

## SENATE BILL No. 343

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-1; IC 20-3.1; IC 20-5-62; IC 20-6.1-9-3; IC 20-8.1-3-17.5; IC 20-8.1-3-18; IC 20-10.1.

**Synopsis:** ISTEP. Repeals the statewide assessment testing program (ISTEP). Makes conforming amendments to related statutes.

**Effective:** July 1, 1998.

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January 8, 1998, read first time and referred to Committee on Education.

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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.

# SENATE BILL No. 343



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 20-1-1-6, AS AMENDED BY P.L.2-1996,  
2 SECTION 257, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 1998]: Sec. 6. (a) In addition to any other  
4 powers and duties prescribed by law, the Indiana state board of  
5 education shall adopt rules under IC 4-22-2 concerning but not limited  
6 to the following matters:

7 (1) The designation and employment of the employees and  
8 consultants necessary for the department. The board shall fix the  
9 compensation of employees of the department, subject to the  
10 approval of the budget committee and the governor as provided  
11 for by IC 4-12-2.

12 (2) The establishment and maintenance of standards and  
13 guidelines, other than building, space, and site requirements, for  
14 media centers, libraries, instructional materials centers, or any  
15 other area or system of areas in the school where a full range of  
16 information sources, associated equipment, and services from  
17 professional media staff are accessible to the school community.



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1 With regard to library automation systems, the state board may  
 2 only adopt rules that meet the standards established by the state  
 3 library board for library automation systems under  
 4 IC 4-23-7.1-11(b).

5 (3) The establishment and maintenance of standards for pupil  
 6 personnel and guidance services.

7 (4) The establishment and maintenance of minimum standards for  
 8 driver education programs (including classroom instruction and  
 9 practice driving) and equipment. Beginning with classroom  
 10 instruction for the 1993-1994 school year, classroom instruction  
 11 standards established under this subdivision must include  
 12 instruction about:

13 (A) railroad-highway grade crossing safety; and

14 (B) the procedure for participation in the human organ donor  
 15 program.

16 (5) The inspection of all public schools of the state for the  
 17 purpose of determining the condition of the schools. The board  
 18 shall establish standards governing the accreditation of public  
 19 schools. Observance of:

20 (A) IC 20-1-1.2;

21 (B) IC 20-6.1-3-2;

22 (C) IC 20-6.1-4-4 through IC 20-6.1-4-8;

23 (D) IC 20-6.1-5-4;

24 (E) IC 20-6.1-5-5;

25 (F) IC 20-6.1-8; **and**

26 (G) IC 20-6.1-9; **and**

27 ~~(H) IC 20-10.1-16 and IC 20-10.1-17;~~

28 is a prerequisite to the accreditation of a school. It shall be the  
 29 duty of local public school officials to make such reports as shall  
 30 be required of them and to otherwise cooperate with the board  
 31 regarding required inspections. Nonpublic schools may also  
 32 request the inspection for classification purposes should they  
 33 desire it. Compliance with the building and site guidelines  
 34 adopted by the Indiana state board of education is not a  
 35 prerequisite of accreditation.

36 (6) Subject to subsections (b) and (c), the adoption and approval  
 37 of textbooks under IC 20-10.1-9.

38 (7) The distribution of funds and revenues appropriated for the  
 39 support of schools in the state.

40 (8) The board may not establish an accreditation system for  
 41 nonpublic schools that is less stringent than the accreditation  
 42 system for public schools.

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1 (9) A separate system for recognizing nonpublic schools under  
 2 IC 20-1-1-6.2. Recognition of nonpublic schools under this  
 3 subdivision constitutes the system of regulatory standards that  
 4 apply to nonpublic schools that seek to qualify for the system of  
 5 recognition.

6 (b) The advisory committee on textbook adoption may initiate rules  
 7 and hold public hearings under IC 4-22-2 on rules concerning the  
 8 adoption of textbooks. The advisory committee shall send a proposed  
 9 rule on which public hearings have been held to the board. The board  
 10 may adopt or reject a rule initiated by the advisory committee. If the  
 11 advisory committee holds hearings on a proposed rule, the board is not  
 12 required to hold hearings.

