

reflect any search time of less than one (1) hour.

SECTION 2. IC 20-18-2-4, AS ADDED BY P.L.1-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. "Elementary school" means any combination of kindergarten and grades 1, 2, 3, 4, 5, 6, 7, or 8, school that provides instruction for any of the following:

- (1) Kindergarten.
- (2) Grade 1.
- (3) Grade 2.
- (4) Grade 3.
- (5) Grade 4.
- (6) Grade 5.
- (7) Grade 6.
- (8) Grade 7.
- (9) Grade 8.

SECTION 3. IC 20-19-2-22.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22.5. (a) As used in this section, "EDR working group" refers to the education dispute resolution working group established under subsection (b).

(b) The state board shall establish the education dispute resolution working group to collaborate and develop recommendations concerning topics described in subsection (g). The EDR working group consists of the following:

- (1) The following members appointed by the state board:
 - (A) A representative of Indiana Disability Rights, recommended by the organization.
 - (B) A representative of The Arc of Indiana, recommended by the organization.
 - (C) An employee of the department, recommended by the state superintendent of public instruction.
 - (D) A representative of the Indiana Council of Administrators of Special Education (ICASE), recommended by the organization.
 - (E) A representative of the Indiana School Boards Association, recommended by the organization.
 - (F) A representative of the Indiana Association of Public School Superintendents, recommended by the organization.
 - (G) A representative of INSOURCE, recommended by the organization.
 - (H) The member of the state board described in section



2.2(a)(3) of this chapter.

(I) The member of the state board described in section 2.2(a)(4) of this chapter.

(2) The following two (2) members nominated by one (1) of the representatives described in subdivision (1)(A), (1)(B), (1)(C), or (1)(G) and approved by the majority of the members described in subdivision (1):

(A) A parent of a student with a disability.

(B) A parent of a student who is not receiving special education services.

A member described in this subdivision may not be a current or retired employee of a school corporation or have another affiliation with a school other than having a child attending a school.

(c) The state board shall appoint a member described in subsection (b)(1)(H) or (b)(1)(I) to serve as chairperson for the EDR working group. The state board shall provide administrative and staffing support for the EDR working group.

(d) The first meeting of the EDR working group shall occur by August 1, 2019, and be convened by the chairperson of the EDR working group. Except for the appointment of the two (2) members described in subsection (b)(2), the affirmative votes of at least six (6) members of the EDR working group are necessary for the EDR working group to take action.

(e) All EDR working group meetings shall be open to the public.

(f) The department shall prepare an initial report for the EDR working group's consideration at its first meeting of readily obtainable information related to the cost of educational disputes, including but not limited to the cost of hearing officers serving in the capacity of hearing officers or mediators pursuant to 511 IAC 7.

(g) On or before November 1, 2019, the EDR working group shall study and make recommendations to the department, the state board, and, in an electronic format under IC 5-14-6, the general assembly regarding the following topics or other state education laws:

(1) The complaint and investigation requirements set forth in 511 IAC 7-45-1 that could reduce costs to school corporations and parents of students with disabilities.

(2) The recruitment, training, and payment of administrative law judges or hearing officers.

(3) A system of access to low cost legal advocacy regarding



educational disputes that encourages efficient resolution of disputes and does not incentivize protraction.

(4) Implications to the receipt of federal funding regarding changes made to 511 IAC 7.

(5) Information and communication strategies to parents of students with disabilities and school corporations for resolving disputes concerning special education issues.

(6) Patterns of complaints that emerge regarding special education rights and services, in order for the department to develop strategies to better resolve issues that lead to a particular pattern of complaints.

(7) Appropriateness of nondisclosure agreements in settlements involving special education and public schools.

(8) Whether the department shall establish a special education board of appeals to review administrative hearings or findings.

(9) Whether a dispute resolution ombudsman within the department would reduce costs relating to legal advocacy and facilitate more efficient resolution of disputes.

(h) In developing its recommendations under subsection (g), the EDR working group shall consider:

(1) not deterring legitimate complaints;

(2) successful approaches from other states;

(3) a process to develop a statewide or regional education dispute resolution ombudsmen concept to facilitate efficient resolution of disputes;

(4) administrative law judge (including independent hearing officer) recruitment, training, and payment; and

(5) ensuring that recommendations made by the EDR working group are consistent with cooperative federalism.

The EDR working group shall consider any opinions rendered by the United States Department of Education.

(i) This section expires December 31, 2020.

SECTION 4. IC 20-19-3-20.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20.5. (a) This section does not apply to a mediator or independent hearing officer retained by the department before July 1, 2019.

(b) Not later than January 1, 2021, the department shall ensure that all mediators, administrative law judges, hearing officers, and other appointees, employees, and contractors who:

(1) are initially retained by the department after June 30,

