



February 26, 1999

SENATE BILL No. 236

DIGEST OF SB 236 (Updated February 24, 1999 6:55 pm - DI 71)

Citations Affected: IC 20-1; IC 20-10.1; IC 20-10.2.

Synopsis: Education accountability. Provides that a school may be accredited by meeting the criteria for the Malcolm Baldrige National Quality Award for Education or a national or regional accreditation agency rather than under performance based accreditation. Adds additional benchmarks and indicators of performance to the school corporation annual performance report. Creates a professional development grant program, administered by the Indiana state board of education, to provide grants for public schools for professional development activities. Requires a school to develop a professional development plan to be eligible to obtain a grant. Provides criteria for plan development and the evaluation of plans. Establishes a school accountability program for targeted and continuous school improvement. Requires each school and school corporation to develop an annual strategic and continuous school improvement plan. Requires
(Continued next page)

Effective: July 1, 1999; July 1, 2001.

Weatherwax

January 6, 1999, read first time and referred to Committee on Rules and Legislative Procedure.
February 2, 1999, amended; reassigned to Committee on Education.
February 25, 1999, amended, reported favorably — Do Pass.

SB 236—LS 7134/DI 13+



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Digest Continued

the department of education to use ISTEP scores, performance indicators developed by the education roundtable, and a school corporation's annual performance report to assess the improvement of each school in the school corporation. Requires the Indiana state board of education to develop categories of school improvement and place each school in a category. Provides a series of interventions for schools that do not show improvement based on the number of years that improvement is not demonstrated. Provides for creation of a system of recognition and financial awards for schools that demonstrate improvement. Repeals a statute under the performance based accreditation law that requires the development of a level of expected performance for each school in light of the school's socioeconomic factors.

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February 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.

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SENATE BILL No. 236

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 20-1-1.2-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) **A school in**
3 **Indiana may be accredited:**
4 (1) **under the performance based accreditation system**
5 **established by this chapter; or**
6 (2) **by implementing a quality focused approach to school**
7 **improvement such as the criteria for the Malcolm Baldrige**
8 **National Quality Award for Education or for a national or**
9 **regional accreditation agency that is recommended by the**
10 **education roundtable and approved by the board.**
11 (b) The board shall establish **the following:**
12 (1) A performance-based accreditation system for **accrediting**
13 **schools in Indiana under this chapter. The accreditation system**
14 **adopted under this chapter must be the only accreditation system**
15 **authorized by the board.**

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1 **(2) A procedure for determining whether a school is making**
 2 **progress toward meeting the criteria for the Malcolm**
 3 **Baldrige National Quality Award for Education or a national**
 4 **or regional accreditation agency.**

5 (b) (c) The department shall establish a schedule for accrediting
 6 schools under this chapter.

7 SECTION 2. IC 20-1-1.2-6 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) Each school shall
 9 submit to the department the following benchmarks:

10 (1) Graduation rate:

11 (2) Attendance rate:

12 (3) ISTEP scores; or, for a freeway school; scores on a locally
 13 adopted assessment program; if appropriate; including the number
 14 and percentage of students:

15 (A) meeting an advanced standard; or

16 (B) meeting a proficient standard:

17 (4) Actual class size:

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

20 (A) At risk:

21 (B) Vocational education:

22 (C) Special education:

23 (D) Gifted or talented:

24 (E) Remediation/preventative remediation:

25 (F) Technology preparation:

26 (6) Advanced placement; including the following:

27 (A) For advanced placement tests; the number and percentage
 28 of students:

29 (i) scoring three (3); four (4); and (5); or

30 (ii) participating:

31 (B) For the Scholastic Aptitude Test; the number and
 32 percentage of students:

33 (i) above a designated proficient score;

34 (ii) above a designated advanced score; or

35 (iii) participating:

36 (7) Course completion; including the number and percentage of
 37 students completing the following programs:

38 (A) Academic honors diploma:

39 (B) Core 40 curriculum:

40 (C) Vocational programs:

41 (8) The percentage of graduates who pursue higher education:

42 (9) School safety; including the number and percentage of

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1 students receiving suspension or expulsion for the possession of
2 alcohol, drugs, or weapons.

3 ~~(10) Financial information relevant to performance.~~

4 ~~(b) The superintendent and board shall determine which of the~~
5 ~~benchmarks under subsection (a) and indicators of performance~~
6 ~~listed in IC 20-1-21-9 are appropriate benchmarks for performance~~
7 ~~based accreditation under IC 20-1-1.3-3.~~

8 SECTION 3. IC 20-1-1.2-7 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. ~~(a) The department~~
10 ~~shall (1) review the information submitted under section 6 of this~~
11 ~~chapter relative to the socioeconomic factors of and resources available~~
12 ~~to that particular school under section 5 of this chapter; and (2)~~
13 ~~determine whether the school has complied with the following legal~~
14 ~~standards for accreditation:~~

15 ~~(A) (1) Health and safety requirements.~~

16 ~~(B) (2) Minimum time requirements for school activity.~~

17 ~~(C) (3) Staff-student ratio requirements.~~

18 ~~(D) (4) Curriculum offerings.~~

19 ~~(E) (5) Development and implementation of a staff evaluation~~
20 ~~plan under IC 20-6.1-9.~~

21 ~~(F) (6) Development and implementation of a beginning teacher~~
22 ~~internship program under IC 20-6.1-8.~~

23 ~~(G) (7) Completion of a school improvement plan that:~~

24 ~~(i) (A) analyzes the strengths and weaknesses of the school;~~

25 ~~(ii) (B) outlines goals of the school community to which~~
26 ~~school improvement activities will be directed; and~~

27 ~~(iii) (C) identifies objectives of the school and programs~~
28 ~~designed to achieve those objectives.~~

29 ~~(b) In no event may the objectives identified under subsection~~
30 ~~(a)(2)(G)(iii) be less than the level of performance expected for that~~
31 ~~school under section 5 of this chapter.~~

32 SECTION 4. IC 20-1-1.2-8 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) If the department
34 determines that:

35 (1) a school has complied with all of the legal standards under
36 ~~section 7(a)(2) section 7~~ of this chapter; and

37 (2) the school's performance has met the expectations for that
38 school in the areas described in section 6 of this chapter;

39 the board shall make a determination that the school has acquired full
40 accreditation status.

41 (b) The next review under this chapter of a school described under
42 subsection (a) shall be conducted no later than five (5) years after the

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1 board's determination of full accreditation.

2 SECTION 5. IC 20-1-1.2-9 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) If the department
4 verifies that:

5 (1) a school has not complied with all of the legal standards under
6 ~~section 7(a)(2)~~ **section 7** of this chapter; or

7 (2) the school's performance has not met the expectations for that
8 school in the areas described in section 6 of this chapter;

9 a review panel of at least three (3) members shall conduct an onsite
10 evaluation of that school in order to make a recommendation to the
11 board as to the accreditation status of that school.