13 (c) Every rule initiated by the board concerning textbook adoption  
 14 shall be sent to the advisory committee on textbook adoption. Upon  
 15 receipt of a rule initiated by the board, an advisory committee may hold  
 16 public hearings on the rule. Whenever an advisory committee holds a  
 17 public hearing on a rule initiated by the board, it shall send the  
 18 proposed rule and a recommendation to the board within ninety (90)  
 19 days after it receives the rule from the board. If the advisory committee  
 20 fails to hold a hearing or to return the proposed rule with a  
 21 recommendation to the board within the ninety (90) day period, the  
 22 board may hold public hearings on the proposed rule and proceed  
 23 under IC 4-22-2 or may discontinue the proceedings. Whenever the  
 24 advisory committee holds hearings on a proposed rule, the board is not  
 25 required to do so.

26 (d) Before final adoption of any rule, the board shall make a finding  
 27 on the estimated fiscal impact that the rule will have on local school  
 28 corporations.

29 SECTION 2. IC 20-1-1.2-6, AS AMENDED BY P.L.34-1996,  
 30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 1998]: Sec. 6. (a) Each school shall submit to the department  
 32 the following benchmarks:

- 33 (1) Graduation rate.  
 34 (2) Attendance rate.  
 35 ~~(3) ISTEP scores; or, for a freeway school, scores on a locally~~  
 36 ~~adopted assessment program, if appropriate, including the number~~  
 37 ~~and percentage of students:~~  
 38 ~~(A) meeting an advanced standard; or~~  
 39 ~~(B) meeting a proficient standard:~~  
 40 ~~(4) (3) Actual class size.~~  
 41 ~~(5) (4) The number and percentage of students in the following~~  
 42 ~~groups or programs:~~

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- 1 (A) At risk.  
 2 (B) Vocational education.  
 3 (C) Special education.  
 4 (D) Gifted or talented.  
 5 (E) Remediation/preventative remediation.  
 6 (F) Technology preparation.  
 7 ~~(6)~~ (5) Advanced placement, including the following:  
 8 (A) For advanced placement tests, the number and percentage  
 9 of students:  
 10 (i) scoring three (3), four (4), and (5); or  
 11 (ii) participating.  
 12 (B) For the Scholastic Aptitude Test, the number and  
 13 percentage of students:  
 14 (i) above a designated proficient score;  
 15 (ii) above a designated advanced score; or  
 16 (iii) participating.  
 17 ~~(7)~~ (6) Course completion, including the number and percentage  
 18 of students completing the following programs:  
 19 (A) Academic honors diploma.  
 20 (B) Core 40 curriculum.  
 21 (C) Vocational programs.  
 22 ~~(8)~~ (7) The percentage of graduates who pursue higher education.  
 23 ~~(9)~~ (8) School safety, including the number and percentage of  
 24 students receiving suspension or expulsion for the possession of  
 25 alcohol, drugs, or weapons.  
 26 ~~(10)~~ (9) Financial information relevant to performance.  
 27 (b) The superintendent and board shall determine which  
 28 benchmarks under subsection (a) are appropriate benchmarks for  
 29 performance based accreditation under IC 20-1-1.3-3.  
 30 SECTION 3. IC 20-1-1.2-11, AS AMENDED BY P.L.340-1995,  
 31 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 1998]: Sec. 11. (a) During its on-site evaluation, a review  
 33 panel shall review the following for a school:  
 34 (1) Teaching practices and administrative leadership in  
 35 instruction.  
 36 (2) Parental and community involvement.  
 37 (3) Implementation of the ISTEP remediation program under  
 38 ~~IC 20-10.1-17~~ and the educational opportunity program for at-risk  
 39 children.  
 40 (4) The homework policy.  
 41 (b) In addition to its review under subsection (a), the review panel  
 42 shall verify compliance with the legal standards for accreditation set



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1 out in section 7(a)(2) of this chapter.

2 SECTION 4. IC 20-1-1.3-3, AS AMENDED BY P.L.34-1996,  
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 1998]: Sec. 3. The board shall implement the  
5 performance-based award and incentive program to recognize and  
6 reward schools that have exhibited relative improvement toward the  
7 performance benchmarks determined to be appropriate for the school  
8 by the superintendent and board, including the following benchmarks:

9 (1) Graduation rate.

