching grant amounts. Provides that a student's Indiana enrichment scholarship account terminates under conditions established by the department (instead of October 1, 2024). Provides that the governing body of a school corporation, the organizer of a charter school, or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is not a habitual truant and is ordered to active duty with the armed forces of the United States, including their reserve components or the Indiana National Guard for at least 15 days in a school year. Provides that the office of administrative law proceedings (office) has jurisdiction over hearing officers authorized to conduct hearings required by the Individuals with Disabilities Education Act (IDEA). Requires the office to: (1) determine the cost of conducting hearings; and (2) after July 1, 2025, assess a fee, based on the weighted ADM count, for each school corporation and charter school that is sufficient to cover the costs. Amends the date by which a student has to be a certain age to be eligible to participate in a school scholarship program and the Indiana education scholarship

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

account program. Removes a condition with regard to requiring certain school corporations to accept transferring students who do not have legal settlement in the school corporation. Provides that a transferee corporation may not require a parent or student requesting transfer to the school corporation to pay transfer tuition or any other fee associated with the transfer of the student. Removes a provision that requires use of certain federal funds under the Indiana student enrichment grant program. Makes certain changes to the referendum time line. Repeals the following provisions regarding the student learning recovery grant program: (1) The appropriation in the 2021 fiscal year. (2) The expiration of the program. Repeals provisions regarding the expiration of the Indiana student enrichment grant program. Provides that a state educational institution (institution) must implement a policy to publish information concerning any act of hazing committed by a member of a group or organization that is adjudicated by the institution. Requires an institution to publish a public report concerning certain information about an investigation that results in a finding that hazing was committed. Specifies what an institution is required to publish on a website in connection with the public report concerning hazing. Allows an individual who is at least 16 years of age to enroll in and attend a training program for certification as a Firefighter I, Firefighter II, or emergency medical technician.

**Public Law 5-2024, Senate Enrolled Act 1 – Various Effective Dates
Reading Skills**

Adds IC 20-28-5-19.8; IC 20-30-7-13; IC 20-32-2-2.1; IC 20-32-8.5-0.5; IC 20-32-8.5-0.7; IC 20-32-8.5-2.5

Amends IC 20-24-8-5; IC 20-24.2-4-3; IC 20-24.2-4-4; IC 20-26.5-2-3; IC 20-28-5-19.7; IC 20-30-7-1; IC 20-31-4.1-7; IC 20-32-1-1; IC 20-32-2-3; IC 20-32-5.1-6; IC 20-32-5.1-17; IC 20-32-8.5-2; Various Others

Provides that the department of education (department) may grant certain individuals a waiver that provides an exception to the literacy endorsement requirements if the department submits a report to the legislative council by a specified date. Requires certain schools, beginning with the 2024-2025 school year, to offer summer school courses for students who are not reading proficient or are at risk of not being reading proficient as indicated on the determinant evaluation of reading skills approved by the state board of education (evaluation). Expands eligibility for funding for summer school courses. Requires certain summer school courses to be taught by a teacher, instructor, or tutor who is trained in the science of reading. Provides that if a student does not achieve a 90% attendance rate in a summer reading course, the student is required to participate in an individual reading plan in the following school year. Requires the department of education to procure a universal screening assessment (assessment) that meets certain criteria. Requires certain schools to administer the assessment to students in kindergarten through grade 2 who are not on track for reading proficiency by grade 3 as determined by the department. Requires the state board of education to establish a method for virtual administration of the ILEARN statewide assessment. Provides that a vendor must supply a student's assessment results to the student and the student's parents. Applies the reading deficiency remediation plan (plan) to public schools, charter schools, state accredited nonpublic schools, and eligible schools. Makes the following changes to the plan: (1) Beginning with evaluations administered in the 2024-2025 school year, requires retention of a student in grade 3 in addition to remediation if the student has not achieved a passing score on the evaluation. (2) Requires schools to notify a student's parent of certain assessment results, interventions, or remedial