12 (b) The department may not publish or otherwise make available for
13 public inspection any information concerning a school's compliance
14 with legal standards under ~~section 7(a)(2)~~ **section 7** of this chapter, the
15 meeting of performance expectations under section 6 of this chapter,
16 the assignment of an onsite review panel under section 9 of this
17 chapter, or the recommended accreditation status of the school until all
18 onsite reviews have taken place and recommendations to the board
19 concerning the accreditation status of schools have been made.

20 SECTION 6. IC 20-1-1.2-11 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. (a) During its
22 ~~on-site onsite~~ evaluation, a review panel shall review the following for
23 a school:

24 (1) Teaching practices and administrative leadership in
25 instruction.

26 (2) Parental and community involvement.

27 (3) Implementation of the ISTEP remediation program under
28 IC 20-10.1-17 and the educational opportunity program for at-risk
29 children.

30 (4) The homework policy.

31 (b) In addition to its review under subsection (a), the review panel
32 shall verify compliance with the legal standards for accreditation set
33 out in ~~section 7(a)(2)~~ **section 7** of this chapter.

34 SECTION 7. IC 20-1-1.3-3 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. The board shall
36 implement the performance-based award and incentive program to
37 recognize and reward schools that have exhibited relative improvement
38 toward the performance benchmarks **and indicators of performance**
39 **listed in IC 20-1-21-9 that are** determined to be appropriate for the
40 school by the superintendent and board. **including the following**
41 **benchmarks:**

42 (+) Graduation rate:



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- 1 (2) Attendance rate:
 2 (3) ISTEP scores under the ISTEP program or a locally adopted
 3 assessment program used by a freeway school, including the
 4 number and percentage of students:
 5 (A) meeting an advanced standard; or
 6 (B) meeting a proficient standard.
 7 (4) Actual class size:
 8 (5) The number and percentage of students in the following
 9 groups or programs:
 10 (A) At risk:
 11 (B) Vocational education:
 12 (C) Special education:
 13 (D) Gifted or talented:
 14 (E) Remediation/preventative remediation:
 15 (F) Technology preparation:
 16 (6) Advanced placement, including the following:
 17 (A) For advanced placement tests, the number and percentage
 18 of students:
 19 (i) scoring three (3); four (4); and (5); or
 20 (ii) participating:
 21 (B) For the Scholastic Aptitude Test, the number and
 22 percentage of students:
 23 (i) above a designated proficient score;
 24 (ii) above a designated advanced score; or
 25 (iii) participating:
 26 (7) Course completion, including the number and percentage of
 27 students completing the following programs:
 28 (A) Academic honors diploma:
 29 (B) Core 40 curriculum:
 30 (C) Vocational programs:
 31 (8) The percentage of graduates who pursue higher education:
 32 (9) School safety, including the number and percentage of
 33 students receiving suspension or expulsion for the possession of
 34 alcohol; drugs; or weapons:
 35 (10) Financial information relevant to performance:
 36 SECTION 8. IC 20-1-21-7 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. A report must
 38 contain the following:
 39 (1) The benchmarks **and indicators of performance** listed in
 40 section 9 of this chapter for each of the preceding three (3) years.
 41 (2) Additional components determined under section 8(4) of this
 42 chapter.



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1 (3) A comparison of the benchmarks described in section 9(1)
 2 through 9(3) of this chapter to performance based accreditation
 3 goals developed under IC 20-1-1.2.

4 (4) Additional information or explanation that the governing body
 5 wishes to include, **including results of assessments of students**
 6 **under programs other than the ISTEP program that a school**
 7 **corporation uses to determine if students are meeting or**
 8 **exceeding academic standards in grades that are not tested**
 9 **under the ISTEP program.**

10 SECTION 9. IC 20-1-21-8 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The state
 12 superintendent and the Indiana state board of education, in consultation
 13 with school corporations, educational organizations, ~~and~~ appropriate
 14 state agencies, **and other organizations and individuals having an**
 15 **interest in education**, shall develop and periodically revise the
 16 following for the benchmarks **and indicators of performance** under
 17 section 9 of this chapter and the additional components of the
 18 performance report:

19 (1) Reporting procedures, including the following:

20 (A) A determination of the information that a school
 21 corporation must compile and the information that the
 22 department must compile.

23 (B) A determination of the information required on a school by
 24 school basis and the information required on a school
 25 corporation basis.

26 (C) A common format suitable for publication, including
 27 tables, graphics, and explanatory text.

28 (2) Operational definitions.

29 (3) Standards for implementation.

30 (4) Additional components for the report that may be benchmarks,
 31 **indicators of performance**, or other information.

32 (5) Targets identified in performance based accreditation goals
 33 developed under IC 20-1-1.2 for certain benchmarks and a
 34 reporting system that measures schools and school corporations
 35 against the targets.

36 SECTION 10. IC 20-1-21-9 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The report must
 38 include the following benchmarks **or indicators of performance**:

39 (1) Graduation rate.

40 (2) Attendance rate.

41 (3) ISTEP test scores, or for a freeway school scores on a locally
 42 adopted assessment program, if appropriate. ~~including the number~~



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- 1 and percentage of students:
- 2 (A) meeting an advanced standard; or
- 3 (B) meeting a proficient standard.
- 4 (4) Actual class size.
- 5 (5) The number and percentage of students in the following
- 6 groups or programs:
- 7 (A) At risk.
- 8 (B) Vocational education.
- 9 (C) Special education.
- 10 (D) Gifted or talented.
- 11 (E) **Remediation/preventative remediation: Remediation and**
- 12 **preventive remediation.**
- 13 (6) Advanced placement, including the following:
- 14 (A) For advanced placement tests, the number and percentage
- 15 of students:
- 16 (i) scoring three (3), four (4), and **five (5); or and**
- 17 (ii) participating.
- 18 (B) For the Scholastic Aptitude Test: **the number and**
- 19 **percentage of students:**
- 20 (i) **above a designated proficient score; test scores; and**
- 21 (ii) **above a designated advanced score; or**
- 22 **(iii) the number and percentage of students** participating.
- 23 (7) Course completion, including the number and percentage of
- 24 students completing the following programs:
- 25 (A) Academic honors diploma.
- 26 (B) Core 40 curriculum.
- 27 (C) Vocational programs.
- 28 (8) The percentage of graduates who pursue higher education.
- 29 (9) School safety, including the number and percentage of
- 30 students receiving suspension or expulsion for the possession of
- 31 alcohol, drugs, or weapons.
- 32 (10) Financial information **and various school cost factors**
- 33 relevant to performance.
- 34 (11) **Technology accessibility and utilization of technology in**
- 35 **instruction.**
- 36 (12) **Staff professional development, including the type and**
- 37 **extent of opportunities available.**
- 38 (13) **Student mobility rates.**
- 39 (14) **Number and types of partnerships with the community,**
- 40 **business, or higher education.**
- 41 (15) **Teacher licensing, certification, and preparation.**
- 42 (16) **The percentage of grade 3 students reading at or above**

