

January 29, 1998

HOUSE BILL No. 1389

DIGEST OF HB 1389 (Updated January 28, 1998 12:42 pm - DI 02)

Citations Affected: IC 20-3.1; IC 20-8.1; IC 20-10.1; noncode.

Synopsis: Academic standards commission. Establishes the Indiana academic standards commission to recommend to the Indiana state board of education comprehensive academic standards that are internationally competitive in academic rigor for Indiana elementary and secondary school students. Requires the Indiana academic standards commission to make initial recommendations for academic standards to the Indiana state board of education not later than July 1, 1999. Transfers the duties of the state standards task force to the Indiana academic standards commission. Provides that the commission reviews and recommends for adoption to the state board of education those educational proficiency statements (developed by the department of education with the assistance of the proficiency statements overview committee) that are aligned with academic standards previously adopted by the state board. Changes the term "state achievement
(Continued next page)

Effective: Upon passage; July 1, 1999.

Robertson

January 13, 1998, read first time and referred to Committee on Education.
January 28, 1998, amended, reported — Do Pass.

HB 1389—LS 7273/DI 02



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standards" to equate to a passing score under the ISTEP program. Repeals the state standards task force law and makes conforming amendments.

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HB 1389—LS 7273/DI 02



January 29, 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.

HOUSE BILL No. 1389

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 20-10.1-4.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]:
4 **Chapter 4.9. Indiana Academic Standards Commission**
5 **Sec. 1. As used in this chapter, "commission" refers to the**
6 **Indiana academic standards commission established by section 2**
7 **of this chapter.**
8 **Sec. 2. The Indiana academic standards commission is**
9 **established.**
10 **Sec. 3. (a) The commission consists of the following members:**
11 **(1) The superintendent of public instruction.**
12 **(2) Two (2) cochairpersons appointed by the governor with**
13 **the advice of the state superintendent, who may submit a list**
14 **of nominees to the governor, as follows:**
15 **(A) One (1) person who represents public education.**

HB 1389—LS 7273/DI 02



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- 1 **(B) One (1) person who represents business and industry.**
 2 **(3) The following twenty-one (21) persons appointed by the**
 3 **governor with the advice of the state superintendent, who may**
 4 **submit a list of nominees to the governor:**
 5 **(A) Seven (7) persons who represent business and industry.**
 6 **(B) Seven (7) persons who are actively employed teachers**
 7 **(as defined in IC 20-6.1-1-8).**
 8 **(C) Seven (7) persons who represent:**
 9 **(i) higher education;**
 10 **(ii) labor; and**
 11 **(iii) community leadership.**
 12 **(4) The following four (4) members of the general assembly:**
 13 **(A) Two (2) members of the house of representatives, not**
 14 **more than one (1) of whom is of the same political party,**
 15 **appointed by the speaker of the house of representatives**
 16 **with the advice of the house minority leader.**
 17 **(B) Two (2) members of the senate, not more than one (1)**
 18 **of whom is of the same political party, appointed by the**
 19 **president pro tempore of the senate with the advice of the**
 20 **senate minority leader.**
 21 **(5) The governor's executive assistant for education, who is an**
 22 **ex officio nonvoting member.**
 23 **(6) A representative of the professional standards board**
 24 **(established by IC 20-1-1.4-2), who is an ex officio nonvoting**
 25 **member.**
 26 **(7) A representative of the department of workforce**
 27 **development (established by IC 22-4.1-2-1), who is an ex**
 28 **officio nonvoting member.**
 29 **(8) A representative of the commission for higher education**
 30 **(established by IC 20-12-0.5-2), who is an ex officio nonvoting**
 31 **member.**
 32 **(9) A member of the board who is an ex officio nonvoting**
 33 **member.**
 34 **(b) Appointed members serve until the expiration of the**
 35 **commission.**
 36 **(c) The appointing authority may appoint an individual to fill a**
 37 **vacancy on the commission.**
 38 **Sec. 4. (a) Each member of the commission who is not a state**
 39 **employee is not entitled to the minimum salary per diem provided**
 40 **by IC 4-10-11-2.1(b). The member is, however, entitled to**
 41 **reimbursement for traveling expenses and other expenses actually**
 42 **incurred in connection with the member's duties, as provided in the**

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1 state travel policies and procedures established by the Indiana
2 department of administration and approved by the budget agency.

