HOUSE BILL No. 1366

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DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-35-7.5.

Synopsis: High school IEP diplomas for students with a disability. Allows a student who is a child with a disability to receive a high school individualized education program (IEP) diploma.

Effective: July 1, 2008.

Stilwell

January 16, 2008, read first time and referred to Committee on Education.

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.
  Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.
  Conflict reconciliation: Text in a statute in *this style type* or *~~this style type~~* reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1366

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

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

1   SECTION 1. IC 20-35-7.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2008]:
4   **Chapter 7.5. High School Individualized Education Program**
5 **Diploma for Students With Disabilities**
6   **Sec. 1. As used in this chapter, "child with a disability" has the**
7 **meaning set forth in IC 20-35-1-2.**
8   **Sec. 2. As used in this chapter, "high school individualized**
9 **education program diploma" means a certificate of graduation**
10 **that a governing body issues to a student who is a child with a**
11 **disability to certify that the student has successfully achieved the**
12 **educational goals specified in the student's individualized**
13 **education program.**
14   **Sec. 3. Notwithstanding any other law:**
15   **(1) the governing body of a school corporation may; or**
16   **(2) for students attending a nonpublic school, the principal of**
17   **a nonpublic school may;**

issue a high school individualized education program diploma to a
student who is a child with a disability and who satisfies the
requirements of this chapter.

Sec. 4. Upon application of a student who is a child with a
disability or upon application of the student's parent:
(1) the governing body of a school corporation may; or
(2) for students attending a nonpublic school, the principal of
a nonpublic school may;
award a high school individualized education program diploma to
the student at any time after the student has attended school or has
received a substantially equivalent education elsewhere for at least
twelve (12) years, excluding kindergarten, upon a finding that the
student has achieved the educational goals specified in the student's
individualized education program. This finding must be based on
the recommendation of the student's teacher of record, in
consultation with the student's teacher in each of the subject areas
in which the student is enrolled.

Sec. 5. At the end of the school year in which a student who is a
child with a disability becomes twenty-one (21) years of age:
(1) the governing body of a school corporation may; or
(2) for students attending a nonpublic school, the principal of
a nonpublic school may;
award a high school individualized education program diploma to
a student who is a child with a disability upon a finding that the
student has achieved the educational goals specified in the student's
individualized education program. This finding must be based on
the recommendation of the student's teacher of record, in
consultation with the student's teacher in each of the subject areas
in which the student is enrolled.

Sec. 6. (a) Before awarding a high school individualized
education program diploma under this chapter, the governing
body of the school corporation or nonpublic school must adopt
written policies and procedures ensuring that students with
disabilities are provided appropriate opportunities to earn a high
school diploma in accordance with the provisions of IC 20-32-4-1
through IC 20-32-4-5.

(b) A copy of the school corporation's or nonpublic school's
policies and procedures adopted under subsection (a) must be kept
on file with the state superintendent.

Sec. 7. A high school individualized education program diploma
awarded under this chapter must be identical in form to the high
school diploma issued by the school corporation or nonpublic

school, except that there must appear on the front side of the high school individualized education program diploma an annotation clearly indicating that the diploma is awarded on the basis of the student's successful achievement of the educational goals specified in the student's individualized education program.

Sec. 8. If a student receiving a high school individualized education program diploma under this chapter is less than twenty-one (21) years of age at the time the diploma is awarded, the diploma must be accompanied by a written statement of assurance that the student continues to be eligible to attend the public school where the student has legal settlement without the payment of tuition until:

(1) the student earns a high school diploma; or

(2) the end of the school year in which the student becomes twenty-one (21) years of age;

whichever is earlier.

Sec. 9. Each superintendent of a school corporation or principal of a nonpublic school must submit to the department, before June 15, a report concerning students awarded high school individualized education program diplomas in that school year. The report must be in a form prescribed by the state board and must contain any information the state board requires.

Sec. 10. The state board shall adopt rules under IC 4-22-2 to implement this chapter.