10 (2) Attendance rate.

11 ~~(3) ISTEP scores under the ISTEP program or a locally adopted~~  
12 ~~assessment program used by a freeway school, including the~~  
13 ~~number and percentage of students:~~

14 ~~(A) meeting an advanced standard; or~~

15 ~~(B) meeting a proficient standard.~~

16 ~~(4) (3) Actual class size.~~

17 ~~(5) (4) The number and percentage of students in the following~~  
18 ~~groups or programs:~~

19 (A) At risk.

20 (B) Vocational education.

21 (C) Special education.

22 (D) Gifted or talented.

23 (E) Remediation/preventative remediation.

24 (F) Technology preparation.

25 ~~(6) (5) Advanced placement, including the following:~~

26 (A) For advanced placement tests, the number and percentage  
27 of students:

28 (i) scoring three (3), four (4), and **five** (5); or

29 (ii) participating.

30 (B) For the Scholastic Aptitude Test, the number and  
31 percentage of students:

32 (i) above a designated proficient score;

33 (ii) above a designated advanced score; or

34 (iii) participating.

35 ~~(7) (6) Course completion, including the number and percentage~~  
36 ~~of students completing the following programs:~~

37 (A) Academic honors diploma.

38 (B) Core 40 curriculum.

39 (C) Vocational programs.

40 ~~(8) (7) The percentage of graduates who pursue higher education.~~

41 ~~(9) (8) School safety, including the number and percentage of~~  
42 ~~students receiving suspension or expulsion for the possession of~~

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- 1 alcohol, drugs, or weapons.  
 2 ~~(+)~~ (9) Financial information relevant to performance.  
 3 SECTION 5. IC 20-1-21-9, AS ADDED BY P.L.34-1996,  
 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 1998]: Sec. 9. The report must include the following  
 6 benchmarks:  
 7 (1) Graduation rate.  
 8 (2) Attendance rate.  
 9 ~~(3)~~ (3) ISTEP test scores; or for a freeway school scores on a locally  
 10 adopted assessment program, if appropriate, including the number  
 11 and percentage of students:  
 12 ~~(A)~~ meeting an advanced standard; or  
 13 ~~(B)~~ meeting a proficient standard.  
 14 ~~(+)~~ (3) Actual class size.  
 15 ~~(5)~~ (4) The number and percentage of students in the following  
 16 groups or programs:  
 17 (A) At risk.  
 18 (B) Vocational education.  
 19 (C) Special education.  
 20 (D) Gifted or talented.  
 21 (E) Remediation/preventative remediation.  
 22 ~~(+)~~ (5) Advanced placement, including the following:  
 23 (A) For advanced placement tests, the number and percentage  
 24 of students:  
 25 (i) scoring three (3), four (4), and (5); or  
 26 (ii) participating.  
 27 (B) For the Scholastic Aptitude Test, the number and  
 28 percentage of students:  
 29 (i) above a designated proficient score;  
 30 (ii) above a designated advanced score; or  
 31 (iii) participating.  
 32 ~~(+)~~ (6) Course completion, including the number and percentage  
 33 of students completing the following programs:  
 34 (A) Academic honors diploma.  
 35 (B) Core 40 curriculum.  
 36 (C) Vocational programs.  
 37 ~~(8)~~ (7) The percentage of graduates who pursue higher education.  
 38 ~~(9)~~ (8) School safety, including the number and percentage of  
 39 students receiving suspension or expulsion for the possession of  
 40 alcohol, drugs, or weapons.  
 41 ~~(+)~~ (9) Financial information relevant to performance.  
 42 SECTION 6. IC 20-3.1-3-1, AS ADDED BY P.L.340-1995,

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1 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 1998]: Sec. 1. The following school city conditions and needs  
3 are found to exist on January 1, 1995:

