HOUSE BILL No. 1722

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-6.1-12.

Synopsis: Beginning teacher assessment program. Establishes the beginning teacher assessment program. Provides that a teacher who holds an initial standard license must complete a performance assessment before receiving a proficient practitioner license.

Effective: Upon passage; July 1, 2003.

Klinker, Ayres, Scholer

January 21, 2003, read first time and referred to Committee on Education.

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Introduced

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1722

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-6.1-12 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 12. Beginning Teacher Assessment Program

Sec. 1. This chapter applies to an individual who receives an initial standard or reciprocal license after June 30, 2003.

Sec. 2. As used in this chapter, "assessment plan" means a plan adopted under section 18 of this chapter.

Sec. 3. As used in this chapter, "assessment program" means the beginning teacher assessment program established under this chapter.

Sec. 4. As used in this chapter, "beginning teacher" means an individual who:

(1) receives an initial standard or reciprocal license;

(2) is employed as a teacher by:

(A) a school corporation or charter school under a contract described in IC 20-6.1-4; or

(B) an accredited nonpublic school; and

(3) has not successfully completed:

(A) an internship program under 515 IAC 1-5-1 or under this chapter; or

(B) an equivalent program in another state and has less than two (2) years of creditable teaching experience (as defined by the board) in another state.

Sec. 5. Notwithstanding IC 20-6.1-1-1, as used in this chapter, "board" refers to the professional standards board.

Sec. 6. As used in this chapter, "designated teacher" means the teacher identified by a school who has primary academic responsibility for:

(1) a class; or

(2) the delivery of services specific to a license.

The term includes a teacher of record (as defined in 511 IAC 7-3-50).

Sec. 7. As used in this chapter, "equivalent out-of-state assessment" means a standards based performance assessment for beginning teachers established by another state that is recognized by the board as equivalent to the assessment under this chapter.

Sec. 8. As used in this chapter, "first assessment year" means one (1) of the following:

(1) For a beginning teacher who begins teaching in an Indiana public or accredited nonpublic school at the beginning of a school year, the first year of teaching.

(2) For a beginning teacher who begins teaching in an Indiana public or accredited nonpublic school after the beginning of a school year, the remainder of that school year and the next full school year of teaching.

Sec. 9. As used in this chapter, "internship program" refers to the beginning internship program established under this chapter.

Sec. 10. As used in this chapter, "mentor" means a teacher who:

(1) has met the qualifications and received the training required by the board; and

(2) is assigned under section 19 of this chapter.

Sec. 11. As used in this chapter, "performance assessment" means:

(1) a performance based assessment, if a performance based assessment has been approved by the board for a licensing area;

(2) an alternative assessment of experience approved by the board, if a performance based assessment has not been

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approved by the board for the relevant licensing area; or

(3) a general assessment of professional teaching knowledge or performance related to standards based teaching required under rules adopted by the board.

Sec. 12. As used in this chapter, "school" includes a public school, a charter school, or an accredited nonpublic school.

Sec. 13. As used in this chapter, "second assessment year" means the full school year of teaching in an Indiana public or accredited nonpublic school that follows the first assessment year.

Sec. 14. As used in this chapter, "teacher training institution" means a college or university offering a program of teacher education approved by the board.

Sec. 15. As used in this chapter, "teaching credential" refers to a license or permit issued by the board.

Sec. 16. The beginning teacher assessment program is established for the following purposes:

(1) To determine whether a beginning teacher has demonstrated the competence necessary to attain a proficient practitioner license through content specific, standards based, or alterative performance assessments established by the board.

(2) To collect data to be used by:

(A) teacher training institutions to evaluate and improve the effectiveness of the training programs; and

(B) the board as a part of the board's accreditation process for teacher training institutions.

(3) To support beginning teachers in their understanding and integration of standards based teaching practices into their classrooms.

(4) To support beginning teachers as new employees.

(5) To identify teaching skills and educational practices necessary to acquire and maintain excellence in teaching.

(6) To define a program that enables a school to satisfy the requirements of IC 20-1-1-6.5.

