

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Education, to which was referred Senate Bill 349, 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:*

- 1 Delete the technical correction made under Senate Rule 33(c)
- 2 January 29, 1998.
- 3 Page 2, line 4, after "projected" insert "**by a physician**".
- 4 Page 2, line 6, delete "and is recommended" and insert ".".
- 5 Page 2, delete line 7.
- 6 Page 2, delete lines 37 through 42, begin a new paragraph and
- 7 insert:
- 8 "SECTION 2. IC 20-8.1-6.1-6.1 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6.1. (a) ~~This section~~
- 10 ~~applies only:~~
- 11 (1) to children described in subsection (c)(2)(D);
- 12 (2) after the school corporation has made extensive efforts to
- 13 provide a suitable educational program within the school
- 14 corporation to the child described in subsection (c)(2)(D); and
- 15 (3) after the school corporation determines that the child cannot
- 16 be served by the school corporation and as a last resort can be

- 1 best served by placement with the not-for-profit corporation.
- 2 (b) The school corporation shall maintain records concerning the
- 3 efforts made by the school corporation to provide the educational
- 4 program within the school corporation to the child as required under
- 5 subsection (a):
- 6 (c) (a) A school corporation may enter into an agreement with:
- 7 (1) a not-for-profit corporation that operates a federally approved
- 8 education program; or
- 9 (2) a not-for-profit corporation that:
- 10 (A) is exempt from federal income taxation under Section
- 11 501(c)(3) of the Internal Revenue Code;
- 12 (B) for its classroom instruction, employs teachers who are
- 13 certified by the ~~state board of education;~~ **professional**
- 14 **standards board;**
- 15 (C) employs other professionally and state licensed staff as
- 16 appropriate; and
- 17 (D) educates children who:
- 18 (i) have been suspended, expelled, or excluded from a
- 19 public school in that school corporation and have been
- 20 found to be emotionally disturbed;
- 21 (ii) have been placed with the not-for-profit
- 22 corporation by court order; ~~or~~
- 23 (iii) have been referred by a local health department;
- 24 **or**
- 25 **(iv) have been placed in a state licensed private or**
- 26 **public health care or child care facility as described**
- 27 **in section 5(b) of this chapter;**
- 28 in order to provide a student with an individualized education program
- 29 that is the most suitable educational program available.
- 30 (d) (b) If a school corporation enters into an agreement as
- 31 described in subsection (c); (a), the school corporation shall pay **to the**
- 32 **not-for-profit corporation** an amount agreed upon:
- 33 (1) from the transfer tuition of the student, ~~to the not-for-profit~~
- 34 ~~corporation;~~ **if the school corporation entering into the**
- 35 **agreement is a transferee corporation; and**
- 36 (2) **which may not exceed the transfer tuition costs that**
- 37 **otherwise would be payable to a transferee corporation, if**
- 38 **the school corporation entering into the agreement is the**

1 **school corporation in which the student has legal settlement.**
 2 SECTION 3. IC 20-10.1-4.9 IS ADDED TO THE INDIANA CODE
 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 1998]:

5 **Chapter 4.9. High School Diploma and Diploma Seals**

6 **Sec. 1. This chapter applies to:**

- 7 (1) public high schools; and
 8 (2) accredited nonpublic high schools.

9 **Sec. 2. As used in this chapter, "diploma" means a certificate of**
 10 **graduation that:**

- 11 (1) a governing body issues to a student; and
 12 (2) certifies that the student has satisfied:
 13 (A) the minimum requirements of a high school program
 14 established under this chapter; and
 15 (B) all other requirements for graduation under:
 16 (i) statute;
 17 (ii) rule; and
 18 (iii) governing body policy.

19 **Sec. 3. As used in this chapter, "diploma seal" means an**
 20 **appropriate indicator that:**

- 21 (1) is imprinted, impressed, or otherwise affixed to a student's
 22 diploma;
 23 (2) specifies the high school program that the indicator
 24 represents; and
 25 (3) certifies that the student has satisfied the minimum
 26 requirements for receiving a diploma with the indicator.

27 **Sec. 4. Notwithstanding IC 20-10.1-1-5, as used in this chapter,**
 28 **"governing body" refers to the:**

- 29 (1) governing body of a school corporation; or
 30 (2) governing authority of a nonpublic school;

31 **whichever is applicable.**

32 **Sec. 5. As used in this chapter, "high school program" means a**
 33 **specific series and number of courses that meet the following**
 34 **requirements:**

- 35 (1) Comprise a defined curriculum.
 36 (2) Are established by at least one (1) of the following:
 37 (A) Statute.
 38 (B) Rules adopted by the board.