- 4 (1) Education in the school city presents unique challenges.  
5 (2) Student achievement in the school city on statewide tests  
6 consistently has been significantly below:  
7 (A) the state average; and  
8 (B) achievement attained in school corporations adjacent to  
9 the school city.  
10 (3) The need for remediation of students in the school city  
11 consistently has been significantly higher than:  
12 (A) the state average; and  
13 (B) remediation levels in school corporations adjacent to the  
14 school city.  
15 (4) Graduation rates in the school city consistently have been  
16 significantly below:  
17 (A) the state average; and  
18 (B) graduation rates in school corporations adjacent to the  
19 school city.  
20 (5) Student attendance rates in the school city consistently have  
21 been below:  
22 (A) the state average; and  
23 (B) student attendance rates in school corporations adjacent to  
24 the school city.  
25 (6) There are individual schools in the school city whose students  
26 are achieving. However, overall student achievement in the  
27 school city is unsatisfactory.  
28 (7) Improving education in the school city requires unique  
29 legislative intervention.  
30 (8) Educator-driven school level control of efforts to improve  
31 student achievement in their schools and a program of  
32 performance awards in the school city will encourage the  
33 development and use of:  
34 (A) innovative teaching methods;  
35 (B) improved opportunities for teacher professional  
36 development;  
37 (C) programs achieving greater levels of parental involvement;  
38 (D) more efficient administrative efforts; and  
39 (E) improved student achievement.  
40 (9) Greater accountability among educators in their schools,  
41 including:  
42 (A) evaluations based on student achievement measures and

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- 1 administrative efficiency criteria; and  
 2 (B) annual reports to the public regarding student achievement  
 3 information and administrative performance measures;  
 4 will encourage the development and use of creative and  
 5 innovative educational methods and improve student  
 6 achievement.  
 7 (10) Providing a range of remediation opportunities to students in  
 8 the school city ~~who fail to meet state achievement standards or~~  
 9 who are determined to be at risk of academic failure by the board  
 10 will enhance the educational opportunities available to students  
 11 and improve student performance.  
 12 (11) Enhanced intervention for schools whose students fail to  
 13 meet expected performance levels will improve the educational  
 14 opportunities and educational achievement in the school city.  
 15 (12) Allowing students to attend neighborhood schools and the  
 16 development and implementation of a plan by the board to  
 17 increase student performance and achievement in the school city  
 18 are necessary to achieve these legislative objectives and to meet  
 19 the unique challenges to education and improve student  
 20 achievement in the school city.  
 21 SECTION 7. IC 20-3.1-6-2, AS ADDED BY P.L.340-1995,  
 22 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 1998]: Sec. 2. The board shall use state ~~achievement~~  
 24 **development** standards to identify students in need of summer  
 25 remediation services.  
 26 SECTION 8. IC 20-3.1-7-2, AS ADDED BY P.L.340-1995,  
 27 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 1998]: Sec. 2. The plan developed and implemented under  
 29 this chapter must do the following:  
 30 (1) Provide for efforts to increase support of the schools by the  
 31 parents of students and the neighborhood communities  
 32 surrounding the schools.  
 33 (2) Establish performance objectives for educators and students  
 34 in each school within the school city.  
 35 (3) Provide opportunity and support for the educators in each  
 36 school to develop a school plan, including:  
 37 (A) traditional or innovative methods and approaches to  
 38 improve student achievement; and  
 39 (B) efficient and cost effective management efforts in the  
 40 school;  
 41 that are consistent with general guidelines established by the  
 42 board.

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

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

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

8 (7) Provide a range of opportunity for remediation of students  
9 who ~~(A) fail to meet state achievement standards; or (B)~~ are at  
10 risk of academic failure.

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

14 SECTION 9. IC 20-3.1-8-1, AS ADDED BY P.L.340-1995,  
15 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 1998]: Sec. 1. The board shall establish annual performance  
17 objectives for each school, including the following:

18 (1) For students:

19 ~~(A) improvement in scores on statewide assessment tests and~~  
20 ~~assessment programs;~~

21 ~~(B)~~ (A) improvement in attendance rates; and

22 ~~(C)~~ (B) improvement in progress toward graduation.