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1 **grade 3 level.**

2 **(17) A comparison of ISTEP scores and the dropout rate.**

3 **(18) Other indicators of performance as recommended by the**
 4 **education roundtable (IC 20-1-20.5-3).**

5 SECTION 11. IC 20-10.1-30 IS ADDED TO THE INDIANA
 6 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 1999]:

8 **Chapter 30. Professional Development Grant Program**

9 **Sec. 1. As used in this chapter, "grant" refers to a professional**
 10 **development grant under this chapter.**

11 **Sec. 2. As used in this chapter, "plan" refers to a professional**
 12 **development plan developed under section 7 of this chapter.**

13 **Sec. 3. As used in this chapter, "program" refers to the**
 14 **professional development grant program established under section**
 15 **4 of this chapter.**

16 **Sec. 4. The professional development grant program is**
 17 **established.**

18 **Sec. 5. The board shall administer the program.**

19 **Sec. 6. A public school qualifies for a grant under this chapter**
 20 **when the school's plan, developed and submitted under section 7**
 21 **of this chapter, is approved by the board upon recommendation of**
 22 **the department. For purposes of determining whether a school**
 23 **qualifies for a grant under this chapter, the department shall:**

24 (1) review;

25 (2) suggest changes to; and

26 (3) recommend approval or rejection of;

27 **a school's plan.**

28 **Sec. 7. (a) The following apply to a plan developed under this**
 29 **chapter:**

30 (1) **The plan must emphasize improvement of student learning**
 31 **and performance.**

32 (2) **The plan must be developed by a school improvement**
 33 **team that includes individuals who represent each of the**
 34 **following groups:**

35 (A) **Parents.**

36 (B) **Teachers.**

37 (C) **Administrators.**

38 (D) **Other school staff members.**

39 (E) **Business and community representatives.**

40 (F) **Representatives of agencies that serve children and**
 41 **youth.**

42 (3) **The school improvement team shall evaluate the effect of**

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1 professional development experiences on student learning and
 2 performance. The evaluation must include qualitative,
 3 quantitative, formative, and summative strategies.

4 (4) The plan must be integrated with the performance based
 5 accreditation school improvement plan required under
 6 IC 20-1-1.2-7.

7 (5) The plan must include an evaluation component under
 8 which the school improvement team may determine the
 9 effectiveness of professional development experiences. The
 10 evaluation component must include the following:

11 (A) A means of determining evidence of success.

12 (B) A mechanism to identify and develop strategies to
 13 collect multiple forms of data that reflect the achievement
 14 of expectations for all students. The data may include the
 15 results of ISTEP tests under IC 20-10.1-16, local tests,
 16 classroom work, and teacher and administrator
 17 observations.

18 (C) A procedure for using collected data to make decisions.

19 (D) The development of an ongoing communication plan to
 20 report evidence of success for all learners and programs to
 21 the local community and the department.

22 (6) The plan must be approved by the exclusive
 23 representative.

24 (b) A school shall submit the school's plan to the board.

25 Sec. 8. The board may approve a school's plan only if the plan
 26 meets the board's core principles for professional development and
 27 the following additional criteria:

28 (1) The plan is school based and collaboratively designed and
 29 encourages participants to work collaboratively.

30 (2) A variety of resources, including needs assessments,
 31 professional literature, research, and school improvement
 32 programs, are used in developing the plan.

33 (3) The plan supports professional development for all stake
 34 holders.

35 (4) The plan includes ongoing professional growth experiences
 36 that provide adequate time and job embedded opportunities
 37 to support school improvement and student learning,
 38 including flexible time for professional development that
 39 provides professional development opportunities before,
 40 during, and after the regular school day and school year.

41 (5) Under the plan, teacher time for professional development
 42 sustains instructional coherence, participant involvement, and



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continuity for students.

(6) The plan includes effective, research based strategies to support ongoing developmental activities.

(7) The plan supports experiences to increase the effective use of technology to improve teaching and learning.

(8) The plan encourages diverse techniques, including inquiry, reflection, action research, networking, study groups, coaching, and evaluation.

Sec. 9. A school must use a grant received under this chapter to implement all or part of the school's plan by funding activities that may include the following:

(1) Partnership programs with other entities, including professional development schools.

(2) Teacher leadership academies, research teams, and study groups.

(3) Workshops, seminars, and site visits.

(4) Cooperative programs and other school corporations.

Sec. 10. A school shall report to the department concerning the use of grants received under this chapter. A school that fails to make a report under this section is not eligible for a subsequent grant.

Sec. 11. The board shall adopt rules under IC 4-22-2 to implement this chapter.

SECTION 12. IC 20-10.2 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

ARTICLE 10.2. Accountability for School Performance and Improvement

Chapter 1. Applicability

Sec. 1. The provisions in this article concerning schools apply only to the following:

(1) Public schools.

(2) Nonpublic schools that voluntarily become accredited under IC 20-1-1-6.

Chapter 2. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Annual report" refers to the school corporation annual performance report required by IC 20-1-21-3.

Sec. 3. "Board" has the meaning set forth in IC 20-10.1-1-17.

Sec. 4. "Department" has the meaning set forth in IC 20-10.1-1-18.



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- 1 **Sec. 5. "Education roundtable" refers to the education**
- 2 **roundtable established by IC 20-1-20.5-3.**
- 3 **Sec. 6. "Governing body" has the meaning set forth in**
- 4 **IC 20-10.1-1-5.**
- 5 **Sec. 7. "Nonpublic school" has the meaning set forth in**
- 6 **IC 20-10.1-1-3.**
- 7 **Sec. 8. "Parent" has the meaning set forth in IC 20-10.1-1-9.**
- 8 **Sec. 9. "Plan" refers to a strategic and continuous school**
- 9 **improvement and achievement plan established under this article**
- 10 **for a school or a school corporation.**
- 11 **Sec. 10. "Public school" has the meaning set forth in**
- 12 **IC 20-10.1-1-2.**
- 13 **Sec. 11. "School" refers to a public or an accredited nonpublic**
- 14 **school.**
- 15 **Sec. 12. "School corporation" has the meaning set forth in**
- 16 **IC 20-10.1-1-1.**
- 17 **Chapter 3. Strategic and Continuous School Improvement and**
- 18 **Achievement Plan**
- 19 **Sec. 1. The principal of each school must coordinate the**
- 20 **development of an initial three (3) year strategic and continuous**
- 21 **school improvement and achievement plan and coordinate annual**
- 22 **review of the plan. The initial plan and annual review must be**
- 23 **made with input from a committee of persons interested in the**
- 24 **school, including administrators, teachers, parents, and community**
- 25 **and business leaders appointed by the governing body.**
- 26 **Sec. 2. (a) The committee described in section 1 of this chapter**
- 27 **must submit a school's initial plan to the school's governing body**
- 28 **by March 1 of the school year prior to the year of implementation.**
- 29 **(b) An initial plan must be established by June 1 of the school**
- 30 **year prior to the year of implementation. A plan is established by**
- 31 **approval of the governing body. The governing body shall approve**
- 32 **a plan for each school in the school corporation. When a plan is**
- 33 **presented to the governing body, the governing body must either**
- 34 **accept or reject the plan, and may not revise the plan. A plan is**
- 35 **established when written evidence of approval is attached to the**
- 36 **plan.**
- 37 **Sec. 3. (a) A plan:**
- 38 **(1) shall lay out objectives for a three (3) year period; and**
- 39 **(2) must be annually reviewed and revised to accomplish the**
- 40 **achievement objectives of the school.**
- 41 **(b) A plan must establish objectives for the school to achieve.**
- 42 **These achievement objectives must be consistent with academic**

