



March 26, 1999

ENGROSSED SENATE BILL No. 632

DIGEST OF SB0632 (Updated March 24, 1999 11:47 am - DI 2)

Citations Affected: IC 20-10.1; noncode.

Synopsis: Reading diagnostic assessments. Establishes the reading diagnostic and remediation program and fund. Provides that the program and fund are to be administered by the department of education. Provides that a grade 1 or grade 2 student who is selected by the student's teacher because of difficulty in reading may be assessed and, if determined to be lacking in reading skills, must have an individualized reading instruction plan prepared for the student. Provides that the student's school must track the student's performance after remediation. Provides that a school may receive diagnostic and remediation grants from the fund.

Effective: July 1, 1999.

Weatherwax, Sipes (HOUSE SPONSORS — WELCH, SCHOLER)

January 25, 1999, read first time and referred to Committee on Education.
February 25, 1999, amended, reported favorably — Do Pass.
March 2, 1999, read second time, amended, ordered engrossed.
March 3, 1999, engrossed.
March 4, 1999, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

March 10, 1999, read first time and referred to Committee on Education.
March 25, 1999, reported — Do Pass.

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ES 632—LS 8150/DI 71+



March 26, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED SENATE BILL No. 632

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-10.1-21.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 1999]:
4 **Chapter 21.5. Reading Diagnostic and Remediation Program**
5 **Sec. 1. As used in this chapter, "diagnostic grant" refers to a**
6 **grant provided to a school corporation to perform reading**
7 **diagnostic assessments under this chapter.**
8 **Sec. 2. As used in this chapter, "fund" refers to the reading**
9 **diagnostic assessment and remediation fund established under**
10 **section 5 of this chapter.**
11 **Sec. 3. As used in this chapter, "program" refers to the reading**
12 **diagnostic and remediation program established under section 6 of**
13 **this chapter.**
14 **Sec. 4. As used in this chapter, "remediation grant" refers to a**
15 **grant provided to a school corporation to provide remediation for**
16 **students who participate in a reading diagnostic assessment.**
17 **Sec. 5. (a) The reading diagnostic assessment and remediation**

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1 fund is established to provide diagnostic grants and remediation
2 grants under this chapter. The fund shall be administered by the
3 department.

4 (b) Money in the fund at the end of a state fiscal year does not
5 revert to the state general fund.

6 Sec. 6. (a) The reading diagnostic and remediation program is
7 established to provide:

- 8 (1) early identification of; and
9 (2) remediation to;

10 students who have difficulty reading.

11 (b) The department may:

- 12 (1) administer the program; and
13 (2) coordinate training for grade 1 and grade 2 teachers in the
14 administration and interpretation of reading diagnostic
15 instruments.

16 Sec. 7. (a) The board may select and purchase a diagnostic
17 instrument for the assessment portion of the program. The
18 diagnostic instrument selected by the board must:

- 19 (1) measure both phonics and whole language ability and
20 comprehension;
21 (2) assess phonemic awareness;
22 (3) test other appropriate reading skills and comprehension;
23 and
24 (4) be suitable for administration and interpretation by grade
25 1 and grade 2 teachers.

26 (b) The governing body of a school corporation may select an
27 alternate diagnostic instrument for use in the school corporation.
28 An alternate diagnostic instrument selected under this subsection
29 must:

- 30 (1) meet the criteria set forth under subsection (a); and
31 (2) be approved by the board before it may be administered.

32 Sec. 8. (a) Not later than October 15 of each year, each school
33 corporation may administer the diagnostic instrument selected
34 under section 7 of this chapter.

35 (b) The diagnostic instrument shall be administered to the
36 following grade 1 or grade 2 students:

- 37 (1) A student who has been identified by the student's teacher
38 as having difficulty reading.
39 (2) A student whose parents request that the student be
40 assessed, if the student's teacher and principal determine that
41 the diagnostic instrument is an appropriate assessment tool
42 for the student.