23 (2) For teachers:

24 ~~(A) improvement in student scores on assessment tests and~~  
25 ~~assessment programs;~~

26 ~~(B) improvement in the number and percentage of students~~  
27 ~~achieving state achievement standards and, if applicable,~~  
28 ~~performance levels set by the board; on assessment tests;~~

29 ~~(C)~~ (A) improvement in student progress toward graduation;

30 ~~(D)~~ (B) improvement in student attendance rates for the school  
31 year;

32 ~~(E)~~ (C) improvement in individual teacher attendance rates;

33 ~~(F)~~ (D) improvement in communication with parents and  
34 parental involvement in classroom and extracurricular  
35 activities; and

36 ~~(G)~~ (E) other objectives developed by the board.

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

38 ~~(A) improvement in student scores on assessment tests;~~  
39 ~~aggregated by class and grade;~~

40 ~~(B) improvement in the number and percentage of students~~  
41 ~~achieving state achievement standards and, if applicable,~~  
42 ~~performance levels set by the board; on assessment tests;~~

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- 1 aggregated by class and grade;  
 2 ~~(C)~~ (A) improvement in student graduation rates and in  
 3 progress toward graduation;  
 4 ~~(D)~~ (B) improvement in student attendance rates;  
 5 ~~(E)~~ (C) management of general fund expenditures per student  
 6 and total expenditures per student;  
 7 ~~(F)~~ (D) improvement in teacher attendance rates; and  
 8 ~~(G)~~ (E) other objectives developed by the board.
- 9 SECTION 10. IC 20-3.1-10-3, AS ADDED BY P.L.340-1995,  
 10 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 1998]: Sec. 3. An annual report must include, at a minimum,  
 12 the following information:
- 13 (1) Student achievement information as follows:  
 14 ~~(A)~~ Student scores on assessment tests aggregated by class and  
 15 grade.  
 16 ~~(B)~~ The number and percentage of students falling below state  
 17 achievement standards and, if applicable, performance levels  
 18 set by the board, on the assessment tests, aggregated by class  
 19 and grade.  
 20 ~~(C)~~ (A) For each high school, graduation rates.  
 21 ~~(D)~~ (B) For each elementary and middle school, grade  
 22 advancement rates.  
 23 ~~(E)~~ (C) The number and percentage of students taking the  
 24 Scholastic Aptitude Test and average Scholastic Aptitude Test  
 25 scores (math, verbal, and total scores) for each high school.  
 26 ~~(F)~~ (D) For each high school, the percentage of students who  
 27 apply to, are accepted by, and attend a college, university, or  
 28 other post-secondary educational institution after high school.  
 29 ~~(G)~~ (E) Student attendance rates for the school year.
- 30 (2) Administrative performance measures as follows:  
 31 (A) School receipts and expenditures by source, compared  
 32 with budget amounts.  
 33 (B) Total school enrollment.  
 34 (C) The school's general fund expenditures per student and  
 35 total expenditures per student.  
 36 (D) The amount and percentage of the school's general fund  
 37 expenditures and the amount and percentage of total  
 38 expenditures directly reaching the classroom as determined by  
 39 a formula to be established by the board.  
 40 (E) Teacher/pupil ratios aggregated by class, grade, and  
 41 school.  
 42 (F) Administrator/pupil ratio for the school.

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1 (G) Teacher attendance rates aggregated by class, grade, and  
2 school.

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

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

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

9 SECTION 11. IC 20-3.1-13-1, AS ADDED BY P.L.340-1995,  
10 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 1998]: Sec. 1. (a) ~~The school city must provide summer  
12 remediation services to each student in a designated grade level who  
13 does not meet state achievement standards.~~

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

17 SECTION 12. IC 20-5-62-5, AS AMENDED BY P.L.34-1996,  
18 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 1998]: Sec. 5. Notwithstanding any other law, the operation  
20 of the following is suspended for a freeway school corporation or a  
21 freeway school if the governing body of the school corporation elects  
22 to have the specific statute or rule suspended in the contract:

23 (1) The following statutes and rules concerning curriculum and  
24 instructional time:

25 IC 20-10.1-2-2

26 IC 20-10.1-4-6

27 IC 20-10.1-4-7

28 IC 20-10.1-4-9.1

29 511 IAC 6-7-6

30 511 IAC 6.1-3-4

31 511 IAC 6.1-5-0.5

32 511 IAC 6.1-5-1

33 511 IAC 6.1-5-2.5

34 511 IAC 6.1-5-3.5

35 511 IAC 6.1-5-4

36 (2) The following rules concerning pupil/teacher ratios:

37 511 IAC 6-2-1(b)(2)

38 511 IAC 6.1-4-1

39 (3) The following statutes and rules concerning textbooks:

40 IC 20-10.1-9-1

41 IC 20-10.1-9-18

42 IC 20-10.1-9-21

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- 1 IC 20-10.1-9-23
- 2 IC 20-10.1-9-27
- 3 IC 20-10.1-10-1
- 4 IC 20-10.1-10-2
- 5 511 IAC 6.1-5-5
- 6 (4) 511 IAC 6-7, concerning graduation requirements.
- 7 (5) 511 IAC 6-2-1(c)(4), concerning pupil/principal ratios.
- 8 (6) 511 IAC 2-2, concerning school construction and remodeling.
- 9 (7) IC 20-1-1.2, concerning the performance-based accreditation
- 10 system.
- 11 (8) ~~IC 20-10.1-16; concerning the ISTEP program established~~
- 12 ~~under IC 20-10.1-16-8; if an alternative locally adopted norm and~~
- 13 ~~criterion referenced assessment program is adopted under section~~
- 14 ~~6(7) of this chapter.~~

15 SECTION 13. IC 20-5-62-6, AS AMENDED BY P.L.34-1996,  
 16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 1998]: Sec. 6. Except as provided in this chapter and  
 18 notwithstanding any other law, a freeway school corporation or a  
 19 freeway school may do the following during the contract period:

- 20 (1) Disregard the observance of any statute or rule that is listed in
- 21 the contract.
- 22 (2) Lease school transportation equipment to others for nonschool
- 23 use when the equipment is not in use for a school corporation
- 24 purpose, if the lessee has not received a bid from a private entity
- 25 to provide transportation equipment or services for the same
- 26 purpose.
- 27 (3) Replace the budget and accounting system that is required by
- 28 law with a budget or accounting system that is frequently used in
- 29 the private business community. The state board of accounts may
- 30 not go beyond the requirements imposed upon the state board of
- 31 accounts by statute in reviewing the budget and accounting
- 32 system used by a freeway school corporation or a freeway school.
- 33 (4) Establish a professional development and technology fund to
- 34 be used for:
  - 35 (A) professional development; or
  - 36 (B) technology, including video distance learning.
- 37 (5) Transfer funds obtained from sources other than state or local
- 38 government taxation among any accounts of the school
- 39 corporation, including a professional development and technology
- 40 fund established under subdivision (4).
- 41 (6) Transfer funds obtained from property taxation and from state
- 42 distributions among the general fund (established under

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1 IC 21-2-11) and the school transportation fund (established under  
2 IC 21-2-11.5), subject to the following:

3 (A) The sum of the property tax rates for the general fund and  
4 the school transportation fund after a transfer occurs under this  
5 subdivision may not exceed the sum of the property tax rates  
6 for the general fund and the school transportation fund before  
7 a transfer occurs under this subdivision.

8 (B) This subdivision does not allow a school corporation to  
9 transfer to any other fund money from the:

10 (i) capital projects fund (established under IC 21-2-15); or

11 (ii) debt service fund (established under IC 21-2-4).

12 (7) Establish a locally adopted assessment program to replace the  
13 assessment of students under the ISTEP program established  
14 under IC 20-10.1-16-8, subject to the following:

15 (A) A locally adopted assessment program must be established  
16 by the governing body and approved by the department.

17 (B) A locally adopted assessment program may use a locally  
18 developed test or a nationally developed test.

19 (C) Results of assessments under a locally adopted assessment  
20 program are subject to the same reporting requirements as  
21 results under the ISTEP program.

22 (D) Each student who completes a locally adopted assessment  
23 program and the student's parent or guardian has the same  
24 rights to inspection and rescoring as are set forth in  
25 IC 20-10.1-16-7(d).