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

actions provided to the student. (3) Requires schools to monitor the progress of students who have failed to achieve a passing score on the evaluation or the statewide assessment program test. (4) Requires schools to provide reading instruction aligned with the science of reading to all students in kindergarten through grade 8. (5) Requires schools to administer the evaluation to students who are in grade 2. (6) Requires a student to take the evaluation until certain conditions are met. (7) Requires school reporting on interventions for certain students at risk of not being reading proficient and for certain students who do not achieve a valid passing score on the determinant evaluation of reading skills. Creates exceptions to the grade 3 retention requirement for a student who meets certain criteria. Requires the governing body of a school to establish a procedure allowing a parent or guardian of a student to appeal the student's retention under the plan. Requires the department to notify the parent or guardian of a child enrolled in kindergarten of the retention requirements under the plan.

**Public Law 108-2024, Senate Enrolled Act 150 – Various Effective Dates
Artificial Intelligence and Cybersecurity**

Adds IC 2-5-53.7; IC 4-13.1-4; IC 4-13.1-5

Amends IC 5-15-5.1-14

Creates the artificial intelligence task force (task force) to study and assess use of artificial intelligence technology by state agencies. Provides that political subdivisions, state agencies, school corporations, and state educational institutions (public entities) may adopt a: (1) technology resources policy; and (2) cybersecurity policy; subject to specified guidelines. Specifies requirements for: (1) public entities; and (2) entities other than public entities; that connect to the state technology infrastructure of Indiana. Provides, with regard to a licensing contract entered into by a state agency for use of a software application designed to run on generally available desktop or server hardware, that the contract may not restrict the hardware on which the state agency installs or runs the software. Provides that if a state agency enters into a contract with a person under which the state agency runs software on hardware owned or operated by the person, the office of technology shall ensure that the state agency fully complies with the licensing terms of all software run on the person's hardware. Provides that an executive or legislative state agency may submit to the office of technology and the task force an inventory of all artificial intelligence technologies in use, or being developed or considered by the state agency for use, by the state agency. Provides that, subject to specified exceptions: (1) title to any record of state government is held by the state; and (2) title to any record of a local government is held by that local government.

**Public Law 115-2024, Senate Enrolled Act 212 – Effective July 1, 2024
Various Education Matters**

Adds IC 20-22-3-12

Amends IC 20-21-2-4; IC 20-26-5-4.3; IC 20-28-3-3.1; IC 20-28-8-6; IC 20-52-3-3; IC 20-52-4-2

Repealed IC 20-43-1-22; IC 20-43-9; IC 20-57-7

Provides that the Indiana school for the blind and visually impaired board shall give preference to a candidate for the chief executive officer position who meets the qualifications for an Indiana teacher's certificate in the area of visual impairment disabilities, but shall not require a candidate for the chief

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

executive officer position to meet the qualifications for an Indiana teacher's certificate in the area of visual impairment disabilities. Provides that, subject to approval by the Indiana school for the deaf board, the Indiana school for the deaf may partner with an existing nonprofit corporation to benefit the purposes of the school. Provides that the public meeting that must be held before a contract for employment is entered into by a governing body and a school superintendent may take place at a regular or special meeting of the governing body and does not have to happen at least seven days before the contract is entered into. Prohibits a teacher preparation program from using curriculum or content that is based on the three-cueing model. Provides that if only one new member is elected to the board of the governing body, a governing body may enter into a contract with a superintendent after the election. Repeals the primetime program. Amends the Indiana student enrichment grant program. Repeals provisions regarding the primetime program.