- 1 (C) The governing body.
- 2 (3) When satisfactorily completed by a student, fulfill the
- 3 academic requirements for a student to do the following:
- 4 (A) Graduate from high school.
- 5 (B) Be issued a diploma.
- 6 Sec. 6. As used in this chapter, "school" refers to the following:
- 7 (1) A public school.
- 8 (2) An accredited nonpublic school.
- 9 Sec. 7. (a) The board shall adopt rules under IC 4-22-2 to
- 10 establish minimum requirements for the following high school
- 11 programs:
- 12 (1) A general high school program.
- 13 (2) A Core 40 high school program that is a college
- 14 preparation program.
- 15 (3) An Indiana academic honors high school program that
- 16 includes the following:
- 17 (A) A rigorous academic program of study.
- 18 (B) A specified minimum grade point average.
- 19 (b) The requirements established under subsection (a) must
- 20 include the following for each high school program:
- 21 (1) Number of credits.
- 22 (2) Curriculum areas and courses.
- 23 (3) Other requirements.
- 24 Sec. 8. A governing body must offer the following high school
- 25 programs established under section 7 of this chapter:
- 26 (1) A general high school program.
- 27 (2) A Core 40 high school program.
- 28 (3) An Indiana academic honors high school program.
- 29 Sec. 9. A governing body must provide the following:
- 30 (1) An ISTEP+ diploma seal to a student who receives:
- 31 (A) a diploma; and
- 32 (B) a passing score on the graduation examination (as
- 33 defined in IC 20-10.1-16-1.5).
- 34 (2) A Core 40 diploma seal to a student who:
- 35 (A) receives a diploma; and
- 36 (B) successfully completes the Core 40 high school
- 37 program.
- 38 (3) An Indiana academic honors diploma seal to a student

- 1 **who:**
 2 **(A) receives a diploma; and**
 3 **(B) successfully completes the Indiana academic honors**
 4 **high school program.**

5 **Sec. 10. A governing body may establish and offer a high school**
 6 **program that upon successful completion results in the issuance of**
 7 **a diploma seal that differs from the diploma seals listed in section**
 8 **9 of this chapter. However, a high school program that a governing**
 9 **body establishes under this section must exceed the requirements**
 10 **that the board establishes for a general high school program under**
 11 **section 7(a)(1) of this chapter.**

12 **Sec. 11. There is no limit on the number of diploma seals for**
 13 **which a student may qualify. The governing body shall issue to a**
 14 **student a diploma seal for each high school program the student**
 15 **successfully completes.**

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

- 21 (1) the educational proficiency standard tested in the graduation
 22 examination; and
 23 (2) any additional requirements established by the governing
 24 body;

25 to be eligible to graduate.

26 **(b) Beginning with the 1998-1999 school year,** a student who does
 27 not meet the educational proficiency standard tested in the graduation
 28 examination shall be given the opportunity to be tested **on the**
 29 **graduation examination** during each semester of each grade ~~following~~
 30 **beginning with** the ~~grade in which semester following the semester~~
 31 **when** the student is initially tested **and continuing each semester** until
 32 the student achieves a passing score.

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

- 35 (1) undergo the graduation examination; and
 36 (2) do not receive a passing score on the graduation examination;
 37 to appeal their particular results. The rules adopted by the board must
 38 provide for the specific eligible bases for which an appeal may be made

1 and must include as one (1) basis for which an appeal may be made the
 2 submission by the appellant student of written evidence indicating that
 3 the student's teacher in areas tested by the graduation examination and
 4 principal, in their professional judgment, believe that the student's
 5 graduation examination results do not accurately reflect the student's
 6 attainment of the educational proficiency standard.

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

9 (1) have the educational proficiency standard requirement
 10 waived; and

11 (2) be eligible to graduate;

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

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

20 SECTION 5. IC 20-10.1-22.3 IS ADDED TO THE INDIANA
 21 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 1998]:

23 **Chapter 22.3. Preliminary Scholastic Assessment Test (PSAT)**
 24 **Program**

25 **Sec. 1. As used in this chapter, "commission" refers to the**
 26 **commission for higher education established by IC 20-12-0.5-2.**

27 **Sec. 2. As used in this chapter, "eligible student" means a**
 28 **student who is:**

29 (1) in grade 10 or 11;

30 (2) enrolled in Indiana in:

31 (A) a school corporation; or

32 (B) an accredited nonpublic school; and

33 (3) a resident of Indiana.