3 (b) Each member of the commission who is a state employee is
4 entitled to reimbursement for traveling expenses and other
5 expenses actually incurred in connection with the member's duties,
6 as provided in the state travel policies and procedures established
7 by the Indiana department of administration and approved by the
8 budget agency.

9 (c) Each member of the commission who is a member of the
10 general assembly is entitled to receive the same per diem, mileage,
11 and travel allowances paid to individuals serving as legislative
12 members on interim study committees established by the legislative
13 council.

14 (d) This subsection applies to a member of the commission who
15 is actively employed as a teacher (as defined by IC 20-6.1-1-8). The
16 member's employer shall consider each day during the regular
17 school year that a member is engaged in meetings of the
18 commission as a day that the member is engaged in the member's
19 regular employment and is actively employed as a teacher (as
20 defined in IC 20-6.1-1-8).

21 Sec. 5. The commission shall meet upon call of the
22 cochairpersons, who must call the initial meeting of the commission
23 not later than July 1, 1998.

24 Sec. 6. The affirmative vote of a majority of the voting members
25 of the commission is required for the commission to take action.

26 Sec. 7. (a) The department shall staff and facilitate the work of
27 the commission at the direction of the commission.

28 (b) Subject to the approval of contracts and expenditures by the
29 state budget agency, the commission may contract for research
30 services for the commission to be paid from any source.

31 (c) Funding for the commission's activities may come from any
32 source.

33 (d) The commission may appoint individuals or advisory
34 committees to assist the commission in its work.

35 Sec. 8. The commission shall do the following:

- 36 (1) Hold public hearings pertinent to the commission's tasks.
- 37 (2) Review the proficiency standards developed under
- 38 IC 20-10.1-16-6 and the standards adopted by the board for
- 39 the ISTEP program.
- 40 (3) Survey academic standards established in other states and
- 41 countries.
- 42 (4) Develop explanatory documents concerning academic



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standards for distribution to teachers and parents, if the commission's academic standards are adopted by the board.

Sec. 9. (a) The commission shall recommend to the board the following:

(1) Academic standards for students that meet the following requirements:

(A) Are internationally competitive in academic rigor.

(B) Are clear and specific in content.

(C) Include both basic and applied skills.

(D) Provide academic standards for all grade levels.

(E) Provide academic standards for subject areas, including but not limited to the following subject areas:

(i) Mathematics.

(ii) Language arts.

(iii) Social studies.

(iv) Science and technology.

(F) Are reviewed and revised, if necessary, on a cyclical basis that cycles at least as frequently as the textbook adoption cycle established in IC 20-10.1-9-4.

(2) Appropriate student assessments under the ISTEP program (as defined in IC 20-10.1-16-2) to ascertain whether students meet the academic standards established under subdivision (1).

(b) The board may accept in whole or reject in whole the academic standards the commission recommends under subsection (a).

Sec. 10. (a) Not later than December 1, 1999, the commission shall make recommendations to the board concerning the designated state student assessment by reviewing and recommending to the board for the board's approval the following:

(1) The academic standards developed by the commission under this chapter.

(2) The content and format of the testing program, including the graduation examination and the passing scores required at various grade levels.

