

## ENGROSSED SENATE BILL No. 389

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DIGEST OF SB 389 (Updated February 20, 1998 6:35 pm - DI 71)

**Citations Affected:** IC 20-8.1; IC 20-10.1; IC 21-3.

**Synopsis:** Education issues. Requires the department of education to establish a state resources program for high ability students. Allows the governing body of a school corporation to develop a local plan to provide appropriate educational experiences to high ability students at all grade levels in the school corporation. Provides that the governing body of a school corporation that receives \$800 per student as an honors diploma award may give \$800 to each student who successfully completes an academic honors diploma program for which the school corporation receives an award. Repeals the law providing for an optional gifted and talented curriculum in local schools and makes  
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**Effective:** July 1, 1998.

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### Harrison, Kenley, Bowser

(HOUSE SPONSORS — KLINKER, WARNER, GRUBB, DAVIS)

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January 12, 1998, read first time and referred to Committee on Education.  
January 29, 1998, amended, reported favorably — Do Pass.  
February 2, 1998, read second time, amended, ordered engrossed.  
February 3, 1998, engrossed. Read third time, passed. Yeas 40, nays 10.

HOUSE ACTION

February 10, 1998, read first time and referred to Committee on Education; reassigned to Committee on Ways and Means.  
February 17, 1998, amended, reported — Do Pass.  
February 20, 1998, read second time, amended, ordered engrossed.

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ES 389—LS 7179/DI 02+



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conforming amendments. Provides that a person who holds a GED diploma may obtain a high school diploma from the school corporation where the person has residence by passing the graduation examination under the ISTEP program within four years of obtaining the GED diploma. Requires the school corporation to administer the graduation examination at the regularly scheduled time for the examination to a GED diploma holder who wishes to take or retake the examination. Provides that a school corporation is not required to remediate a GED diploma holder who does not pass the graduation examination. Allows a school corporation to receive state adult education distribution money for adult education programs for GED diploma holders who wish to obtain a high school diploma by passing the graduation examination.

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Reprinted  
February 23, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## ENGROSSED SENATE BILL No. 389

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 20-8.1-10-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. The governor's  
3 scholars academy is established for the purposes of administering and  
4 operating a public, residential, coeducational school to be held in the  
5 summer for high school students in Indiana who are ~~gifted children~~  
6 **high ability students** as described in ~~IC 20-10.1-7-4.5(b)~~.  
7 **IC 20-10.1-5.1.**

8 SECTION 2. IC 20-10.1-5.1 IS ADDED TO THE INDIANA CODE  
9 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 1998]:

11 **Chapter 5.1. Education Programs for High Ability Students**  
12 **Sec. 1. As used in this chapter, "domain" includes the following**  
13 **areas of aptitude and talent:**  
14 (1) **General intellectual.**  
15 (2) **General creative.**  
16 (3) **Specific academic.**

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- 1           (4) Technical and practical arts.  
 2           (5) Visual and performing arts.  
 3           (6) Interpersonal.
- 4           **Sec. 2. As used in this chapter, "high ability student" means a**  
 5 **student who:**  
 6           (1) performs at, or shows the potential for performing at, an  
 7           outstanding level of accomplishment in at least one (1) domain  
 8           when compared to other students of the same age, experience,  
 9           or environment; and  
 10          (2) is characterized by exceptional gifts, talents, motivation,  
 11          or interests.
- 12          **Sec. 3. The department shall establish a state resources program**  
 13 **using existing state resources that:**  
 14          (1) supports school corporations in the development of local  
 15          programs for high ability students;  
 16          (2) enables educational opportunities that encourage high  
 17          ability students to reach the highest possible level at every  
 18          stage of the students' development; and  
 19          (3) provides state integrated services that include, but are not  
 20          limited to, the following:  
 21                  (A) Information and materials resource centers.  
 22                  (B) Professional development plan and programs.  
 23                  (C) Research and development services.  
 24                  (D) Technical assistance that includes the following:  
 25                          (i) Student assessment.  
 26                          (ii) Program assessment.  
 27                          (iii) Program development and implementation.
- 28          **Sec. 4. A governing body may do the following:**  
 29          (1) Develop and periodically update a local plan to provide  
 30          appropriate educational experiences to high ability students  
 31          kindergarten through grade 12. The plan must include the  
 32          following components:  
 33                  (A) Establish a broad-based planning committee that  
 34                  meets periodically to review the LEA plan for high ability  
 35                  students. The committee must have representatives from  
 36                  diverse groups representing the school and community.  
 37                  (B) Student assessment.  
 38                  (C) Professional development.  
 39                  (D) Development and implementation of a local program  
 40                  for high ability students.  
 41                  (E) Evaluation of the local program for high ability  
 42                  students.



