



INPEA Update March 2014

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2014 General Session in Review

The non-budget short session of the Indiana General Assembly yielded a number of pieces of legislation of varying significance. I will provide a brief review of some of the more significant pieces of legislation that impact non-public schools, as well as our other updates.

For a full copy of any these bills, visit <http://iga.in.gov/legislative/2014/bills/>

HB 1004 Early Learning Pilot Grant Program

Authorizes the office of the secretary of family and social services (office) to establish a pilot program (pilot program) to make grants to certain entities that provide qualified early education services to eligible children who are four years of age. **The pilot will include eligible providers in 5 selected counties.** The amount of a grant made under the pilot program for an eligible child: **(1) must equal at least \$2,500 during the state fiscal year; and (2) may not exceed \$6,800 during the state fiscal year.** Specifies that at least 10% but not more than 50% of the tuition for eligible children under the pilot program during the state fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, or from other sources. The definitions from the law regarding an eligible child and eligible providers can be found below. We will pass along more information (e.g., pilot counties and process to apply to participate) as it is made available.

"Eligible Child" refers to an individual who:

(1) is at least four (4) years of age and less than five (5)

[Indiana Association of Independent Schools](#)
[Indiana Conference of Seventh-Day Adventists](#)
[Lutheran Church Missouri Synod](#)
[The Lutheran School Partnership](#)

Resources

[American Federation for Children](#)
[Council for American Private Education](#)
[Friedman Foundation for Educational Choice](#)
[Indiana Catholic Conference](#)
[Indiana Department of Education](#)
[National Center for Education Statistics](#)
[School Choice Indiana](#)
[U.S. Department of Education](#)

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years of age on August 1 of the state fiscal year for which a grant is sought under the pilot program;

(2) is a resident of Indiana or otherwise has legal settlement in Indiana;

(3) is a member of a household with an annual income that does not exceed one hundred twenty-seven percent (127%) of the federal poverty level;

(4) receives qualified early education services from an eligible provider, as determined by the office;

(5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider; and

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office.

"Eligible Provider" refers to a provider that satisfies the following conditions:

(1) The provider is:

(i) public school, including a charter school;

(ii) child care center licensed under IC 12-17.2-4;

(iii) child care home licensed under IC 12-17.2-5; or

(iv) child care ministry registered under IC 12-17.2-6;

that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating; or

(B) a school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education.

(2) The provider provides qualified early education services to eligible children.

(3) The provider is located in a county in which the pilot program is implemented.

Sec. 6. As used in this chapter, **"qualified early education services"** refers to a program of early education services that:

(1) is provided by an eligible provider to an eligible child;

(2) includes a parental engagement and involvement component provided by the eligible provider;

(3) administers the kindergarten readiness assessment adopted by the state board of education; and

(4) meets the design parameters for inclusion in the longitudinal study.

HB 1079 Student Transfers

Provides that the governing body of a school corporation may authorize the school corporation to enter into an agreement with an accredited nonpublic school or charter school to allow students of the accredited nonpublic school or charter school to transfer to a school within the school corporation.

Provides that a school corporation that has adopted a policy not to accept student transfers after June 30, 2013, is not prohibited from enrolling a member of a household in which any other member of the household was a transfer student who attended a school within the school corporation during the 2012-2013 school year.

Provides that in the event a school corporation enrolls a transfer student or a member of the same household of a transfer student that attended a school corporation during the 2012-2013 school year, **the school corporation shall also allow a student or member of the same household of a student who attended an accredited nonpublic school within the attendance area of the school corporation during the 2012-2013 school year to enroll in a school within the school corporation.**

HB 1290 Health of Student Athletes

Adds athletic trainers to the definition of "health care provider" for purposes of laws concerning hospitals and public health measures.

Requires the department of education to disseminate guidelines, information sheets, and forms to school corporations, charter schools, public schools, and **accredited nonpublic schools** to inform and educate coaches, student athletes, and parents and legal guardians of student athletes of the nature and risk of sudden cardiac arrest.