(b) In making recommendations under subsection (a), the commission:

(1) shall consider:

(A) a variety of available national assessments and tests;

(B) the current ISTEP program tests;

(C) the development of an assessment or a test unique to Indiana that differs from the ISTEP program tests; and

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- 1 **(D) any combination of assessments or tests described**
 2 **under clauses (A) through (C); and**
 3 **(2) is required to recommend to the board state tests that**
 4 **when appropriate:**
 5 **(A) present the content of each test in an interdisciplinary**
 6 **manner; and**
 7 **(B) provide each student with the opportunity to meet the**
 8 **academic standards in an applied manner.**

9 **Sec. 11. The board shall act on a recommendation of the**
 10 **commission within ninety (90) days after the date the commission**
 11 **submits the recommendation to the board.**

12 **Sec. 12. The commission shall make a periodic report to the**
 13 **governor, the general assembly, and the board.**

14 **Sec. 13. (a) This chapter expires June 30, 2002.**

15 **(b) Before December 31, 2001, the governor shall make a**
 16 **written recommendation to the general assembly concerning the**
 17 **continuation of the commission.**

18 SECTION 2. IC 20-3.1-2-17, AS ADDED BY P.L.340-1995,
 19 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 1999]: Sec. 17. "Remediation rate" means the percentage of
 21 students, aggregated by grade, within a school who fail to ~~meet state~~
 22 **achievement standards have a passing score** in a designated grade
 23 level.

24 SECTION 3. IC 20-3.1-2-20, AS ADDED BY P.L.340-1995,
 25 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 1999]: Sec. 20. "~~State achievement standards~~" "**Passing**
 27 **score**" refers to the ~~state achievement standards~~ **passing score** adopted
 28 under IC 20-10.1-17 for the ISTEP program.

29 SECTION 4. IC 20-3.1-3-1, AS ADDED BY P.L.340-1995,
 30 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 1999]: Sec. 1. The following school city conditions and needs
 32 are found to exist on January 1, 1995:

- 33 (1) Education in the school city presents unique challenges.
 34 (2) Student achievement in the school city on statewide tests
 35 consistently has been significantly below:
 36 (A) the state average; and
 37 (B) achievement attained in school corporations adjacent to
 38 the school city.
 39 (3) The need for remediation of students in the school city
 40 consistently has been significantly higher than:
 41 (A) the state average; and
 42 (B) remediation levels in school corporations adjacent to the



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- 1 school city.
- 2 (4) Graduation rates in the school city consistently have been
- 3 significantly below:
- 4 (A) the state average; and
- 5 (B) graduation rates in school corporations adjacent to the
- 6 school city.
- 7 (5) Student attendance rates in the school city consistently have
- 8 been below:
- 9 (A) the state average; and
- 10 (B) student attendance rates in school corporations adjacent to
- 11 the school city.
- 12 (6) There are individual schools in the school city whose students
- 13 are achieving. However, overall student achievement in the
- 14 school city is unsatisfactory.
- 15 (7) Improving education in the school city requires unique
- 16 legislative intervention.
- 17 (8) Educator-driven school level control of efforts to improve
- 18 student achievement in their schools and a program of
- 19 performance awards in the school city will encourage the
- 20 development and use of:
- 21 (A) innovative teaching methods;
- 22 (B) improved opportunities for teacher professional
- 23 development;
- 24 (C) programs achieving greater levels of parental involvement;
- 25 (D) more efficient administrative efforts; and
- 26 (E) improved student achievement.
- 27 (9) Greater accountability among educators in their schools,
- 28 including:
- 29 (A) evaluations based on student achievement measures and
- 30 administrative efficiency criteria; and
- 31 (B) annual reports to the public regarding student achievement
- 32 information and administrative performance measures;
- 33 will encourage the development and use of creative and
- 34 innovative educational methods and improve student
- 35 achievement.
- 36 (10) Providing a range of remediation opportunities to students in
- 37 the school city who **fail to meet state achievement standards do**
- 38 **not have passing scores under the state assessment program**
- 39 or who are determined to be at risk of academic failure by the
- 40 board will enhance the educational opportunities available to
- 41 students and improve student performance.
- 42 (11) Enhanced intervention for schools whose students fail to

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1 meet expected performance levels will improve the educational
2 opportunities and educational achievement in the school city.

3 (12) Allowing students to attend neighborhood schools and the
4 development and implementation of a plan by the board to
5 increase student performance and achievement in the school city
6 are necessary to achieve these legislative objectives and to meet
7 the unique challenges to education and improve student
8 achievement in the school city.