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- 1 standards and include improvement in at least the following areas:
- 2 (1) Attendance rate.
- 3 (2) The percentage of students meeting academic standards
- 4 under the ISTEP program (IC 20-10.1-16).
- 5 (3) For a secondary school, graduation rate.
- 6 (c) A plan must specify how and to what extent the school
- 7 expects to make continuous improvement in all areas of the
- 8 education system where results are measured by setting
- 9 benchmarks for progress on an individual school basis.
- 10 (d) A plan must note specific areas where improvement is
- 11 needed immediately.
- 12 Sec. 4. (a) A plan may include a request for a waiver of
- 13 applicability of a rule or statute to a school.
- 14 (b) The governing body may waive any rule adopted by the
- 15 board for which a waiver is requested in a plan, except for a rule
- 16 that is characterized as follows:
- 17 (1) The rule relates to the health or safety of students or
- 18 school personnel.
- 19 (2) The rule is a special education rule under 511 IAC 7.
- 20 (3) Suspension of the rule brings the school into
- 21 noncompliance with federal statutes or regulations.
- 22 (4) The rule concerns curriculum or textbooks.
- 23 (c) Upon request of the governing body and pursuant to a plan,
- 24 the board may waive for a school or a school corporation any
- 25 statute or rule relating to the following:
- 26 (1) Curriculum.
- 27 (2) Textbook selection.
- 28 Sec. 5. (a) A plan must contain the following components for the
- 29 school:
- 30 (1) A list of the statutes and rules that the school wishes to
- 31 have suspended from operation for the school.
- 32 (2) A description of the curriculum and information
- 33 concerning the location of a copy of the curriculum that is
- 34 available for inspection by members of the public.
- 35 (3) A description and name of the assessments that will be
- 36 used in the school in addition to ISTEP assessments.
- 37 (4) A community wide strategy for meeting academic
- 38 standards and achieving the objectives established in the plan.
- 39 (5) A report to be issued to the board and made available to
- 40 all interested persons in an easily understood format.
- 41 (6) A demonstration of community support for the plan.
- 42 (7) A provision to maximize parental participation in the

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school.

(8) For a secondary school, a provision to do the following:

(A) Offer courses that allow all students to become eligible to receive an academic honors diploma.

(B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.

(9) A provision to maintain a safe and disciplined learning environment for students and teachers.

(10) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a).

Sec. 6. The department shall act as a clearinghouse for plans and make effective plans available to school corporations as models to use in developing and carrying out plans.

Chapter 4. Student Educational Achievement Grants

Sec. 1. As used in this chapter, "fund" refers to the student educational achievement fund established under section 3 of this chapter.

Sec. 2. As used in this chapter, "grant" refers to a student educational achievement grant from the fund.

Sec. 3. (a) The student educational achievement fund is established to provide funds to stimulate and recognize improved student performance in meeting academic standards under the ISTEP program. The fund is administered by the department.

(b) The fund consists of appropriations from the general assembly.

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

Sec. 4. The general assembly shall determine the statewide amount available for grants in appropriations beginning during the 2003-2005 biennium. The maximum amount available to a school is determined by referencing the number of full-time certified teaching positions for the school. The department, under the direction of the state superintendent, shall determine the available amounts and distribute the grants earned.

Sec. 5. (a) This section applies to a school in which fewer than ninety percent (90%) of the students in the school meet the academic standard under the ISTEP program during a school year.

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1 (b) Beginning with the 2003-2004 school year, a school is entitled
 2 to a grant if there is at least a five percent (5%) improvement in
 3 the number of students in the school who meet the academic
 4 standard under the ISTEP program over the number of students
 5 who met the academic standard in the school year immediately
 6 preceding the school year for which the school seeks a grant.

7 Sec. 6. (a) This section applies to a school in which ninety
 8 percent (90%) or more of the students in the school meet the
 9 academic standard under the ISTEP program during a school
 10 year.

11 (b) Beginning with the 2003-2004 school year, a school is entitled
 12 to a grant if at least ninety percent (90%) of the students in the
 13 school continue to meet the academic standard under the ISTEP
 14 program.

15 Sec. 7. (a) The education roundtable shall study the use of
 16 assessment data by individual student who is assessed for purposes
 17 of implementing this chapter, analyzing student performance over
 18 time on various assessments, and other purposes developed by the
 19 roundtable. The roundtable shall make initial recommendations on
 20 the use of assessment data by individual student to the board by
 21 January 1, 2001.

22 (b) Any recommendation of the roundtable concerning the use
 23 of assessment data by individual student must be tested in a pilot
 24 project before the recommendation may be implemented on a
 25 statewide basis.

26 Chapter 5. Assessing Improvement

27 Sec. 1. (a) The performance of a school's students on ISTEP and
 28 other assessments is the primary means of assessing a school's
 29 improvement.

30 (b) The education roundtable shall examine and make
 31 recommendations to the board concerning:

- 32 (1) performance indicators that shall be used as secondary
 33 means of determining school progress;
 34 (2) expected progress levels, continuous improvement
 35 measures, distributional performance levels, and absolute
 36 performance levels for schools; and
 37 (3) an orderly transition from the performance based
 38 accreditation system to the assessment system set forth in this
 39 article.

40 (c) The education roundtable shall consider methods of
 41 measuring improvement and progress used in other states in
 42 developing recommendations under this section.



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(d) The education roundtable shall make recommendations to the board by January 1, 2001.

(e) The board shall implement the recommendations of the education roundtable by January 1, 2002.

Sec. 2. (a) In addition to scores on ISTEP and other assessments, the department shall use the performance indicators developed under section 1 of this chapter and the benchmarks and indicators of performance in each school corporation's annual performance report to assess the improvement of each school and school corporation.

(b) The department shall assess improvement in the following manner:

(1) Compare each school and each school corporation to its own prior performance and not to the performance of other schools or school corporations.

(2) Compare the actual results in the annual report with the benchmarks and indicators of performance established in the plan for the same school.

(3) Compare the results for a school by comparing each student's results for each grade with the student's prior year results, with an adjustment for student mobility rate.

Sec. 3. The board shall establish a number of categories or designations of school improvement based on the improvement that a school makes in performance on the measures determined by the board with the advice of the education roundtable. The categories or designations must reflect various levels of improvement.

Sec. 4. The board shall place each school in a category or designation of school improvement based upon the department's findings from the assessment of the improvement of each school under section 3 of this chapter. The board must place those schools that do not show improvement in the lowest category or designation.

