

HOUSE BILL No. 1390

DIGEST OF HB 1390 (Updated February 2, 1998 6:05 pm - DI 02)

Citations Affected: IC 20-10.1; noncode.

Synopsis: Graduation examination remediation. Provides that beginning in the 1998-1999 school year, a student who does not pass the graduation examination must have the opportunity to retake the examination beginning with the first semester following the initial test and continuing each semester until the student passes the examination. Provides that the budget agency may provide funding (not exceed \$5,000,000) to the department of education for distribution to school corporations to be used exclusively to remediate grade 10 students who did not meet the educational proficiency standard in the graduation examination administered in the fall of 1997. Provides that the money for funding must come from already made appropriations that are specifically designated for kindergarten through grade 12. Provides that this money is in addition to the regular 1997-1999 appropriation for school assessment testing remediation.

Effective: Upon passage; July 1, 1998.

Robertson

January 13, 1998, read first time and referred to Committee on Education.
January 26, 1998, reported — Do Pass; reassigned to Committee on Ways and Means.
January 28, 1998, reported — Do Pass.
February 2, 1998, read second time, amended, ordered engrossed.

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Reprinted
February 3, 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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1390

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 20-10.1-16-13, AS ADDED BY P.L.340-1995,
2 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 13. (a) Beginning with the class of students who
4 expect to graduate during the 1999-2000 school year, each student is
5 required to meet:

6 (1) the educational proficiency standard tested in the graduation
7 examination; and
8 (2) any additional requirements established by the governing
9 body;

10 to be eligible to graduate.

11 (b) **Beginning with the 1998-1999 school year**, a student who does
12 not meet the educational proficiency standard tested in the graduation
13 examination shall be given the opportunity to be tested **on the**
14 **graduation examination** during each semester of each grade ~~following~~
15 **beginning with the grade in which semester following the semester**
16 **when the student is initially tested and continuing each semester** until
17 the student achieves a passing score.

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1 (c) The board shall develop and adopt a procedure to enable
2 students who:

3 (1) undergo the graduation examination; and

4 (2) do not receive a passing score on the graduation examination;
5 to appeal their particular results. The rules adopted by the board must
6 provide for the specific eligible bases for which an appeal may be made
7 and must include as one (1) basis for which an appeal may be made the
8 submission by the appellant student of written evidence indicating that
9 the student's teacher in areas tested by the graduation examination and
10 principal, in their professional judgment, believe that the student's
11 graduation examination results do not accurately reflect the student's
12 attainment of the educational proficiency standard.

13 (d) A student who does not meet the educational proficiency
14 standard tested in the graduation examination may:

15 (1) have the educational proficiency standard requirement
16 waived; and

17 (2) be eligible to graduate;

18 if the principal of the school the student attends certifies that the
19 student will within one (1) month of the student's scheduled graduation
20 date successfully complete all components of the Core 40 curriculum
21 as established by the board under IC 20-10.1-5.7-1.

22 (e) The state board of education shall determine the appropriate
23 grade during which a student may initially undergo the graduation
24 examination. The grade established under this subsection must be
25 higher than grade 9.

26 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
27 SECTION, "department" refers to the department of education
28 established under IC 20-1-1.1-2.

29 (b) As used in this SECTION, "graduation examination" refers
30 to the examination required under IC 20-10.1-16-13.

31 (c) As used in this SECTION, "qualifying student" means a
32 grade 10 student in a school corporation who did not meet the
33 educational proficiency standard in the graduation examination
34 administered during the fall semester of the 1997-1998 school year.

35 (d) The budget agency may provide funding to the department
36 for distribution under this SECTION. The budget agency may not
37 provide funding in excess of five million dollars (\$5,000,000) under
38 this SECTION. The money to provide the funding must be from
39 appropriations already made that are specifically designated for
40 kindergarten through twelfth grade. Notwithstanding IC 4-13-2-19,
41 money appropriated for kindergarten through twelfth grade for
42 the state fiscal year beginning July 1, 1997, may be used for



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1 distributions under this SECTION after June 30, 1998. Not later
2 than fifteen (15) days after the budget agency provides funding to
3 the department, the department shall distribute the money
4 received under this SECTION to school corporations:
5 (1) in proportion to the number of qualifying students in each
6 school corporation; and
7 (2) for use by school corporations exclusively for the purpose
8 of the remediation of qualifying students.
9 (e) The money provided under this SECTION is in addition to
10 the appropriation for school assessment testing remediation
11 provided in P.L.260-1997(ss), SECTION 9.
12 (f) This SECTION expires June 30, 1999.
13 SECTION 3. 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 1390, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 14, nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1390, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 16, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1390 be amended to read as follows:

Page 2, line 35, delete "from available".

Page 2, line 36, delete "resources"

Page 2, line 36, after "SECTION." insert "**The budget agency may not provide funding in excess of five million dollars (\$5,000,000) under this SECTION. The money to provide the funding must be from appropriations already made that are specifically designated for kindergarten through twelfth grade. Notwithstanding IC 4-13-2-19, money appropriated for kindergarten through twelfth grade for the state fiscal year beginning July 1, 1997, may be used for distributions under this SECTION after June 30, 1998.**".

(Reference is to House Bill 1390 as printed January 29, 1998.)

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