26 SECTION 14. IC 20-5-62-7, AS AMENDED BY P.L.34-1996,  
27 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 1998]: Sec. 7. The minimum educational benefits that a  
29 freeway school corporation or a freeway school must produce under  
30 this chapter are the following:

31 (1) An average attendance rate that increases:

32 (A) not less than two percent (2%) each school year until the  
33 average attendance rate is eighty-five percent (85%); and

34 (B) one percent (1%) each school year until the average  
35 attendance rate is ninety percent (90%).

36 (2) A successful completion rate of the assessment program by  
37 meeting essential standards under the ISTEP program  
38 (IC 20-10.1-16) or a locally adopted assessment program  
39 established under section 6(7) of this chapter that increases:

40 (A) not less than two percent (2%) each school year until the  
41 successful completion rate is not less than eighty-five percent  
42 (85%); and

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1           ~~(B)~~ one percent (~~1%~~) each school year until the successful  
 2           completion rate is not less than ninety percent (~~90%~~);  
 3           of the students in the designated grade levels under the ISTEP  
 4           assessment program (~~IC 20-10.1-16~~) or the locally adopted  
 5           assessment program that are grades contained in the freeway  
 6           school corporation or freeway school.

7           ~~(3)~~ (2) Beginning with the class of students who expect to  
 8           graduate four (4) years after a freeway school corporation or a  
 9           freeway school that is a high school obtains freeway status, a  
 10          graduation rate as determined under 511 IAC 6.1-1-2(j) that  
 11          increases:

12           (A) not less than two percent (2%) each school year until the  
 13           graduation rate is not less than eighty-five percent (85%); and

14           (B) one percent (1%) each school year until the graduation rate  
 15           is ninety percent (90%).

16          After a freeway school corporation or a freeway school has achieved  
 17          the minimum rates required under subdivisions (1) through ~~(3)~~; (2), the  
 18          freeway school corporation or freeway school must either maintain the  
 19          minimum required rates or show continued improvement of those rates.

20          SECTION 15. IC 20-6.1-9-3, AS AMENDED BY P.L.2-1996,  
 21          SECTION 262, IS AMENDED TO READ AS FOLLOWS  
 22          [EFFECTIVE JULY 1, 1998]: Sec. 3. Each plan:

23           (1) must provide for the improvement of the performance of the  
 24           individuals evaluated;

25           (2) must provide for the growth and development of the  
 26           individuals evaluated;

27           (3) must require periodic assessment of the effectiveness of the  
 28           plan;

29           (4) must provide that nonpermanent and semipermanent teachers:

30           (A) receive an evaluation on or before December 31 each year;  
 31           and

32           (B) if requested by that teacher, an additional evaluation on or  
 33           before March 1 of the following year; and

34           (5) may provide a basis for making employment decisions.

35          However, the plan may not provide for an evaluation that is based in  
 36          whole or in part on the ISTEP test scores of the students in the school  
 37          corporation.

38          SECTION 16. IC 20-8.1-3-17.5, AS AMENDED BY P.L.340-1995,  
 39          SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40          JULY 1, 1998]: Sec. 17.5. Beginning with the 1995-1996 school year,  
 41          each school corporation shall record in the official high school  
 42          transcript for each student in grades 11 and 12 the following



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information:

(1) Attendance records.

~~(2) The student's latest ISTEP test results under IC 20-10.1-16.~~

~~(2)~~ (2) Any secondary level and postsecondary level certificates of achievement earned by the student.

SECTION 17. IC 20-8.1-3-18, AS AMENDED BY P.L.200-1995, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 18. (a) Service as a page for or as an honoree of the Indiana general assembly constitutes a lawful excuse for a pupil to be absent from school. For each day of page service or as an honoree of the Indiana general assembly, verified by the certificate of the secretary of the senate or the chief clerk of the house of representatives, a student excused from school attendance under this subsection shall not be recorded as being absent on any date for which the excuse is operative, nor shall the student be penalized by the school in any manner. This section applies to all pupils, whether they attend public, private, or parochial schools.

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

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

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1 for verification.