Chapter 6. Consequences

Sec. 1. (a) This section applies the first year that a school is placed in the lowest category or designation of school improvement.

(b) The board shall place the school and the school corporation on notice that the school is in the lowest category or designation of school improvement and:

- (1) issue a public notice of the school's lack of improvement;
- and

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- 1 (2) order the governing body to hold a public hearing in which
2 public testimony is received concerning the lack of
3 improvement.
- 4 (c) The committee that developed the school's plan under
5 IC 20-10.2-3 shall revise the school's plan. A revision under this
6 subsection may include any of the following:
- 7 (1) Shifting resources.
8 (2) Changing personnel.
9 (3) Using outside expertise to manage the school.
- 10 Sec. 2. (a) This section applies if in the second year after initial
11 placement in the lowest category or designation, a school still
12 remains in the lowest category or designation.
- 13 (b) The board shall establish and assign an expert team to the
14 school. The expert team:
- 15 (1) must include representatives from the community or
16 region that the school serves; and
17 (2) may include:
- 18 (A) school superintendents, members of governing bodies,
19 and teachers from school corporations that are in high
20 categories or designations; and
21 (B) special consultants or advisers.
- 22 (c) The expert team shall:
- 23 (1) assist the school in revising the school's plan; and
24 (2) recommend changes, including the reallocation of
25 resources or requests for technical assistance, in the school
26 that will promote improvement.
- 27 Sec. 3. (a) This section applies if in the fourth year after initial
28 placement in the lowest category or designation, a school still
29 remains in the lowest category or designation.
- 30 (b) The board shall do the following:
- 31 (1) Hold at least one (1) public hearing in the school
32 corporation where the school is located to consider and hear
33 testimony concerning the following options for school
34 improvement:
- 35 (A) Merging the school with a nearby school that is in a
36 higher category.
37 (B) Assigning a special management team to operate all or
38 part of the school.
39 (C) The education roundtable's recommendations for
40 improving the school.
41 (D) Other options for school improvement expressed at the
42 public hearing, including closing the school.



- 1 **(E) Revising the school's plan in any of the following areas:**
- 2 **(i) Changes in school procedures or operations.**
- 3 **(ii) Professional development.**
- 4 **(iii) Intervention for individual teachers or**
- 5 **administrators.**
- 6 **(2) If the board determines that intervention will improve the**
- 7 **school, implement one (1) or more of the options listed in**
- 8 **subdivision (1).**

9 **Chapter 7. Rewards**

10 **Sec. 1. The board shall develop and implement a system of**
11 **recognition and financial awards to reward those schools that**
12 **move from one category or designation of improvement to a higher**
13 **category or designation of improvement.**

14 **Chapter 8. Rules**

15 **Sec. 1. The board may adopt rules under IC 4-22-2 to implement**
16 **this article.**

17 SECTION 13. IC 20-10.1-26-4 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. A pilot program
19 eligible to be funded under this chapter must include all of the
20 following:

- 21 (1) School based management models.
- 22 (2) Parental involvement strategies.
- 23 (3) Innovative integration of curricula, individualized education
- 24 programs, nonstandard courses, or textbook adoption in the
- 25 school improvement plan described under ~~IC 20-1-1.2-7(a)(2)(G)~~.
- 26 **IC 20-1-1.2-7(7).**
- 27 (4) Training for participants to become effective members on
- 28 school/community improvement councils.

29 SECTION 14. IC 20-1-1.2-5 IS REPEALED [EFFECTIVE JULY
30 1, 1999].

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 236, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Education.

(Reference is to SB 236 as introduced.)

GARTON, Chairperson

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 236, 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 1, delete lines 1 through 17 and insert:

"SECTION 1. IC 20-1-1.2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) **A school in Indiana may be accredited:**

- (1) **under the performance based accreditation system established by this chapter; or**
- (2) **by implementing a quality focused approach to school improvement such as the criteria for the Malcolm Baldrige National Quality Award for Education or for a national or regional accreditation agency that is recommended by the education roundtable and approved by the board.**

(b) **The board shall establish the following:**

- (1) **A performance-based accreditation system for accrediting schools in Indiana under this chapter. The accreditation system adopted under this chapter must be the only accreditation system authorized by the board:**
- (2) **A procedure for determining whether a school is making progress toward meeting the criteria for the Malcolm Baldrige National Quality Award for Education or a national or regional accreditation agency.**

~~(b)~~ (c) **The department shall establish a schedule for accrediting schools under this chapter.**

SECTION 2. IC 20-1-1.2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. ~~(a)~~ **Each school shall submit to the department the following benchmarks:**

- (1) **Graduation rate:**
- (2) **Attendance rate:**
- (3) **ISTEP scores; or, for a freeway school, scores on a locally adopted assessment program, if appropriate, including the number and percentage of students:**
 - (A) **meeting an advanced standard; or**
 - (B) **meeting a proficient standard:**
- (4) **Actual class size:**
- (5) **The number and percentage of students in the following groups or programs:**
 - (A) **At risk:**
 - (B) **Vocational education:**



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- (C) Special education.
- (D) Gifted or talented.
- (E) Remediation/preventative remediation.
- (F) Technology preparation.
- (6) Advanced placement, including the following:
 - (A) For advanced placement tests, the number and percentage of students:
 - (i) scoring three (3), four (4), and (5); or
 - (ii) participating.
 - (B) For the Scholastic Aptitude Test, the number and percentage of students:
 - (i) above a designated proficient score;
 - (ii) above a designated advanced score; or
 - (iii) participating.
- (7) Course completion, including the number and percentage of students completing the following programs:
 - (A) Academic honors diploma.
 - (B) Core 40 curriculum.
 - (C) Vocational programs.
- (8) The percentage of graduates who pursue higher education.
- (9) School safety, including the number and percentage of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons.
- (10) Financial information relevant to performance.

(b) The superintendent and board shall determine which of the benchmarks under subsection (a) and indicators of performance listed in IC 20-1-21-9 are appropriate benchmarks for performance based accreditation under IC 20-1-1.3-3.

SECTION 3. IC 20-1-1.2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The department shall (1) review the information submitted under section 6 of this chapter relative to the socioeconomic factors of and resources available to that particular school under section 5 of this chapter; and (2) determine whether the school has complied with the following legal standards for accreditation:

- (A) (1) Health and safety requirements.
- (B) (2) Minimum time requirements for school activity.
- (C) (3) Staff-student ratio requirements.
- (D) (4) Curriculum offerings.
- (E) (5) Development and implementation of a staff evaluation plan under IC 20-6.1-9.
- (F) (6) Development and implementation of a beginning teacher



internship program under IC 20-6.1-8.

~~(G)~~ (7) Completion of a school improvement plan that:

- (i) (A) analyzes the strengths and weaknesses of the school;
- (ii) (B) outlines goals of the school community to which school improvement activities will be directed; and
- (iii) (C) identifies objectives of the school and programs designed to achieve those objectives.