9 SECTION 5. IC 20-3.1-6-2, AS ADDED BY P.L.340-1995,
10 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 1999]: Sec. 2. The board shall use **state achievement standards**
12 **passing scores under the ISTEP program** to identify students in need
13 of summer remediation services.

14 SECTION 6. IC 20-3.1-7-2, AS ADDED BY P.L.340-1995,
15 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 1999]: Sec. 2. The plan developed and implemented under
17 this chapter must do the following:

18 (1) Provide for efforts to increase support of the schools by the
19 parents of students and the neighborhood communities
20 surrounding the schools.

21 (2) Establish performance objectives for educators and students
22 in each school within the school city.

23 (3) Provide opportunity and support for the educators in each
24 school to develop a school plan, including:

25 (A) traditional or innovative methods and approaches to
26 improve student achievement; and

27 (B) efficient and cost effective management efforts in the
28 school;

29 that are consistent with general guidelines established by the
30 board.

31 (4) Require annual reports identifying the progress of student
32 achievement for each school as described in IC 20-3.1-10.

33 (5) Provide for the effective evaluation of each school within the
34 school city and the school's educators, including the consideration
35 of student achievement in the school.

36 (6) Develop performance awards under IC 20-3.1-12 for
37 extraordinary and outstanding performance by educators.

38 (7) Provide a range of opportunity for remediation of students
39 who:

40 (A) ~~fail to meet state achievement standards; do not receive~~
41 **passing scores on ISTEP program tests;** or

42 (B) are at risk of academic failure.

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1 (8) Require action to raise the level of performance of a school if
 2 the school's students fail to achieve expected performance levels
 3 or performance objectives established for the school.

4 SECTION 7. IC 20-3.1-8-1, AS ADDED BY P.L.340-1995,
 5 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 1999]: Sec. 1. The board shall establish annual performance
 7 objectives for each school, including the following:

8 (1) For students:

9 (A) improvement in scores on statewide assessment tests and
 10 assessment programs;

11 (B) improvement in attendance rates; and

12 (C) improvement in progress toward graduation.

13 (2) For teachers:

14 (A) improvement in student scores on assessment tests and
 15 assessment programs;

16 (B) improvement in the number and percentage of students
 17 achieving ~~state achievement standards~~ **passing scores**, and, if
 18 applicable, performance levels set by the board, on assessment
 19 tests;

20 (C) improvement in student progress toward graduation;

21 (D) improvement in student attendance rates for the school
 22 year;

23 (E) improvement in individual teacher attendance rates;

24 (F) improvement in communication with parents and parental
 25 involvement in classroom and extracurricular activities; and

26 (G) other objectives developed by the board.

27 (3) For the school and the school administrators:

28 (A) improvement in student scores on assessment tests,
 29 aggregated by class and grade;

30 (B) improvement in the number and percentage of students
 31 achieving ~~state achievement standards~~ **passing scores**, and, if
 32 applicable, performance levels set by the board, on assessment
 33 tests, aggregated by class and grade;

34 (C) improvement in student graduation rates and in progress
 35 toward graduation;

36 (D) improvement in student attendance rates;

37 (E) management of general fund expenditures per student and
 38 total expenditures per student;

39 (F) improvement in teacher attendance rates; and

40 (G) other objectives developed by the board.

41 SECTION 8. IC 20-3.1-10-3, AS ADDED BY P.L.340-1995,
 42 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 1999]: Sec. 3. An annual report must include, at a minimum,
2 the following information:

3 (1) Student achievement information as follows:

4 (A) Student scores on assessment tests aggregated by class and
5 grade.

6 (B) The number and percentage of students ~~falling below state~~
7 **achievement standards not receiving passing scores**, and, if
8 applicable, performance levels set by the board, on the
9 assessment tests, aggregated by class and grade.

10 (C) For each high school, graduation rates.

11 (D) For each elementary and middle school, grade
12 advancement rates.

13 (E) The number and percentage of students taking the
14 Scholastic Aptitude Test and average Scholastic Aptitude Test
15 scores (math, verbal, and total scores) for each high school.