Requires that a form acknowledging receipt of the information sheet must be returned to the student athlete's coach each year before beginning practice for an athletic activity.

Requires that a student athlete who is suspected of experiencing a symptom of sudden cardiac arrest must be removed from the athletic activity at the time the symptom is identified.

Provides that the student athlete may not return to practice and play until the student athlete's parent or legal guardian has been informed and the parent or legal guardian has provided permission for the student to return to practice and play

Requires an applicant for an athletic trainer license to submit to a national criminal history background check.

Provides that the athletic trainers board may conduct a random audit and require an individual seeking a renewal of an athletic trainer license to submit to a national criminal history background check.

Requires that each school corporation and accredited nonpublic school shall include in the school corporation's or accredited nonpublic school's high school health education curriculum instruction in cardiopulmonary resuscitation and use of an automated external defibrillator for its students.

SB 91 Education Standards

Provides that before July 1, 2014, the state board of education (state board) shall adopt Indiana college and career readiness educational standards.

Provides that academic standards (Common Core) adopted prior to July 1, 2014, are void on the earlier of: July 1, 2014; or, the date academic standards are adopted.

Provides that during the 2015-2016 school year, the state board shall authorize the department to administer either the ISTEP assessment or a comparable assessment program that is aligned with the educational standards.

SB 114 Excused Absences from School for State Fair Activities

Provides that the governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize, for not more than five instructional days in a school year, the absence and excuse of each school student if the student or a member of the student's household participates or exhibits in the state fair.

SB 222 Student Athlete Concussions

Provides that a high school student athlete who has been removed from play because of a suspected concussion or head injury may not return to play until at least 24 hours have passed since the incident. Beginning July 1, 2014, requires football coaches and assistant football coaches who are coaching individuals less than 20 years of age to complete a course concerning player safety and concussions at least once during a two year period. Provides civil immunity for football coaches in certain circumstances.

SB 229 Possession of Firearms

Removes the exemption from a prior law that would not have allowed school employees to keep guns locked and out of sight in their vehicles on school property. Allows licensed gun owners (except students) to have guns in a car on school property if locked and out of sight. If the firearm is not locked or out of sight, it reduces the penalty from a felony to a misdemeanor. We continue to research the implication on private schools and their ability to implement policies that would be in conflict with the intent of the law.



INPEC 2014: A Whole New World of Learning

October 23-24, 2014, Indianapolis Convention Center

The INPEC program committee has put most of the

finishing touches on the 2014 INPEC program. Over 100 sessions have been planned in the following strands: Leadership, Early Childhood, Special Education/Differentiation, Instructional Practices and Assessment, Faith in Learning, Technology/21st Century Learning, Marketing/Development/Fiscal Practices, School Culture and Student Support as well as Best Practices Networking.

Preview our two **keynote speakers**: [Alan November](#) and [Gary McGuey](#).

Also, new for INPEC 2014 is a **WiFi-enhanced learning experience**. With full WiFi availability, registrants will be encouraged to bring their wireless devices (iPads, tablets, smartphones) to engage in the INPEC electronic learning community. Through the use of Twitter, Today'sMeet, and other online meeting blogs, participants can extend the professional development experience by interacting with colleagues during their sessions and continuing those professional relationships after the conference as well. See you there and BYOD!

Your [INPEC Budget Guide](#) contains valuable information on expenses to help save you money and assist you in planning for the conference.

So watch for registration!!! It's coming to a computer near YOU!

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State Issues

With the change in IDOE administration, including its legal staff, there have been a number of issues where there has been confusion regarding the applicability of certain programs and assessments to non-public schools (State accredited/Freeway accredited/Choice schools). There have been times when legal staff and program staff are not in agreement, and other times when there is a lack of communication between IDOE programs and staff. This has caused a good bit of confusion and a great deal of effort on INPEA's part to track down the appropriate personnel to get agreement on an issue. I am going to highlight a couple of those issues below.