Sec. 17. (a) A beginning teacher must comply with the following provisions:

(1) A beginning teacher shall participate in an assessment program for at least two (2) years. During:

(A) the first assessment year, the beginning teacher is responsible for:

(i) participating in the activities set forth in the assessment plan prepared under this chapter; and

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(ii) working with a mentor teacher; and

(B) the second assessment year, the beginning teacher must complete an assessment determined by the board.

(2) A beginning teacher who does not successfully complete the assessment required under subdivision (1)(B) may participate in one (1) additional assessment year during the school year that follows the second assessment year. A beginning teacher who is participating in an additional assessment year:

(A) may undertake the additional assessment year while employed by the school at which the teacher was employed during the second assessment year or another school; and

(B) shall be provided with individualized assistance.

(b) A beginning teacher's initial practitioner's license is valid for two (2) consecutive school years, beginning not later than four (4) years after the effective date of the license.

Sec. 18. (a) As a part of each school's:

(1) strategic and continuous improvement plan under IC 20-10.2; and

(2) professional development program under IC 20-1-1-6.5;

the school must annually adopt an assessment plan for each beginning teacher at the school to participate in the assessment program and complete the required assessments.

(b) An assessment plan adopted under subsection (a) must include activities designed to:

(1) support a beginning teacher during the teacher's first assessment year; and

(2) prepare the teacher to begin an assessment program at the start of the following school year.

(c) The board may:

(1) develop and make available models for a school to use in developing assessment plans under subsection (a); and

(2) require schools to file assessment plans with the board.

Sec. 19. (a) During a beginning teacher's first assessment year, the principal of the school in which the beginning teacher teaches shall, with the consent of the mentor, assign a mentor to work with the beginning teacher.

(b) Before becoming eligible to be assigned as a mentor, a teacher must meet the qualifications and receive the training required by the board.

(c) A teacher may not be considered a supervisor (as defined in IC 20-7.5-1-2(h)) for acting as a mentor under this chapter.

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(d) The principal and superintendent of a mentor shall ensure that the mentor is provided an adequate amount of time to carry out the mentor's duties.

(e) A teacher who serves as a mentor is entitled to an annual stipend of six hundred dollars ($600), paid by the state, for carrying out the duties of a mentor during a beginning teacher's first assessment year. A teacher who serves as a mentor during a second or subsequent assessment year is not entitled to receive a stipend paid by the state.

Sec. 20. (a) A beginning teacher must successfully complete the required performance assessments to meet the performance based eligibility requirements for a proficient practitioner license.

(b) If the board has approved an assessment portfolio for a licensing area in which a beginning teacher is a designated teacher during the beginning teacher's second assessment year, the beginning teacher must submit a portfolio in that licensing area. If a beginning teacher is a designated teacher in more than one (1) licensing area for which the board has approved an assessment portfolio, the beginning teacher may select the licensing area in which to submit the assessment portfolio.

(c) When a beginning teacher completes an assessment portfolio, the beginning teacher shall submit the following to the board:

(1) The completed assessment portfolio in a format approved by the board.

(2) A completed application for a proficient practitioner license.

(3) Verification from the beginning teacher's principal that all materials submitted as part of the portfolio are either:

(A) original work of the beginning teacher; or

(B) in the case of original student work, produced under the supervision of the beginning teacher.

(d) When a beginning teacher completes an alternative assessment in a licensing area for which the board has not approved an assessment portfolio, the beginning teacher shall submit the following to the board:

(1) The completed assessment or verification of experience in a format approved by the board.

(2) A completed application for a proficient practitioner license.

(3) Verification from the beginning teacher's principal that all materials submitted as part of the portfolio are either:

(A) original work of the beginning teacher; or

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(B) in the case of original student work, produced under the supervision of the beginning teacher.

(e) If a beginning teacher demonstrates competence through an assessment submitted under this section, the board shall:

(1) issue a proficient practitioner license to the beginning teacher; and

(2) provide the beginning teacher with information that:

(A) is based upon the board's evaluation of the beginning teacher's assessment; and

(B) will assist the beginning teacher in planning for future professional growth.

(f) If a beginning teacher does not demonstrate competence through an assessment submitted under this section, the beginning teacher may participate in an extended assessment program under section 21 of this chapter.