16 (F) For each high school, the percentage of students who apply
17 to, are accepted by, and attend a college, university, or other
18 post-secondary educational institution after high school.

19 (G) Student attendance rates for the school year.

20 (2) Administrative performance measures as follows:

21 (A) School receipts and expenditures by source, compared
22 with budget amounts.

23 (B) Total school enrollment.

24 (C) The school's general fund expenditures per student and
25 total expenditures per student.

26 (D) The amount and percentage of the school's general fund
27 expenditures and the amount and percentage of total
28 expenditures directly reaching the classroom as determined by
29 a formula to be established by the board.

30 (E) Teacher/pupil ratios aggregated by class, grade, and
31 school.

32 (F) Administrator/pupil ratio for the school.

33 (G) Teacher attendance rates aggregated by class, grade, and
34 school.

35 (3) Achievement on the annual performance objectives identified
36 under IC 20-3.1-8.

37 (4) The performance objectives established under IC 20-3.1-8 for
38 the upcoming school year.

39 (5) State and school city averages for each of the measures set
40 forth in subdivisions (1) through (2), if available.

41 SECTION 9. IC 20-3.1-13-1, AS ADDED BY P.L.340-1995,
42 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 1999]: Sec. 1. (a) The school city must provide summer
 2 remediation services to each student in a designated grade level who
 3 does not ~~meet state achievement standards~~. **have a passing score on**
 4 **the state assessment test.**

5 (b) The school city may provide summer remediation services to
 6 students of any other grade level who are determined by the school city
 7 to be at risk of academic failure.

8 SECTION 10. IC 20-8.1-3-18, AS AMENDED BY P.L.200-1995,
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 1999]: Sec. 18. (a) Service as a page for or as an honoree of
 11 the Indiana general assembly constitutes a lawful excuse for a ~~pupil~~
 12 **student** to be absent from school. For each day of page service or as an
 13 honoree of the Indiana general assembly, verified by the certificate of
 14 the secretary of the senate or the chief clerk of the house of
 15 representatives, a student excused from school attendance under this
 16 subsection shall not be recorded as being absent on any date for which
 17 the excuse is operative, nor shall the student be penalized by the school
 18 in any manner. This section applies to all ~~pupils~~; **students**, whether
 19 they attend public, private, or parochial schools.

20 (b) The governing body of each school corporation and the chief
 21 administrative official of each private secondary school system shall
 22 authorize the absence and excuse of each secondary school student who
 23 serves on the precinct election board or as a helper to a political
 24 candidate or to a political party on the date of each general, city or
 25 town, special, and primary election at which the student works. Prior
 26 to the date of the election, the student must submit a document signed
 27 by one (1) of the student's parents or guardians giving permission to
 28 participate in the election as provided in this section, and the student
 29 must verify to school authorities the performance of services by
 30 submitting a document signed by the candidate, political party
 31 chairman, campaign manager, or precinct officer. The document must
 32 describe generally the duties of the student on the date of the election.
 33 A student excused from school attendance under this subsection shall
 34 not be recorded as being absent on any date for which the excuse is
 35 operative, nor shall the student be penalized by the school in any
 36 manner.

37 (c) The governing body of each school corporation or the chief
 38 administrative officer of each private school system shall authorize the
 39 absence and excuse of a student who is issued a subpoena to appear in
 40 court as a witness in a judicial proceeding. A student excused under
 41 this subsection shall not be recorded as being absent on any date for
 42 which the excuse is operative, nor shall the student be penalized by the



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1 school in any manner. The appropriate school authority may require
 2 that the student submit the subpoena to the appropriate school authority
 3 for verification.

4 (d) The governing body of each school corporation or the chief
 5 administrative officer of each private school system shall authorize the
 6 absence and excuse of each secondary school student who is ordered
 7 to active duty with the Indiana National Guard for not more than ten
 8 (10) days in a school year. For verification, the student must submit to
 9 school authorities a copy of the orders to active duty and a copy of the
 10 orders releasing the student from active duty. A student excused from
 11 school attendance under this subsection shall not be recorded as being
 12 absent on any date for which the excuse is operative, nor shall the
 13 student be penalized by the school in any manner.