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1           **(2) Provide a local program for high ability students in**  
 2           **accordance with the plan that the governing body develops**  
 3           **under subdivision (1) for the high ability students in the**  
 4           **school corporation in kindergarten through grade 12.**

5           SECTION 3. IC 20-10.1-12.1-5 IS ADDED TO THE INDIANA  
 6           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 7           [EFFECTIVE JULY 1, 1998]: **Sec. 5. (a) As used in this section,**  
 8           **"eligible person" means a person who:**

9           **(1) has residence in a school corporation; and**  
 10           **(2) holds a state of Indiana general educational development**  
 11           **(GED) diploma issued within four (4) years of the date of**  
 12           **administration of the graduation examination under**  
 13           **subsection (e).**

14           **(b) As used in this section, "graduation examination" has the**  
 15           **meaning set forth in IC 20-10.1-16-1.5.**

16           **(c) As used in this section, "ISTEP+ diploma seal" means an**  
 17           **appropriate indicator that:**

18           **(1) is imprinted, impressed, or otherwise affixed to an eligible**  
 19           **person's diploma; and**  
 20           **(2) certifies that the eligible person has received a passing**  
 21           **score on the graduation examination.**

22           **(d) As used in this section, "residence" has the meaning set forth**  
 23           **in IC 3-5-2-42.5.**

24           **(e) At the regular time when the graduation examination is**  
 25           **administered to students of a school corporation, a school**  
 26           **corporation shall administer a graduation examination to an**  
 27           **eligible person who asks to take or retake the graduation**  
 28           **examination.**

29           **(f) The governing body of a school corporation that administers**  
 30           **a graduation examination to an eligible individual shall affix an**  
 31           **ISTEP+ diploma seal to the GED diploma of an eligible person**  
 32           **who:**

33           **(1) receives a passing score on the graduation examination;**  
 34           **and**  
 35           **(2) makes the eligible person's GED diploma available to the**  
 36           **school corporation for purposes of this subsection.**

37           **(g) Notwithstanding IC 20-10.1-17 or any other law, a school**  
 38           **corporation is not required to provide remediation to an eligible**  
 39           **person who does not pass the graduation examination.**

40           SECTION 4. IC 21-3-1.7-9.8, AS ADDED BY P.L.260-1997(ss),  
 41           SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42           JANUARY 1, 1998 (RETROACTIVE)]: **Sec. 9.8. (a) In addition to the**



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1 distributions under sections 8, 9.5, and 9.7 of this chapter, a school  
2 corporation is eligible for an honors diploma award in the amount  
3 determined under STEP TWO of the following formula:

4 STEP ONE: Determine the number of the school corporation's  
5 eligible pupils who successfully completed an academic honors  
6 diploma program in the school year ending in the previous  
7 calendar year.

8 STEP TWO: Multiply the STEP ONE amount by eight hundred  
9 dollars (\$800).

10 **(b) Each year the governing body of a school corporation may**  
11 **use the money that the school corporation receives for an honors**  
12 **diploma award under this section to give eight hundred dollars**  
13 **(\$800) to each eligible pupil in the school corporation who**  
14 **successfully completes an academic honors diploma program in the**  
15 **school year ending in the previous calendar year.**

16 SECTION 5. IC 20-10.1-7-4.5 IS REPEALED [EFFECTIVE JULY  
17 1, 1998].

18 SECTION 6. **An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill 389, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 41, delete "shall" and insert "**may**".

Page 3, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 3. IC 21-3-1.7-9.8, AS ADDED BY P.L.260-1997(ss), SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: Sec. 9.8. **(a)** In addition to the distributions under sections 8, 9.5, and 9.7 of this chapter, a school corporation is eligible for an honors diploma award in the amount determined under STEP TWO of the following formula:

STEP ONE: Determine the number of the school corporation's eligible pupils who successfully completed an academic honors diploma program in the school year ending in the previous calendar year.