**Public Law 78-2024, Senate Enrolled Act 221 – Effective July 1, 2024
State Board of Accounts**

Amends IC 5-11-1-28; IC 5-11-5-1; IC 5-11-14-2; Various Others

Limits the authority of the director of the special investigations department to investigations involving public monies that are the subject of financial examinations undertaken by the state board. Provides that an internal audit or risk assessment conducted by or on behalf of the state shall remain confidential, and that the state and other individuals may not divulge information related to an internal audit or risk assessment unless required to do so in accordance with a judicial order. Provides an exception allowing the state and other individuals to divulge information related to an internal audit or risk assessment to: (1) the state examiner; (2) the director of the office of management and budget; (3) an external auditor, in accordance with professional auditing standards; or (4) any other individual for any reason that constitutes good cause as determined by the state examiner and approved by the director of the office of management and budget. Provides that if a majority of a governing body is present during an exit conference, or any conference initiated by the state examiner to discuss an examination status, the governing body shall be considered in an executive session. Removes a mandatory requirement that city clerks attend the annual training institute conducted by the state board of accounts. Limits the requirement that certain newly elected or appointed local officers complete five hours of approved training courses before the individual first takes office to only individuals first elected or appointed to the office of clerk-treasurer or city controller (and excluding city clerk). Requires an individual elected to the office of county auditor to annually certify completion of the individual's training requirements and file the certification with the state board.

**Public Law 122-2024, Senate Enrolled Act 252 – Various Effective Dates
Notice Publication**

Adds IC 5-3-1-0.9; IC 5-3-2-0.1

Amends IC 5-3-1-0.2; IC 5-3-1-0.4; IC 5-3-1-0.7; IC 5-3-2-2

Changes the qualifications required for a newspaper to publish legal notices as follows: (1) A newspaper must have been published for 12 consecutive months (instead of three years). (2) A newspaper must have had an average paid circulation during the preceding year of at least 500 (instead of 200) that may include the number of website page views reported by a website's host provider. (Current law only includes the average requested or paid circulation as reported in the United States Postal Service Statement of

NEW LAWS AFFECTING SCHOOLS (CONTINUED)

Ownership.) Requires a locality newspaper to have been published for 12 consecutive months (instead of three years) to be eligible to publish legal notices. Requires a paid circulation threshold for a newspaper published in a county of 2% of the county population. Makes technical corrections.

**Public Law 36-2024, Senate Enrolled Act 270 – Various Effective Dates
Various Education Matters**

Adds IC 20-26-7.1-11

Amends IC 20-26-5-4; IC 20-26-7-47; IC 20-26-7.1-1; IC 20-26-7.1-3; IC 20-26-7.1-4; IC 20-26-7.1-5; IC 20-26-7.1-5.3; IC 20-26-7.1-9; IC 20-46-1-8; IC 20-46-8-11.2;

Establishes limitations regarding the lease of school property. Amends the enrollment threshold regarding when a school building is considered underutilized. Makes changes regarding requiring (instead of allowing) a school building to be closed or made available for lease or purchase. Provides that school corporations that meet certain requirements regarding sharing operating referendum tax levy and school safety referendum tax levy revenue are not subject to the transfer of vacant school building provisions. Provides that no resolution, referenda, or distributed revenue prior to May 10, 2023, are effective to provide exemption from the transfer of vacant school building provisions. Exempts school corporations that have had a designation as a distressed political subdivision within the previous three years from the transfer of vacant school building provisions. Establishes additional requirements regarding notice, determinations, and appeals under the transfer of vacant school building provisions. Amends requirements with regard to: (1) bringing a civil action to enforce a final order to make a covered school building available for purchase or lease; (2) the time frame for which a school building must be used; and (3) transferring a school building back to a school corporation. Provides that, if a school corporation transfers a covered school building in violation of the transfer of vacant school building provisions, the transfer is void and allows for a court action with the award of attorney's fees. Changes certain formulas to reference property tax levies collected (current law references property tax levies imposed). Requires the commission for higher education to: (1) study and make recommendations; and (2) submit a report; regarding allowing Ivy Tech Community College to award bachelor's degrees and Vincennes University to offer additional programs that lead to a bachelor's degree. Makes conforming changes.

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