14 (e) ~~The governing body of a school corporation or the chief~~
 15 ~~administrative officer of a private school system shall authorize the~~
 16 ~~absence and excuse of a secondary school student who is appointed~~
 17 ~~jointly by the governor and the superintendent of public instruction to~~
 18 ~~serve as a member of the state standards task force under~~
 19 ~~IC 20-10.1-4.1-2 when attendance at a state standards task force~~
 20 ~~meeting conflicts in whole or in part with a student instructional day.~~
 21 ~~An excused absence under this subsection is only valid for the time:~~

22 ~~(1) of the actual state standards task force meeting; and~~

23 ~~(2) the student is in transit to and from the meeting.~~

24 ~~For verification, the student must submit to school authorities a~~
 25 ~~document signed by the chairman of the state standards task force~~
 26 ~~verifying the attendance by the student at the state standards task force~~
 27 ~~meeting. The document must indicate the times at which the student~~
 28 ~~was required to be in attendance at the state standards task force~~
 29 ~~meeting. A student excused from school attendance under this~~
 30 ~~subsection shall not be recorded as being absent on any date covered~~
 31 ~~by the excuse and the student shall not be penalized by the school in~~
 32 ~~any manner.~~

33 SECTION 11. IC 20-10.1-4.4-1, AS AMENDED BY P.L.21-1995,
 34 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 1999]: Sec. 1. As used in this chapter, "requisite proficiency"
 36 refers to the satisfaction by a student of the following:

37 ~~(1) The standards approved by the:~~

38 ~~(A) (1) state board under section 4(3) of this chapter to receive~~
 39 ~~a secondary level certificate of achievement in an academic~~
 40 ~~field; or~~

41 ~~(B) (2) workforce proficiency panel within the department of~~
 42 ~~workforce development under section 4(3) of this chapter to~~

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1 receive a secondary level certificate of achievement in a
2 technical field.

3 ~~(2) Any additional standards adopted by the school corporation~~
4 ~~under IC 20-10.1-4.1-7(b)(1).~~

5 SECTION 12. IC 20-10.1-16-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The board shall:

7 (1) authorize the development and implementation of the Indiana
8 statewide testing for educational progress program; and

9 (2) determine the date on which the statewide testing is
10 administered in each school corporation.

11 (b) The state superintendent is responsible for the overall
12 development, implementation, and monitoring of the ISTEP program.

13 (c) The department shall prepare detailed design specifications for
14 the ISTEP program that must do the following:

15 (1) Take into account the state educational proficiency statements.

16 ~~(2) Include testing of students' higher level cognitive thinking in~~
17 ~~each subject area tested.~~

18 **(2) Be based on the academic standards established by the**
19 **board under IC 20-10.1-4.9.**

20 SECTION 13. IC 20-10.1-16-6, AS AMENDED BY P.L. 158-1997,
21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 1998]: Sec. 6. (a) ~~The department shall develop educational~~
23 ~~proficiency statements for: the following subject areas:~~

24 ~~(1) English/language arts.~~

25 ~~(2) Mathematics.~~

26 ~~(3) Social studies.~~

27 ~~(4) Science.~~

28 ~~(5) Other subject areas as determined by the department.~~

29 **Whenever the board adopts an academic standard under**
30 **IC 20-10.1-4.9, the board may direct the department to develop or**
31 **revise an educational proficiency statement for the appropriate**
32 **subject area.**

33 (b) The department shall revise and update the educational
34 proficiency statements in each subject area listed in subsection (a): at
35 least once every six (6) years. This revision must occur on a cyclical
36 basis that coincides with the textbook adoption cycle established in
37 ~~IC 20-10.1-9-4.~~ **The department shall develop or revise an**
38 **educational proficiency statement when directed to do so under**
39 **subsection (a). An educational proficiency statement developed or**
40 **revised under subsection (a) must be developed or revised at least**
41 **once every six (6) years on a cyclical basis that is consistent with**
42 **the textbook adoption cycle established in IC 20-10.1-9-4.**



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1 (c) The state superintendent shall appoint a proficiency statements
 2 overview committee for a subject area during the period when the
 3 **educational proficiency statement for the** subject area is undergoing
 4 **development or** revision. A proficiency statements overview
 5 committee has fifteen (15) members selected as follows:

6 (1) Eight (8) persons who are teachers practicing in the subject
 7 area being revised on the date of appointment.