(b) ~~In no event may the objectives identified under subsection (a)(2)(G)(iii) be less than the level of performance expected for that school under section 5 of this chapter.~~

SECTION 4. IC 20-1-1.2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) If the department determines that:

- (1) a school has complied with all of the legal standards under ~~section 7(a)(2)~~ **section 7** of this chapter; and
- (2) the school's performance has met the expectations for that school in the areas described in section 6 of this chapter;

the board shall make a determination that the school has acquired full accreditation status.

(b) The next review under this chapter of a school described under subsection (a) shall be conducted no later than five (5) years after the board's determination of full accreditation.

SECTION 5. IC 20-1-1.2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) If the department verifies that:

- (1) a school has not complied with all of the legal standards under ~~section 7(a)(2)~~ **section 7** of this chapter; or
- (2) the school's performance has not met the expectations for that school in the areas described in section 6 of this chapter;

a review panel of at least three (3) members shall conduct an onsite evaluation of that school in order to make a recommendation to the board as to the accreditation status of that school.

(b) The department may not publish or otherwise make available for public inspection any information concerning a school's compliance with legal standards under ~~section 7(a)(2)~~ **section 7** of this chapter, the meeting of performance expectations under section 6 of this chapter, the assignment of an onsite review panel under section 9 of this chapter, or the recommended accreditation status of the school until all onsite reviews have taken place and recommendations to the board concerning the accreditation status of schools have been made.

SECTION 6. IC 20-1-1.2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. (a) During its



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~~on-site~~ **onsite** evaluation, a review panel shall review the following for a school:

- (1) Teaching practices and administrative leadership in instruction.
- (2) Parental and community involvement.
- (3) Implementation of the ISTEP remediation program under IC 20-10.1-17 and the educational opportunity program for at-risk children.
- (4) The homework policy.

(b) In addition to its review under subsection (a), the review panel shall verify compliance with the legal standards for accreditation set out in ~~section 7(a)(2)~~ **section 7** of this chapter.

SECTION 7. IC 20-1-1.3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. The board shall implement the performance-based award and incentive program to recognize and reward schools that have exhibited relative improvement toward the performance benchmarks **and indicators of performance listed in IC 20-1-21-9 that are** determined to be appropriate for the school by the superintendent and board. ~~including the following benchmarks:~~

- (1) Graduation rate.
- (2) Attendance rate.
- (3) ISTEP scores under the ISTEP program or a locally adopted assessment program used by a freeway school; including the number and percentage of students:
 - (A) meeting an advanced standard; or
 - (B) meeting a proficient standard.
- (4) Actual class size.
- (5) The number and percentage of students in the following groups or programs:
 - (A) At risk.
 - (B) Vocational education.
 - (C) Special education.
 - (D) Gifted or talented.
 - (E) Remediation/preventative remediation.
 - (F) Technology preparation.
- (6) Advanced placement; including the following:
 - (A) For advanced placement tests, the number and percentage of students:
 - (i) scoring three (3), four (4), and (5); or
 - (ii) participating.
 - (B) For the Scholastic Aptitude Test, the number and



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percentage of students:

- (i) above a designated proficient score;
- (ii) above a designated advanced score; or
- (iii) participating.

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

- (A) Academic honors diploma.
- (B) Core 40 curriculum.
- (C) Vocational programs.

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

(9) School safety, including the number and percentage of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons.

(10) Financial information relevant to performance.

SECTION 8. IC 20-1-21-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. A report must contain the following:

- (1) The benchmarks **and indicators of performance** listed in section 9 of this chapter for each of the preceding three (3) years.
- (2) Additional components determined under section 8(4) of this chapter.
- (3) A comparison of the benchmarks described in section 9(1) through 9(3) of this chapter to performance based accreditation goals developed under IC 20-1-1.2.
- (4) Additional information or explanation that the governing body wishes to include, **including results of assessments of students under programs other than the ISTEP program that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the ISTEP program.**

SECTION 9. IC 20-1-21-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The state superintendent and the Indiana state board of education, in consultation with school corporations, educational organizations, and appropriate state agencies, **and other organizations and individuals having an interest in education**, shall develop and periodically revise the following for the benchmarks **and indicators of performance** under section 9 of this chapter and the additional components of the performance report:

- (1) Reporting procedures, including the following:
 - (A) A determination of the information that a school corporation must compile and the information that the



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department must compile.

(B) A determination of the information required on a school by school basis and the information required on a school corporation basis.

(C) A common format suitable for publication, including tables, graphics, and explanatory text.

(2) Operational definitions.

(3) Standards for implementation.

(4) Additional components for the report that may be benchmarks, **indicators of performance**, or other information.

(5) Targets identified in performance based accreditation goals developed under IC 20-1-1.2 for certain benchmarks and a reporting system that measures schools and school corporations against the targets.

SECTION 10. IC 20-1-21-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The report must include the following benchmarks **or indicators of performance**:

(1) Graduation rate.

(2) Attendance rate.

(3) ISTEP test scores, or for a freeway school scores on a locally adopted assessment program, if appropriate. **including the number and percentage of students:**

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

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

(4) Actual class size.

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

(A) At risk.

(B) Vocational education.

(C) Special education.

(D) Gifted or talented.

~~(E) Remediation/preventative remediation.~~ **Remediation and preventive remediation.**

(6) Advanced placement, including the following:

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

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

(ii) participating.

(B) For the Scholastic Aptitude Test: ~~the number and percentage of students:~~

(i) ~~above a designated proficient score;~~ **test scores; and**

(ii) ~~above a designated advanced score; or~~



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- (iii) **the number and percentage of students** participating.
- (7) Course completion, including the number and percentage of students completing the following programs:
- (A) Academic honors diploma.
 - (B) Core 40 curriculum.
 - (C) Vocational programs.
- (8) The percentage of graduates who pursue higher education.
- (9) School safety, including the number and percentage of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons.
- (10) Financial information **and various school cost factors** relevant to performance.
- (11) Technology accessibility and utilization of technology in instruction.**
- (12) Staff professional development, including the type and extent of opportunities available.**
- (13) Student mobility rates.**
- (14) Number and types of partnerships with the community, business, or higher education.**
- (15) Teacher licensing, certification, and preparation.**
- (16) The percentage of grade 3 students reading at or above grade 3 level.**
- (17) A comparison of ISTEP scores and the dropout rate.**
- (18) Other indicators of performance as recommended by the education roundtable (IC 20-1-20.5-3).**

SECTION 11. IC 20-10.1-30 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 30. Professional Development Grant Program

Sec. 1. As used in this chapter, "grant" refers to a professional development grant under this chapter.

Sec. 2. As used in this chapter, "plan" refers to a professional development plan developed under section 7 of this chapter.

Sec. 3. As used in this chapter, "program" refers to the professional development grant program established under section 4 of this chapter.

Sec. 4. The professional development grant program is established.

Sec. 5. The board shall administer the program.