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

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

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

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

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

31 SECTION 18. IC 20-10.1-4.4-1, AS AMENDED BY P.L.21-1995,  
32 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 1998]: Sec. 1. As used in this chapter, "requisite proficiency"  
34 refers to the satisfaction by a student of the following: (1) The  
35 standards approved by the:

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

39 (B) (2) workforce proficiency panel within the department of  
40 workforce development under section 4(3) of this chapter to  
41 receive a secondary level certificate of achievement in a technical  
42 field.



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1           (2) Any additional standards adopted by the school corporation  
2           under IC 20-10.1-4.1-7(b)(1):  
3           SECTION 19. IC 20-10.1-25-2.1, AS AMENDED BY  
4           P.L.340-1995, SECTION 80, IS AMENDED TO READ AS  
5           FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2.1. (a) This section  
6           applies to the 4R's technology program described in section 1(a)(1) of  
7           this chapter.  
8           (b) In addition to any other funds available under this chapter, if  
9           state funds are transferred under IC 20-10.1-16-11 to the 4R's  
10          technology program:  
11          (1) those funds do not revert to the state general fund;  
12          (2) those funds shall be made available to the 4R's technology  
13          program under this chapter; and  
14          (3) the department, upon approval by the governor and the budget  
15          agency, shall utilize those funds for the purposes of awarding  
16          grants under this section:  
17          (c) (b) To be eligible to receive a grant under the program, the  
18          school corporation must comply with the following:  
19          (1) The school corporation must apply to the department for a  
20          grant on behalf of a school within the school corporation to  
21          purchase technology equipment.  
22          (2) The school corporation must certify the following:  
23          (A) That the school will provide every kindergarten and grade  
24          1 student at that school the opportunity to learn reading,  
25          writing, and arithmetic using technology.  
26          (B) That the school will provide daily before or after school  
27          technology laboratories for students in grades 1 through 3 who  
28          have been identified as needing remediation in reading,  
29          writing, or arithmetic.  
30          (C) That the school will provide additional technology  
31          opportunities, that may include Saturday sessions, for students  
32          in other grade levels to utilize the technology laboratories for  
33          remediation in reading, writing, arithmetic, or mathematics.  
34          (D) That the school will provide technology opportunities to  
35          students that attend remediation programs under IC 20-10.1-17  
36          (if the school corporation is required to do so) or any other  
37          additional summer programs.  
38          (E) That the school corporation, either through its own or the  
39          school's initiative or through donations made to the  
40          corporation for educational technology under IC 20-10.1-25.1  
41          on behalf of the school corporation, is able to provide a portion  
42          of the costs attributable to purchasing the necessary

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- 1           technology equipment.
- 2           (3) The school corporation must include in the application the
- 3           sources of and the amount of money secured under subdivision
- 4           (2)(E).
- 5           (4) That the school corporation or the school shall:
- 6                 (A) provide teacher training services; or
- 7                 (B) utilize vendor provided teacher training services.
- 8           (5) That the school corporation has given primary consideration
- 9           to the purchase of technology equipment that includes teacher
- 10           training services.
- 11           (6) That the teachers who will be utilizing the technology
- 12           equipment support the initiative described in this chapter.
- 13           ~~(d)~~ (c) Upon review of the applications by the department, the
- 14           satisfaction of the requirements set forth in subsection ~~(e)~~; (b) and
- 15           subject to the availability of funds for this purpose, the department
- 16           shall award to each eligible school corporation a grant to purchase
- 17           technology equipment under section 1(a)(1) of this chapter.
- 18           ~~(e)~~ (d) The department shall monitor the compliance by the school
- 19           corporations receiving grants of the matters cited in subsection ~~(e)~~; (b).
- 20           SECTION 20. THE FOLLOWING ARE REPEALED [EFFECTIVE
- 21           JULY 1, 1998]: IC 20-1-1.3-1; IC 20-3.1-2-4; IC 20-3.1-2-5;
- 22           IC 20-3.1-2-8; IC 20-3.1-2-12; IC 20-3.1-2-17; IC 20-3.1-2-20;
- 23           IC 20-10.1-4.1; IC 20-10.1-16; IC 20-10.1-17; IC 20-10.1-21-6.

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