8 (2) Two (2) members who are parents of school age children.

9 (3) Two (2) members, each of whom is a school superintendent,
 10 a school corporation curriculum director, or a principal.

11 (4) Two (2) members who represent the business community.

12 (5) One (1) member who is a member of the faculty in the subject
 13 area being revised at an institution of higher education that
 14 prepares teachers in the subject area.

15 (d) A proficiency statements overview committee shall do the
 16 following:

17 (1) Advise the department on the revision process under this
 18 section.

19 (2) Recommend changes to the educational proficiency statement
 20 for the committee's subject area that enhance the goals identified
 21 in the educational proficiency statement.

22 (3) Submit recommendations to the ~~state standards task force~~
 23 **Indiana academic standards commission (established by**
 24 **IC 20-10.1-4.9-2)** for the ~~task force's~~ **commission's** review.

25 (e) **After the department develops or revises an educational**
 26 **proficiency statement and submits the recommendation to the**
 27 **Indiana academic standards commission for review, the**
 28 **commission shall determine whether the educational proficiency**
 29 **statement is aligned with the academic standards established by the**
 30 **board under IC 20-10.1-4.9. If the commission determines that the**
 31 **educational proficiency statement is aligned with the academic**
 32 **standards established by the board, the commission shall submit**
 33 **the educational proficiency statement to the board with a**
 34 **recommendation that the board adopt the educational proficiency**
 35 **statement.**

36 (f) In fulfilling its responsibilities under subsection (d), the
 37 proficiency statements overview committee shall consider proficiency
 38 statements developed by:

39 (1) other states;

40 (2) national organizations in the United States; and

41 (3) other countries.

42 (f) ~~As necessary~~ the department shall revise and update the

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1 educational proficiency statements of subject areas other than those
2 listed in subsection (a)(1) through (a)(4):

3 (g) The curriculum program of a school in a school corporation must
4 be consistent with the following:

5 (1) The educational proficiency statements **adopted by the**
6 **board.**

7 ~~(2) The state standards adopted under IC 20-15.~~

8 ~~(3) (2) The student competencies developed for the Core 40~~
9 ~~college preparation curriculum models established under~~
10 ~~IC 20-10.1-5.7.~~

11 **(h) Notwithstanding subsection (d)(3) and subsection (e), this**
12 **subsection applies if:**

13 **(1) the board adopts an academic standard and then directs**
14 **the department to develop or revise an educational**
15 **proficiency statement; and**

16 **(2) the Indiana academic standards commission (established**
17 **by IC 20-10.1-4.9-2) does not exist.**

18 **The proficiency statements overview committee shall submit to the**
19 **board the recommendations described in subsection (d)(2). If the**
20 **board determines that the recommended educational proficiency**
21 **statement is aligned with the academic standards, the board shall**
22 **adopt the educational proficiency statement.**

23 SECTION 14. IC 20-10.1-17-3, AS AMENDED BY P.L.34-1996,
24 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 1999]: Sec. 3. (a) The board shall adopt ~~state achievement~~
26 ~~standards passing scores~~ for mathematics and English/language arts
27 for the grade levels tested under the ISTEP program. ISTEP program
28 testing shall be administered in the following subject areas:

29 (1) English/language arts.

30 (2) Mathematics.

31 (b) ISTEP program testing may be administered in the following
32 subject areas:

33 (1) Social studies.

34 (2) Science.