Sec. 6. A public school qualifies for a grant under this chapter when the school's plan, developed and submitted under section 7 of this chapter, is approved by the board upon recommendation of



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the department. For purposes of determining whether a school qualifies for a grant under this chapter, the department shall:

- (1) review;
- (2) suggest changes to; and
- (3) recommend approval or rejection of;

a school's plan.

Sec. 7. (a) The following apply to a plan developed under this chapter:

- (1) The plan must emphasize improvement of student learning and performance.
- (2) The plan must be developed by a school improvement team that includes individuals who represent each of the following groups:
 - (A) Parents.
 - (B) Teachers.
 - (C) Administrators.
 - (D) Other school staff members.
 - (E) Business and community representatives.
 - (F) Representatives of agencies that serve children and youth.
- (3) The school improvement team shall evaluate the effect of professional development experiences on student learning and performance. The evaluation must include qualitative, quantitative, formative, and summative strategies.
- (4) The plan must be integrated with the performance based accreditation school improvement plan required under IC 20-1-1.2-7.
- (5) The plan must include an evaluation component under which the school improvement team may determine the effectiveness of professional development experiences. The evaluation component must include the following:
 - (A) A means of determining evidence of success.
 - (B) A mechanism to identify and develop strategies to collect multiple forms of data that reflect the achievement of expectations for all students. The data may include the results of ISTEP tests under IC 20-10.1-16, local tests, classroom work, and teacher and administrator observations.
 - (C) A procedure for using collected data to make decisions.
 - (D) The development of an ongoing communication plan to report evidence of success for all learners and programs to the local community and the department.

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(6) The plan must be approved by the exclusive representative.

(b) A school shall submit the school's plan to the board.

Sec. 8. The board may approve a school's plan only if the plan meets the board's core principles for professional development and the following additional criteria:

(1) The plan is school based and collaboratively designed and encourages participants to work collaboratively.

(2) A variety of resources, including needs assessments, professional literature, research, and school improvement programs, are used in developing the plan.

(3) The plan supports professional development for all stake holders.

(4) The plan includes ongoing professional growth experiences that provide adequate time and job embedded opportunities to support school improvement and student learning, including flexible time for professional development that provides professional development opportunities before, during, and after the regular school day and school year.

(5) Under the plan, teacher time for professional development sustains instructional coherence, participant involvement, and continuity for students.

(6) The plan includes effective, research based strategies to support ongoing developmental activities.

(7) The plan supports experiences to increase the effective use of technology to improve teaching and learning.

(8) The plan encourages diverse techniques, including inquiry, reflection, action research, networking, study groups, coaching, and evaluation.

Sec. 9. A school must use a grant received under this chapter to implement all or part of the school's plan by funding activities that may include the following:

(1) Partnership programs with other entities, including professional development schools.

(2) Teacher leadership academies, research teams, and study groups.

(3) Workshops, seminars, and site visits.

(4) Cooperative programs and other school corporations.

Sec. 10. A school shall report to the department concerning the use of grants received under this chapter. A school that fails to make a report under this section is not eligible for a subsequent grant.



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Sec. 11. The board shall adopt rules under IC 4-22-2 to implement this chapter.

SECTION 12. IC 20-10.2 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

ARTICLE 10.2. Accountability for School Performance and Improvement

Chapter 1. Applicability

Sec. 1. The provisions in this article concerning schools apply only to the following:

- (1) Public schools.
- (2) Nonpublic schools that voluntarily become accredited under IC 20-1-1-6.

Chapter 2. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Annual report" refers to the school corporation annual performance report required by IC 20-1-21-3.

Sec. 3. "Board" has the meaning set forth in IC 20-10.1-1-17.

Sec. 4. "Department" has the meaning set forth in IC 20-10.1-1-18.

Sec. 5. "Education roundtable" refers to the education roundtable established by IC 20-1-20.5-3.

Sec. 6. "Governing body" has the meaning set forth in IC 20-10.1-1-5.

Sec. 7. "Nonpublic school" has the meaning set forth in IC 20-10.1-1-3.

Sec. 8. "Parent" has the meaning set forth in IC 20-10.1-1-9.

Sec. 9. "Plan" refers to a strategic and continuous school improvement and achievement plan established under this article for a school or a school corporation.

Sec. 10. "Public school" has the meaning set forth in IC 20-10.1-1-2.

Sec. 11. "School" refers to a public or an accredited nonpublic school.

Sec. 12. "School corporation" has the meaning set forth in IC 20-10.1-1-1.

Chapter 3. Strategic and Continuous School Improvement and Achievement Plan

Sec. 1. The principal of each school must coordinate the development of an initial three (3) year strategic and continuous school improvement and achievement plan and coordinate annual



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review of the plan. The initial plan and annual review must be made with input from a committee of persons interested in the school, including administrators, teachers, parents, and community and business leaders appointed by the governing body.

Sec. 2. (a) The committee described in section 1 of this chapter must submit a school's initial plan to the school's governing body by March 1 of the school year prior to the year of implementation.

(b) An initial plan must be established by June 1 of the school year prior to the year of implementation. A plan is established by approval of the governing body. The governing body shall approve a plan for each school in the school corporation. When a plan is presented to the governing body, the governing body must either accept or reject the plan, and may not revise the plan. A plan is established when written evidence of approval is attached to the plan.

Sec. 3. (a) A plan:

- (1)** shall lay out objectives for a three (3) year period; and
- (2)** must be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve. These achievement objectives must be consistent with academic standards and include improvement in at least the following areas:

- (1)** Attendance rate.
- (2)** The percentage of students meeting academic standards under the ISTEP program (IC 20-10.1-16).
- (3)** For a secondary school, graduation rate.

(c) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(d) A plan must note specific areas where improvement is needed immediately.

Sec. 4. (a) A plan may include a request for a waiver of applicability of a rule or statute to a school.

(b) The governing body may waive any rule adopted by the board for which a waiver is requested in a plan, except for a rule that is characterized as follows:

- (1)** The rule relates to the health or safety of students or school personnel.
- (2)** The rule is a special education rule under 511 IAC 7.
- (3)** Suspension of the rule brings the school into noncompliance with federal statutes or regulations.



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(4) The rule concerns curriculum or textbooks.

(c) Upon request of the governing body and pursuant to a plan, the board may waive for a school or a school corporation any statute or rule relating to the following:

(1) Curriculum.

(2) Textbook selection.

Sec. 5. (a) A plan must contain the following components for the school:

(1) A list of the statutes and rules that the school wishes to have suspended from operation for the school.

(2) A description of the curriculum and information concerning the location of a copy of the curriculum that is available for inspection by members of the public.

(3) A description and name of the assessments that will be used in the school in addition to ISTEP assessments.

(4) A community wide strategy for meeting academic standards and achieving the objectives established in the plan.

(5) A report to be issued to the board and made available to all interested persons in an easily understood format.

(6) A demonstration of community support for the plan.

(7) A provision to maximize parental participation in the school.

