

HOUSE BILL No. 1389

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.1; IC 20-8.1-3-18; IC 20-10.1-4.1; IC 20-10.1-16-1; IC 20-10.1-16-6.

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 and the proficiency statements overview committee to the Indiana academic standards commission. Repeals the proficiency statements overview committee law, repeals the state standards task force law, and makes conforming amendments.

Effective: Upon passage; July 1, 1999.

Robertson

January 13, 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.

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 as**
- 13 **follows:**
- 14 **(A) One (1) person who represents public education.**
- 15 **(B) One (1) person who represents the business**
- 16 **community.**
- 17 **(3) The following twenty-one (21) persons appointed by the**

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1 governor with the advice of the superintendent of public
2 instruction:

3 (A) Seven (7) persons who represent the business
4 community.

5 (B) Seven (7) persons who are certificated and active
6 teachers.

7 (C) Seven (7) persons who do not qualify for membership
8 under clause (A) or clause (B) and 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 (b) Appointed members serve four (4) year terms. However, the
33 governor shall designate the terms of the initial appointments made
34 by the governor at different lengths so that staggered terms result.

35 (c) An appointed member serves at the pleasure of the governor.

36 (d) The appointing authority may appoint an individual to fill
37 a 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) This subsection applies to a member of the commission who
10 is employed as a certificated and active teacher. The member's
11 employer shall consider each day during the regular school year
12 that a member is engaged in meetings of the commission as a day
13 that the member is engaged in the member's regular employment
14 as a certificated and active teacher.

15 Sec. 5. The commission shall meet upon call of the
16 cochairpersons, who must call the initial meeting of the commission
17 not later than July 1, 1998.

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

20 Sec. 7. (a) Subject to the approval of contracts and expenditures
21 by the state budget agency, the commission may hire or contract
22 for staff services and technical assistance to the commission to be
23 paid from any source.

24 (b) Funding for the commission's activities may come from any
25 source.

26 (c) The commission may appoint individuals or advisory
27 committees to assist the commission in its work.

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

- 29 (1) Hold public hearings pertinent to the commission's tasks.
- 30 (2) Survey academic standards established in other states and
31 countries.
- 32 (3) Develop documents concerning academic standards for
33 distribution to teachers and parents.

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

- 36 (1) Academic standards for students that meet the following
37 requirements:
 - 38 (A) Are internationally competitive in academic rigor.
 - 39 (B) Are clear and specific in content.
 - 40 (C) Include both basic and applied skills.
 - 41 (D) Provide academic standards for all grade levels.
 - 42 (E) Provide academic standards for subject areas,



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1 including but not limited to the following subject areas:

2 (i) Mathematics.

3 (ii) Language arts.

4 (iii) Social studies.

5 (iv) Science and technology.

6 (F) Provide diagnostic and readiness standards for each
7 grade level from kindergarten through grade 12 for
8 mathematics and language arts.

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

13 (3) Appropriate alignment of the following to foster meeting
14 by students of the academic standards established under
15 subdivision (1):

16 (A) Instructional materials.

17 (B) Curriculum.

18 (C) Instruction.

19 (D) Conditions of effective teaching and learning.

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

23 **Sec. 10. (a) After December 1, 1999, the commission shall make**
24 **recommendations to the board concerning the designated state**
25 **student assessment by reviewing and recommending to the board**
26 **for the board's approval the following:**

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

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

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

34 (1) shall consider:

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

36 (B) the development of an assessment or a test unique to
37 Indiana; and

38 (C) any combination of assessments or tests described
39 under clauses (A) and (B); and

40 (2) is required to recommend to the board only state tests that
41 when appropriate:

42 (A) present the content of each test in an interdisciplinary

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1 manner; and

2 (B) provide each student with the opportunity to meet the
3 educational proficiency standards in an applied manner.

4 **Sec. 11. The commission shall make a periodic report to the**
5 **governor, the general assembly, and the board.**

6 SECTION 2. IC 20-10.1-16-4 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The board shall:

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

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

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

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

16 ~~(1) Take into account the state educational proficiency statements;~~

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

19 **be based on the academic standards established by the board under**
20 **IC 20-10.1-4.9.**

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

27 (1) English/language arts.

28 (2) Mathematics.

29 (b) ISTEP program testing may be administered in the following
30 subject areas:

31 (1) Social studies.

32 (2) Science.

33 (c) The state achievement standards described in subsection (a)
34 must be based in part upon the results of the ISTEP program and the
35 ~~educational proficiency statements developed under IC 20-10.1-16.~~
36 **academic standards established by the board under IC 20-10.1-4.9.**

37 SECTION 4. IC 20-8.1-3-18, AS AMENDED BY P.L.200-1995,
38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 1999]: Sec. 18. (a) Service as a page for or as an honoree of
40 the Indiana general assembly constitutes a lawful excuse for a ~~pupil~~
41 **student** to be absent from school. For each day of page service or as an
42 honoree of the Indiana general assembly, verified by the certificate of



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1 the secretary of the senate or the chief clerk of the house of
2 representatives, a student excused from school attendance under this
3 subsection shall not be recorded as being absent on any date for which
4 the excuse is operative, nor shall the student be penalized by the school
5 in any manner. This section applies to all ~~pupils~~, **students**, whether
6 they attend public, private, or parochial schools.

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

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

33 (d) The governing body of each school corporation or the chief
34 administrative officer of each private school system shall authorize the
35 absence and excuse of each secondary school student who is ordered
36 to active duty with the Indiana National Guard for not more than ten
37 (10) days in a school year. For verification, the student must submit to
38 school authorities a copy of the orders to active duty and a copy of the
39 orders releasing the student from active duty. A student excused from
40 school attendance under this subsection shall not be recorded as being
41 absent on any date for which the excuse is operative, nor shall the
42 student be penalized by the school in any manner.

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

- (1) of the actual state standards task force meeting; and
- (2) the student is in transit to and from the meeting.

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

SECTION 5. IC 20-10.1-4.4-1, AS AMENDED BY P.L.21-1995, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "requisite proficiency" refers to the satisfaction by a student of the following:

(1) The standards approved by the:

- (A) (1) state board under section 4(3) of this chapter to receive a secondary level certificate of achievement in an academic field; or
- (B) (2) workforce proficiency panel within the department of workforce development under section 4(3) of this chapter to receive a secondary level certificate of achievement in a technical field.

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

SECTION 6. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 1999]: IC 20-10.1-4.1; IC 20-10.1-16-1; IC 20-10.1-16-6.

SECTION 7. [EFFECTIVE UPON PASSAGE] (a) **The Indiana academic standards commission, established by IC 20-10.1-4.9-2, as added by this act, shall make initial recommendations for academic standards to the Indiana state board of education not later than July 1, 1999.**

(b) **This SECTION expires January 1, 2001.**

SECTION 8. **An emergency is declared for this act.**



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