STEP TWO: Multiply the STEP ONE amount by eight hundred dollars (\$800).

**(b) Each year the governing body of a school corporation may use the money that the school corporation receives for an honors diploma award under this section to give eight hundred dollars (\$800) to each eligible pupil in the school corporation who successfully completes an academic honors diploma program in the school year ending in the previous calendar year."**

Page 3, after line 16, begin a new paragraph and insert:

"SECTION 5. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to Senate Bill 389 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 10, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 389 be amended to read as follows:

Page 2, line 42, delete "**to identify**".

Page 3, line 1, delete "**high ability students in the school corporation and**".

Page 3, line 2, delete "**those students with**".

Page 3, line 2, delete "**from**" and insert "**to high ability students**".

Page 3, between lines 4 and 5, begin a new paragraph and insert:

**(A) Establish a broad-based planning committee that meets periodically to review the LEA plan for high ability students. The committee must have representatives from diverse groups representing the school and community."**

Page 3, line 5, delete "**(A)**" and insert "**(B)**".

Page 3, line 6, delete "**(B)**" and insert "**(C)**".

Page 3, line 7, delete "**(C)**" and insert "**(D)**".

Page 3, line 9, delete "**(D)**" and insert "**(E)**".

(Reference is to Senate Bill 389 as printed January 30, 1998.)

HARRISON

SENATE MOTION

Mr. President: I move that Senate Bill 389 be amended to read as follows:

Page 2, line 41, delete "**may**" and insert "**shall**".

(Reference is to Senate Bill 389 as printed January 30, 1998.)

HARRISON

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SENATE MOTION

Mr. President: I move that Senator Kenley be added as second author and Senator Bowser be added as coauthor of Senate Bill 389.

HARRISON

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 389, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 11 through 40, begin a new paragraph and insert:

**"Sec. 3. The department shall establish a state resources program using existing state resources that:**

- (1) supports school corporations in the development of local programs for high ability students;**
- (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and**
- (3) provides state integrated services that include, but are not limited to, the following:**

- (A) Information and materials resource centers.**
- (B) Professional development plan and programs.**
- (C) Research and development services.**
- (D) Technical assistance that includes the following:**
  - (i) Student assessment.**
  - (ii) Program assessment.**
  - (iii) Program development and implementation."**

Page 2, line 41, delete "5." and insert "4."

Page 2, line 41, delete "shall" and insert "**may**".

and when so amended that said bill do pass.

(Reference is to Senate Bill 389 as reprinted February 3, 1998.)

BAUER, Chair

Committee Vote: yeas 24, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 389 be amended to read as follows:

Page 3, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 20-10.1-12.1-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 5. (a) As used in this section, "eligible person" means a person who:**

- (1) has residence in a school corporation; and**
- (2) holds a state of Indiana general educational development (GED) diploma issued within four (4) years of the date of administration of the graduation examination under subsection (e).**

**(b) As used in this section, "graduation examination" has the meaning set forth in IC 20-10.1-16-1.5.**

**(c) As used in this section, "ISTEP+ diploma seal" means an appropriate indicator that:**

- (1) is imprinted, impressed, or otherwise affixed to an eligible person's diploma; and**
- (2) certifies that the eligible person has received a passing score on the graduation examination.**

**(d) As used in this section, "residence" has the meaning set forth in IC 3-5-2-42.5.**

**(e) At the regular time when the graduation examination is administered to students of a school corporation, a school corporation shall administer a graduation examination to an eligible person who asks to take or retake the graduation examination.**

**(f) The governing body of a school corporation that administers a graduation examination to an eligible individual shall affix an ISTEP+ diploma seal to the GED diploma of an eligible person who:**

- (1) receives a passing score on the graduation examination; and**
- (2) makes the eligible person's GED diploma available to the school corporation for purposes of this subsection.**

**(g) Notwithstanding IC 20-10.1-17 or any other law, a school corporation is not required to provide remediation to an eligible person who does not pass the graduation examination."**

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Renumber all SECTIONS consecutively.

(Reference is to Engrossed Senate Bill 389 as printed February 18, 1998.)

V. SMITH

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