HEA 1005 (Accuplacer)

This law that passed in 2013 focused on level of remediation that is required at the post secondary level for high school level content. To that end, a diagnostic assessment was required for students "at risk" (defined by PSAT scores and ECA passage). It is still unclear if the law was ever intended for non-public schools, but because of where it was placed in a code (a section that did apply to non-public schools), the IDOE has interpreted it as applying to "some" non-public schools. Guidance from IDOE has said it applied to all non-pubs, but that seems to be in error since all non-pubs do not take ECAs. Currently, it appears to apply to State accredited, Traditional and Freeway and any voucher school. School accredited by other accrediting bodies but are NOT voucher schools are exempt. There was also an exemption for any school that tests on iPads or tablets since Accuplacer does not accommodate those platforms.

Weather Waiver

Hopefully winter is finally over (even if it does not feel like spring)! Again, just to clarify previous communication on the 180 day waivers: Waivers, for IDOE's purposes, are based on being paid for an instructional day. This does not apply to non-public schools, not even voucher schools. Hence, even though there is an expectation that state accredited schools have 180 days of instruction, we do not need to apply for waivers to IDOE nor do we have to get their approval for how we make our time/days. Some jurisdiction may require approval for that make-up time, but otherwise, our main accountability is to our parents who pay for those days through tuition.

CoreLink

Again there have been mixed messages with this assessment as well. INPEA sent a communication to jurisdictional heads a few weeks ago after discussion with an IDOE attorney. The communication stated that nothing in law requires non-pubs to take the assessment, but IDOE strongly encouraged participation. The Office of Student Assessment has communicated (and continues to) that they think the assessment is required, although they agree that there is no legal basis.

CoreLink is designed as a bridge between ISTEP and the new college and career readiness assessment. This year it is being used to pilot banks of test questions that will be used in the new assessment. IDOE staff believes that it is for the students' benefit to experience these types of test questions before they are a part of the assessment for accountability (A-F). So even if it not legally required, they strongly believe that it is in the best interest of your students and schools to participate.

Tuition and Vouchers for Choice Schools

INPEA has conducted a number of webinars for school leaders on tuition structures and voucher rules. If your school has not participated in one of these webinars and you have questions about your tuition structures, please contact John. **It is essential that schools adhere to the letter of the law in this area so the program is not jeopardized for the other 312 schools participating in the program.**

The 2014-15 voucher application window is open through September 1st.

Special Education Vouchers

INPEA and IDOE will be presenting a [webinar on the special education part of the voucher program](#) on April 9th from 3-4:30pm ET. The webinar will review the requirements of the program and explore other aspects of special education service delivery for Choice Scholarship (voucher) students.

Schools currently participating in this aspect of the program were emailed a [survey](#). Please respond by April 1st.

Seclusion And Restraint Plan

Public Hearings/ Public Comments

In the 2013 General Assembly Session, SB 345 was passed which required schools, including state accredited non-public schools, to have a seclusion and restraint plan in place by July 1, 2014. A State Commission was named, which included an INPEA rep. The Commission had

to develop both rules and a sample plan for schools. An INPEA committee has further refined the plan for non-public schools. This information will be available in late April.

As a part of the process as defined by the state, there have been three public hearings scheduled in different areas of the state. The hearings are scheduled for April 21st in Indianapolis, April 23rd in Evansville and April 24 in Chesterton. The posting for the meetings can be found here. [Hearings](#)

Folks will also have an opportunity to submit written comments. INPEA will share that link when it becomes available.

The most recent draft (not final) of the rules can be found here. [Rules](#)

Dues and Data

For schools that have submitted your dues and data, thank you, thank you, thank you! If you haven't yet, it's not too late. Both dues and data are important to INPEA operations.

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Thanks for your support!

Sincerely,
John



John Elcesser
Executive Director
Indiana Non-Public Education Association

With support from
Rose Soliven
Office and Communications Coordinator
Indiana Non-Public Education Association