Sec. 21. (a) If a beginning teacher does not demonstrate competence through an assessment submitted under section 20 of this chapter, the board shall:

(1) notify the beginning teacher and the beginning teacher's principal and superintendent that the beginning teacher may participate in an extended assessment program during the school year that immediately follows the beginning teacher's second assessment year;

(2) notify the beginning teacher and the beginning teacher's principal of the assessment areas in which the beginning teacher did not demonstrate competence, including information that will allow the principal and beginning teacher to plan methods of assisting the beginning teacher under the extended assessment program; and

(3) extend the expiration date of the beginning teacher's initial practitioner license by one (1) year.

(b) Notwithstanding subsection (a), the following apply:

(1) If a beginning teacher:

(A) fails to submit an assessment under section 20 of this chapter; and

(B) has not requested an extension of time in which to submit the assessment;

the board may not allow the beginning teacher to participate in an extended assessment program.

(2) If the performance demonstrated by a beginning teacher through the assessment submitted under section 20 of this chapter indicates to the board that student learning would be

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compromised by allowing the beginning teacher to continue teaching during an extended assessment, the board may deny participation in an extended assessment program. However, if the beginning teacher's superintendent files a written appeal with the board and verifies that the school corporation will assume the direct expenses of the beginning teacher's extended assessment program, the board shall allow participation in an extended assessment program.

(c) A beginning teacher participating in an extended assessment program under this section is entitled to receive additional assistance to successfully complete the extended program.

(d) If the board has approved an assessment portfolio for a licensing area in which a beginning teacher is a designated teacher during the beginning teacher's extended assessment year, the beginning teacher must submit a portfolio in that licensing area.

(e) A beginning teacher may submit not more than two (2) additional performance assessments or equivalent out-of-state assessments during an extended assessment program.

Sec. 22. A beginning teacher who has failed after three (3) attempts to demonstrate competence through performance assessments submitted under this chapter may appeal to the board.

Sec. 23. (a) A school's participation in the assessment program is a condition of accreditation under IC 20-1-16.

(b) The implementation of and participation in the assessment program is not a subject of:

(1) bargaining under IC 20-7.5-1-4; or

(2) discussion under IC 20-7.5-1-5.

(c) A beginning teacher who is participating in the assessment program is entitled to at least the same salary and benefits ordinarily granted by a school corporation to a teacher with teaching experience that is comparable to the experience of the beginning teacher. If a beginning teacher participates in an extended assessment program, the beginning teacher is entitled to credit during the third year for the teaching experience gained during the second year of the assessment program.

(d) For purposes of contract status, if a school corporation enters into a contract with a teacher who successfully completes the assessment program, the teacher shall be credited with years of teaching experience equal to the number of years the beginning teacher participated in the assessment program. However, a school corporation is not required to employ a teacher after the completion of either the first or second year of the assessment

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program.

Sec. 24. The board may adopt rules under IC 4-22-2, including portfolio assessment fees, to carry out the purposes of this chapter.

SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) Notwithstanding IC 20-6.1-12, as added by this act, the professional standards board shall carry out the duties imposed upon it under IC 20-6.1-12, as added by this act, under interim written guidelines approved by the executive director of the professional standards board.**

(b) Interim written guidelines adopted under this SECTION must include the following concerning mentors under IC 20-6.1-12, as added by this act:

(1) A mentor must demonstrate knowledge of standards based teaching and the standards a beginning teacher is required to meet.

(2) Before acting as a mentor, a teacher must either:

(A) complete a mentor training program; or

(B) be enrolled in and committed to completing a mentor training program.

(3) A mentor must have at least three (3) years of teaching experience.

(4) A mentor must teach:

(A) in the same school building;

(B) at or near the same grade level; and

(C) in the same subject or discipline;

as the beginning teacher to whom the mentor is assigned.

(5) If a beginning teacher's principal believes there is no mentor who is willing to serve and who meets the criteria set forth in subdivisions (3) and (4), the principal:

(A) may appoint a mentor who meets as many of the criteria as is feasible; and

(B) shall file with the professional standards board a statement signed by the principal and the beginning teacher's superintendent that sets forth the reasons a mentor who does not meet the criteria set forth in subdivisions (3) and (4) has been appointed for the beginning teacher.

(c) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 20-6.1-12, as added by this act.

(2) December 31, 2004.

SECTION 3. **An emergency is declared for this act.**

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