

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 236 be amended to read as follows:

- 1 Page 8, between lines 4 and 5, begin a new paragraph and insert:
2 "SECTION 11. IC 20-10.1-4.9 IS ADDED TO THE INDIANA
3 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 1999]:
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**

1 requirements:

- 2 (1) Comprise a defined curriculum.
 3 (2) Are established by at least one (1) of the following:
 4 (A) Statute.
 5 (B) Rules adopted by the board.
 6 (C) The governing body.
 7 (3) When satisfactorily completed by a student, fulfill the
 8 academic requirements for a student to do the following:
 9 (A) Graduate from high school.
 10 (B) Be issued a diploma.

11 Sec. 6. As used in this chapter, "school" refers to the following:

- 12 (1) A public school.
 13 (2) An accredited nonpublic school.

14 Sec. 7. The board shall adopt rules under IC 4-22-2 to establish
 15 minimum requirements for the following high school programs:

- 16 (1) A general high school program.
 17 (2) A Core 40 high school program that is a college
 18 preparation program.
 19 (3) An Indiana academic honors high school program that
 20 includes the following:
 21 (A) A rigorous academic program of study.
 22 (B) A specified minimum grade point average.

23 Sec. 8. A governing body must offer the following high school
 24 programs established under section 7 of this chapter:

- 25 (1) A general high school program.
 26 (2) A Core 40 high school program.
 27 (3) An Indiana academic honors high school program.

28 Sec. 9. A governing body must provide the following:

- 29 (1) An ISTEP+ diploma seal to a student who receives:
 30 (A) a diploma; and
 31 (B) a passing score on the graduation examination (as
 32 defined in IC 20-10.1-16-1.5).
 33 (2) A Core 40 diploma seal to a student who:
 34 (A) receives a diploma; and
 35 (B) successfully completes the Core 40 high school
 36 program.
 37 (3) An Indiana academic honors diploma seal to a student
 38 who:
 39 (A) receives a diploma; and
 40 (B) successfully completes the Indiana academic honors
 41 high school program.

42 Sec. 10. A governing body may establish and offer a high school
 43 program that upon successful completion results in the issuance of
 44 a diploma seal that differs from the diploma seals listed in section
 45 9 of this chapter. However, a high school program that a governing
 46 body establishes under this section must exceed the requirements
 47 that the board establishes for a general high school program under
 48 section 7(1) of this chapter.

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

5 SECTION 12. IC 20-10.1-16-8 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The state
 7 superintendent shall develop an ISTEP program testing schedule in
 8 which:

9 (1) each student in grades 3, 6, 8, and 10 must be tested; and

10 (2) each student **in grade 10** must take a graduation examination.

11 **The board shall adopt rules to establish when a student is**
 12 **considered to be in grade 10 for purposes of initially taking the**
 13 **graduation examination.**

14 (b) A student who is a child with a disability (as defined in IC 20-
 15 1-6-1) shall be tested under this chapter with appropriate
 16 accommodations in testing materials and procedures unless the
 17 individuals who develop the child's individualized education program
 18 determine that testing under this chapter, or a part of the testing, is not
 19 appropriate for the student and that an alternate assessment will be
 20 used to test the student's achievement.

21 (c) Any decision with regard to a student who is a child with a
 22 disability (as defined in IC 20-1-6-1) to participate in testing under this
 23 chapter, to receive accommodations in testing materials and
 24 **procedure, procedures**, to participate in remediation under
 25 IC 20-10.1-17, or to be retained at the same grade level for consecutive
 26 school years shall be made in accordance with the child's
 27 individualized education program, subject to the ISTEP program
 28 manual, and federal law.

29 SECTION 13. IC 20-10.1-16-13 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. (a) Beginning with
 31 the class of students who expect to graduate during the 1999-2000
 32 school year, each student is required to meet:

33 (1) the ~~educational proficiency~~ **academic** standard tested in the
 34 graduation examination; and

35 (2) any additional requirements established by the governing
 36 body;

37 to be eligible to graduate.