34 **Sec. 3. As used in this chapter, "program" refers to the PSAT**
 35 **program established under section 5 of this chapter.**

36 **Sec. 4. As used in this chapter, "PSAT" refers to the**
 37 **preliminary scholastic assessment test/national merit scholarship**
 38 **qualifying test.**

1 **Sec. 5. The PSAT program is established to encourage eligible**
 2 **students to take the PSAT. The department shall administer the**
 3 **program.**

4 **Sec. 6. (a) The program shall provide each eligible student who:**

5 **(1) qualifies to take the PSAT;**

6 **(2) wishes to take the PSAT; and**

7 **(3) is appropriately registered to take the PSAT;**

8 **the opportunity to take the PSAT at no cost to the student.**

9 **(b) There is no limit on the number of times that an eligible**
 10 **student may take the PSAT under the program.**

11 **Sec. 7. The department shall reimburse the test developer for**
 12 **eligible students who take the PSAT under the program.**

13 **Sec. 8. The department and the commission shall prepare an**
 14 **annual report concerning the implementation of the program and**
 15 **shall submit the report to the board before December 1 of each**
 16 **year. The report must include the pertinent details of the program,**
 17 **including the following:**

18 **(1) The number of students participating in the program.**

19 **(2) Recent trends in the field of preliminary scholastic**
 20 **assessment testing.**

21 **(3) The distribution of money under this program.**

22 **(4) Other pertinent matters.**

23 **Sec. 9. The department and the commission may establish**
 24 **guidelines to implement this chapter.**

25 **SECTION 6. [EFFECTIVE JULY 1, 1998] (a) The Indiana state**
 26 **board of education may adopt guidelines to establish minimum**
 27 **requirements for the diploma and diploma seals under**
 28 **IC 20-10.1-4.9, as added by this act. The guidelines adopted under**
 29 **this SECTION remain in effect until the board adopts rules under**
 30 **IC 20-10.1-4.9-7, as added by this act.**

31 **(b) In adopting rules under IC 20-10.1-4.9-7, as added by this**
 32 **act, the Indiana state board of education shall consider adopting a**
 33 **requirement that requires at least forty (40) credits for graduation**
 34 **in the 2001-2002 school year and subsequent school years.**

35 **(c) This SECTION expires July 1, 2000.**

36 **SECTION 7. [EFFECTIVE UPON PASSAGE] (a) As used in this**
 37 **SECTION, "department" refers to the department of education**
 38 **established under IC 20-1-1.1-2.**

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

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

7 (d) The budget agency may provide funding to the department
8 for distribution under this SECTION. The budget agency may not
9 provide funding in excess of five million dollars (\$5,000,000) under
10 this SECTION. The money to provide the funding must be from
11 appropriations already made that are specifically designated for
12 kindergarten through grade 12. Notwithstanding IC 4-13-2-19,
13 money appropriated for kindergarten through grade 12 for the
14 state fiscal year beginning July 1, 1997, may be used for
15 distributions under this SECTION after June 30, 1998. Not later
16 than fifteen (15) days after the budget agency provides funding to
17 the department, the department shall distribute the money
18 received under this SECTION to school corporations:

19 (1) in proportion to the number of qualifying students in each
20 school corporation; and

21 (2) for use by school corporations exclusively for the purpose
22 of the remediation of qualifying students.

23 (e) The money provided under this SECTION is in addition to
24 the appropriation for school assessment testing remediation
25 provided in P.L.260-1997(ss), SECTION 9.

26 (f) This SECTION expires June 30, 1999.

27 SECTION 8. [EFFECTIVE JULY 1, 1998] (a) The budget agency
28 may provide funding for the PSAT program authorized under
29 IC 20-10.1-22.3, as added by this act, from available resources.

30 (b) This SECTION expires June 30, 1999.

- 1 **SECTION 9. An emergency is declared for this act."**
- 2 Delete page 3.
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 349 as reprinted January 29, 1998, and as
 corrected under Senate Rule 33(c) January 29, 1998.)

and when so amended that said bill do pass.

Representative Robertson