(8) For a secondary school, a provision to do the following:

(A) Offer courses that allow all students to become eligible to receive an academic honors diploma.

(B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.

(9) A provision to maintain a safe and disciplined learning environment for students and teachers.

(10) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a).

Sec. 6. The department shall act as a clearinghouse for plans and make effective plans available to school corporations as models to use in developing and carrying out plans.

Chapter 4. Student Educational Achievement Grants

Sec. 1. As used in this chapter, "fund" refers to the student educational achievement fund established under section 3 of this chapter.



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Sec. 2. As used in this chapter, "grant" refers to a student educational achievement grant from the fund.

Sec. 3. (a) The student educational achievement fund is established to provide funds to stimulate and recognize improved student performance in meeting academic standards under the ISTEP program. The fund is administered by the department.

(b) The fund consists of appropriations from the general assembly.

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

Sec. 4. The general assembly shall determine the statewide amount available for grants in appropriations beginning during the 2003-2005 biennium. The maximum amount available to a school is determined by referencing the number of full-time certified teaching positions for the school. The department, under the direction of the state superintendent, shall determine the available amounts and distribute the grants earned.

Sec. 5. (a) This section applies to a school in which fewer than ninety percent (90%) of the students in the school meet the academic standard under the ISTEP program during a school year.

(b) Beginning with the 2003-2004 school year, a school is entitled to a grant if there is at least a five percent (5%) improvement in the number of students in the school who meet the academic standard under the ISTEP program over the number of students who met the academic standard in the school year immediately preceding the school year for which the school seeks a grant.

Sec. 6. (a) This section applies to a school in which ninety percent (90%) or more of the students in the school meet the academic standard under the ISTEP program during a school year.

(b) Beginning with the 2003-2004 school year, a school is entitled to a grant if at least ninety percent (90%) of the students in the school continue to meet the academic standard under the ISTEP program.

Sec. 7. (a) The education roundtable shall study the use of assessment data by individual student who is assessed for purposes of implementing this chapter, analyzing student performance over time on various assessments, and other purposes developed by the roundtable. The roundtable shall make initial recommendations on the use of assessment data by individual student to the board by January 1, 2001.

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(b) Any recommendation of the roundtable concerning the use of assessment data by individual student must be tested in a pilot project before the recommendation may be implemented on a statewide basis.

Chapter 5. Assessing Improvement

Sec. 1. (a) The performance of a school's students on ISTEP and other assessments is the primary means of assessing a school's improvement.

(b) The education roundtable shall examine and make recommendations to the board concerning:

- (1) performance indicators that shall be used as secondary means of determining school progress;
- (2) expected progress levels, continuous improvement measures, distributional performance levels, and absolute performance levels for schools; and
- (3) an orderly transition from the performance based accreditation system to the assessment system set forth in this article.

(c) The education roundtable shall consider methods of measuring improvement and progress used in other states in developing recommendations under this section.

(d) The education roundtable shall make recommendations to the board by January 1, 2001.

(e) The board shall implement the recommendations of the education roundtable by January 1, 2002.

Sec. 2. (a) In addition to scores on ISTEP and other assessments, the department shall use the performance indicators developed under section 1 of this chapter and the benchmarks and indicators of performance in each school corporation's annual performance report to assess the improvement of each school and school corporation.

(b) The department shall assess improvement in the following manner:

- (1) Compare each school and each school corporation to its own prior performance and not to the performance of other schools or school corporations.
- (2) Compare the actual results in the annual report with the benchmarks and indicators of performance established in the plan for the same school.
- (3) Compare the results for a school by comparing each student's results for each grade with the student's prior year results, with an adjustment for student mobility rate.



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Sec. 3. The board shall establish a number of categories or designations of school improvement based on the improvement that a school makes in performance on the measures determined by the board with the advice of the education roundtable. The categories or designations must reflect various levels of improvement.

Sec. 4. The board shall place each school in a category or designation of school improvement based upon the department's findings from the assessment of the improvement of each school under section 3 of this chapter. The board must place those schools that do not show improvement in the lowest category or designation.

Chapter 6. Consequences

Sec. 1. (a) This section applies the first year that a school is placed in the lowest category or designation of school improvement.

(b) The board shall place the school and the school corporation on notice that the school is in the lowest category or designation of school improvement and:

- (1)** issue a public notice of the school's lack of improvement; and
- (2)** order the governing body to hold a public hearing in which public testimony is received concerning the lack of improvement.

(c) The committee that developed the school's plan under IC 20-10.2-3 shall revise the school's plan. A revision under this subsection may include any of the following:

- (1)** Shifting resources.
- (2)** Changing personnel.
- (3)** Using outside expertise to manage the school.

Sec. 2. (a) This section applies if in the second year after initial placement in the lowest category or designation, a school still remains in the lowest category or designation.

(b) The board shall establish and assign an expert team to the school. The expert team:

- (1)** must include representatives from the community or region that the school serves; and
- (2)** may include:
 - (A)** school superintendents, members of governing bodies, and teachers from school corporations that are in high categories or designations; and
 - (B)** special consultants or advisers.



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(c) The expert team shall:

- (1) assist the school in revising the school's plan; and
- (2) recommend changes, including the reallocation of resources or requests for technical assistance, in the school that will promote improvement.

Sec. 3. (a) This section applies if in the fourth year after initial placement in the lowest category or designation, a school still remains in the lowest category or designation.

(b) The board shall do the following:

- (1) Hold at least one (1) public hearing in the school corporation where the school is located to consider and hear testimony concerning the following options for school improvement:

(A) Merging the school with a nearby school that is in a higher category.

(B) Assigning a special management team to operate all or part of the school.

(C) The education roundtable's recommendations for improving the school.

(D) Other options for school improvement expressed at the public hearing, including closing the school.

(E) Revising the school's plan in any of the following areas:

(i) Changes in school procedures or operations.

(ii) Professional development.

(iii) Intervention for individual teachers or administrators.

- (2) If the board determines that intervention will improve the school, implement one (1) or more of the options listed in subdivision (1).

Chapter 7. Rewards

Sec. 1. The board shall develop and implement a system of recognition and financial awards to reward those schools that move from one category or designation of improvement to a higher category or designation of improvement.

Chapter 8. Rules

Sec. 1. The board may adopt rules under IC 4-22-2 to implement this article.

SECTION 13. IC 20-10.1-26-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. A pilot program eligible to be funded under this chapter must include all of the following:

- (1) School based management models.



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- (2) Parental involvement strategies.
- (3) Innovative integration of curricula, individualized education programs, nonstandard courses, or textbook adoption in the school improvement plan described under ~~IC 20-1-1.2-7(a)(2)(G)~~: **IC 20-1-1.2-7(7)**.
- (4) Training for participants to become effective members on school/community improvement councils.

SECTION 14. IC 20-1-1.2-5 IS REPEALED [EFFECTIVE JULY 1, 1999]."

Delete pages 2 through 5.

and when so amended that said bill do pass.

(Reference is to SB 236 as printed February 3, 1999.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 9, Nays 0.

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