35 (c) The ~~state achievement standards passing scores~~ described in
36 subsection (a) must be based in part upon:

37 **(1) the results of the ISTEP program; and**

38 **(2) the educational proficiency statements developed under**
39 **IC 20-10.1-16; and**

40 **(3) the academic standards established by the board under**
41 **IC 20-10.1-4.9.**

42 SECTION 15. IC 20-10.1-17-4.5, AS AMENDED BY P.L.34-1996,

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1 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 1999]: Sec. 4.5. (a) The remediation grant program is
 3 established to provide grants to school corporations for the following:
 4 (1) Remediation of students who score below state proficiency
 5 standards.
 6 (2) Preventive remediation for students who are at risk of ~~falling~~
 7 ~~below state achievement standards. not achieving passing~~
 8 ~~scores.~~
 9 (3) For students in a freeway school or freeway school corporation
 10 who are assessed under a locally adopted assessment program
 11 under IC 20-5-62-6(7):
 12 (A) remediation of students who score below proficiency
 13 standards under the locally adopted assessment program; and
 14 (B) preventive remediation for students who are at risk of
 15 falling below achievement standards under the locally adopted
 16 assessment program.
 17 (b) The department shall do the following:
 18 (1) Subject to section 5.5 of this chapter, develop a formula to be
 19 approved by the state board of education, reviewed by the state
 20 budget committee, and approved by the budget agency for the
 21 distribution of grants to school corporations.
 22 (2) Distribute grant funds according to the formula.
 23 (3) Determine standards for remediation programs to be funded
 24 under the program.
 25 (4) Administer the program.
 26 SECTION 16. IC 20-10.1-17-5.5, AS AMENDED BY P.L.34-1996,
 27 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 1999]: Sec. 5.5. The formula that the department develops
 29 under this chapter must provide the following:
 30 (1) Each school corporation must be able to qualify for a grant.
 31 (2) A maximum grant amount must be determined for each school
 32 corporation.
 33 (3) The amount that a school corporation may receive per student
 34 must be related to:
 35 (A) the percentage of students ~~scoring below state~~
 36 ~~achievement standards; that do not receive passing scores;~~
 37 or
 38 (B) for a freeway school or freeway school corporation having
 39 a locally adopted assessment program, the percentage of
 40 students falling below achievement standards under the locally
 41 adopted assessment program.
 42 The school corporation having the highest percentage of students

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- 1 scoring below state achievement standards that do not receive
2 **passing scores** must be entitled to the highest grant amount per
3 student.
- 4 (4) The actual grant to a school corporation must be the lesser of:
5 (A) two hundred percent (200%) of the amount appropriated
6 by the governing body of the school corporation under
7 section 6.5 of this chapter; or
8 (B) the maximum grant amount determined for the school
9 corporation under subdivision (2).
- 10 (5) The amount distributed to school corporations under the
11 program may not exceed the appropriation by the general
12 assembly for the remediation grant program.
- 13 SECTION 17. IC 20-10.1-4.1 IS REPEALED [EFFECTIVE JULY
14 1, 1999].
- 15 SECTION 18. [EFFECTIVE UPON PASSAGE] (a) **Before July 1,**
16 **1998, the department of education must refer:**
17 (1) **all educational proficiency statements completed under**
18 **IC 20-10.1-16-6; and**
19 (2) **the standards adopted by the Indiana state board of**
20 **education for the ISTEP program under IC 20-10.1-16;**
21 **to the Indiana academic standards commission, established by**
22 **IC 20-10.1-4.9-2, as added by this act. The commission shall use**
23 **these educational proficiency statements and standards for the**
24 **ISTEP program as information resources when making initial**
25 **recommendations for academic standards under IC 20-10.1-4.9, as**
26 **added by this act.**
27 (b) **This SECTION expires January 1, 2001.**
- 28 SECTION 19. [EFFECTIVE UPON PASSAGE] (a)
29 **Notwithstanding any other law, the content standards, format, and**
30 **passing scores for the ISTEP graduation examination that are in**
31 **effect on March 1, 1998, may not be changed before July 1, 2002.**
32 (b) **This SECTION expires July 1, 2002.**
- 33 SECTION 20. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1389, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to House Bill 1389 as introduced.)

PORTER, Chair

Committee Vote: yeas 8, nays 5.

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