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1 (c) A school is eligible to receive a diagnostic grant from the
 2 fund in an amount that does not exceed the amount determined in
 3 STEP FOUR of the following formula:

4 STEP ONE: Determine the Indiana academic standard for
 5 language arts scale score plus ten (10) scale score points as
 6 tested by the grade 3 ISTEP for the three (3) most recently
 7 administered tests.

8 STEP TWO: For the three (3) preceding years in which the
 9 ISTEP language arts test was administered to grade 3
 10 students, determine the total number of grade 3 students in
 11 the school who did not meet the academic standard scale score
 12 determined under STEP ONE.

13 STEP THREE: Divide the sum determined under STEP TWO
 14 by three (3).

15 STEP FOUR: Multiply the quotient determined under STEP
 16 THREE by two dollars (\$2).

17 (d) A diagnostic grant shall be used for the costs of:

- 18 (1) administering; and
- 19 (2) interpreting the results of;

20 the diagnostic instrument.

21 Sec. 9. (a) This section applies to a grade 1 or grade 2 student
 22 who:

- 23 (1) has been assessed by the diagnostic instrument selected
 24 under section 7 of this chapter; and
- 25 (2) based upon the results of the assessment, is determined to
 26 have a reading deficiency.

27 (b) The teacher of a student to whom this section applies shall:

- 28 (1) develop an individualized reading instruction plan for the
 29 student; and
- 30 (2) review the plan with the student's parent:
 31 (A) in a meeting; or
 32 (B) if a meeting cannot be arranged after a reasonable
 33 effort by the teacher, through sending the plan to the
 34 parent for the parent's signature.

35 (c) An individualized reading instruction plan:

- 36 (1) must specify appropriate remedial programs or activities
 37 for a student to address areas in which the student lacks skills,
 38 as identified by the diagnostic instrument; and
- 39 (2) may utilize existing remedial and tutoring programs
 40 offered by the school corporation, through the department, or
 41 through a federal program.

42 (d) A school is eligible to receive a remediation grant from the

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1 fund in an amount that does not exceed the number of students in
 2 the school to whom this section applies multiplied by one hundred
 3 dollars (\$100).

4 **Sec. 10. Each school shall:**

5 (1) determine whether students who participated in an
 6 individualized reading plan in grade 1 or grade 2 meet the
 7 academic standard scale score tested by:

8 (A) the grade 3 ISTEP language arts test; or

9 (B) a comparable assessment or evaluation conducted by
 10 the school during the grade 3 school year; and

11 (2) report the school's findings to the department in a form
 12 determined by the department.

13 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding
 14 IC 20-10.1-21.5-8(c), as added by this act, a school is eligible to
 15 receive a diagnostic grant for the 1999-2000 school year from the
 16 reading diagnostic assessment and remediation fund in an amount
 17 that does not exceed the amount determined in STEP FOUR of the
 18 following formula:

19 **STEP ONE:** Determine the Indiana academic standard for
 20 language arts scale score plus ten (10) scale score points as
 21 tested by the grade 3 ISTEP for the two (2) most recently
 22 administered tests.

23 **STEP TWO:** For the two (2) preceding years in which the
 24 ISTEP reading test was administered to grade 3 students,
 25 determine the total number of grade 3 students in the school
 26 who did not meet the academic standard scale score
 27 determined under STEP ONE.

28 **STEP THREE:** Divide the sum determined under STEP TWO
 29 by two (2).

30 **STEP FOUR:** Multiply the quotient determined under STEP
 31 THREE by twelve dollars (\$12).

32 (b) This SECTION expires June 30, 2001.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 632, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 22, after "comprehension;" insert "**and**".

Page 2, delete line 23.

Page 2, line 24, delete "(5)" and insert "**(4)**".

Page 2, line 33, delete "shall" and insert "**may**".

Page 4, delete lines 32 through 37.

Page 4, line 38, delete "(c)" and insert "**(b)**".

and when so amended that said bill do pass.

(Reference is to SB 632 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 632 be amended to read as follows:

Page 2, line 11, delete "shall" and insert "**may**".

Page 2, line 16, delete "shall" and insert "**may**".

(Reference is to SB 632 as printed February 26, 1999.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 632, 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 0.

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