38 (b) A student who does not meet the ~~educational proficiency~~
 39 **academic** standard tested in the graduation examination shall be given
 40 the opportunity to be tested during each semester of each grade
 41 following the grade in which the student is initially tested until the
 42 student achieves a passing score.

43 (c) ~~The board shall develop and adopt a procedure to enable~~
 44 ~~students who:~~

45 (1) ~~undergo the graduation examination; and~~

46 (2) ~~do not receive a passing score on the graduation examination;~~

47 ~~to appeal their particular results. The rules adopted by the board must~~

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

8 ~~(d)~~ (c) A student who does not meet the educational proficiency
 9 standard tested in **achieve a passing score on** the graduation
 10 examination may

11 ~~(1)~~ have the educational proficiency standard requirement waived
 12 and

13 ~~(2)~~ be eligible to graduate

14 **if the following occur:**

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

19 (2) **The student otherwise satisfies all state and local**
 20 **graduation requirements.**

21 (d) **A student who does not achieve a passing score on the**
 22 **graduation examination and who does not meet the requirements**
 23 **of subsection (c) may be eligible to graduate if the student does the**
 24 **following:**

25 (1) **Takes the graduation examination in each subject area in**
 26 **which the student did not achieve a passing score at least one**

27 **(1) time every school year after the school year in which the**
 28 **student first takes the graduation examination.**

29 (2) **Completes remediation opportunities provided to the**
 30 **student by the student's school.**

31 (3) **Maintains a school attendance rate of at least ninety-five**
 32 **percent (95%) with excused absences not counting against the**
 33 **student's attendance.**

34 (4) **Maintains at least a "C" average or the equivalent in the**
 35 **courses comprising the credits specifically required for**
 36 **graduation by rule of the board.**

37 (5) **Obtains a written recommendation from a teacher of the**
 38 **student in each subject area in which the student has not**
 39 **achieved a passing score. The recommendation must:**

40 (A) **be concurred in by the principal of the student's**
 41 **school; and**

42 (B) **be supported by documentation that the student has**
 43 **attained the academic standard in the subject area based**
 44 **upon:**

45 (i) **tests other than the graduation examination; or**

46 (ii) **classroom work.**

47 (6) **Otherwise satisfies all state and local graduation**

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requirements.

(e) This subsection applies to a student who is a child with a disability (as defined in IC 20-1-6-1). If the student does not achieve a passing score on the graduation examination, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:

(1) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:

(A) be concurred in by the principal of the student's school; and

(B) be supported by documentation that the student has attained the academic standard in the subject area based upon:

- (i) tests other than the graduation examination; or
- (ii) classroom work.

(2) The student meets the following requirements:

(A) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program.

(B) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.

(C) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's individualized education program with excused absences not counting against the student's attendance.

(D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the board.

(E) Otherwise satisfies all state and local graduation requirements.

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

Page 9, line 33, delete "stake" and insert "**stakeholders.**"

Page 9, delete line 34.

Page 10, line 17, delete "and" and insert "**with**".

Page 16, line 10, after "if" insert ",,".

Page 16, line 27, after "if" insert ",,".

Page 17, after line 30, begin a new paragraph and insert:

"SECTION 18. [EFFECTIVE JULY 1, 1999] (a) **The Indiana**

1 state board of education may adopt guidelines to establish
2 minimum requirements for the diploma and diploma seals under
3 IC 20-10.1-4.9, as added by this act. The guidelines adopted under
4 this SECTION remain in effect until the board adopts rules under
5 IC 20-10.1-4.9-7, as added by this act.

6 (b) This SECTION expires July 1, 2001."

7 Renumber all SECTIONS consecutively.

(Reference is to SB 236 as printed February 26, 1999.)

Senator SERVER