



February 2, 2007

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## SENATE BILL No. 408

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DIGEST OF SB 408 (Updated January 31, 2007 4:24 pm - DI 71)

**Citations Affected:** IC 20-20; IC 20-36.

**Synopsis:** Programs for high ability students. Changes reference in school corporation annual report from "gifted and talented" to "high ability". Changes the criteria for awarding grants to school corporations for high ability programs. Requires a school corporation to establish a program for high ability students, and sets forth requirements for assessments to identify high ability students.

**Effective:** July 1, 2007.

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### Lubbers, Drozda, Kruse

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January 11, 2007, read first time and referred to Committee on Education and Career Development.  
February 1, 2007, amended, reported favorably — Do Pass.

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SB 408—LS 7632/DI 71+



February 2, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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## SENATE BILL No. 408

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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 20-20-8-8, AS AMENDED BY P.L.185-2006,  
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2007]: Sec. 8. The report must include the following  
4 information:  
5 (1) Student enrollment.  
6 (2) Graduation rate (as defined in IC 20-26-13-6).  
7 (3) Attendance rate.  
8 (4) The following test scores, including the number and  
9 percentage of students meeting academic standards:  
10 (A) ISTEP program test scores.  
11 (B) Scores for assessments under IC 20-32-5-21, if  
12 appropriate.  
13 (C) For a freeway school, scores on a locally adopted  
14 assessment program, if appropriate.  
15 (5) Average class size.  
16 (6) The number and percentage of students in the following  
17 groups or programs:

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- 1 (A) Alternative education, if offered.
- 2 (B) Vocational education.
- 3 (C) Special education.
- 4 ~~(D) Gifted or talented, if offered.~~
- 5 **(D) High ability.**
- 6 (E) Remediation.
- 7 (F) Limited English language proficiency.
- 8 (G) Students receiving free or reduced price lunch under the
- 9 national school lunch program.
- 10 (H) School flex program, if offered.
- 11 (7) Advanced placement, including the following:
- 12 (A) For advanced placement tests, the percentage of students:
- 13 (i) scoring three (3), four (4), and five (5); and
- 14 (ii) taking the test.
- 15 (B) For the Scholastic Aptitude Test:
- 16 (i) test scores for all students taking the test;
- 17 (ii) test scores for students completing the academic honors
- 18 diploma program; and
- 19 (iii) the percentage of students taking the test.
- 20 (8) Course completion, including the number and percentage of
- 21 students completing the following programs:
- 22 (A) Academic honors diploma.
- 23 (B) Core 40 curriculum.
- 24 (C) Vocational programs.
- 25 (9) The percentage of grade 8 students enrolled in algebra I.
- 26 (10) The percentage of graduates who pursue higher education.
- 27 (11) School safety, including:
- 28 (A) the number of students receiving suspension or expulsion
- 29 for the possession of alcohol, drugs, or weapons; and
- 30 (B) the number of incidents reported under IC 20-33-9.
- 31 (12) Financial information and various school cost factors,
- 32 including the following:
- 33 (A) Expenditures per pupil.
- 34 (B) Average teacher salary.
- 35 (C) Remediation funding.
- 36 (13) Technology accessibility and use of technology in
- 37 instruction.
- 38 (14) Interdistrict and intradistrict student mobility rates, if that
- 39 information is available.
- 40 (15) The number and percentage of each of the following within
- 41 the school corporation:
- 42 (A) Teachers who are certificated employees (as defined in

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- 1 IC 20-29-2-4).
- 2 (B) Teachers who teach the subject area for which the teacher
- 3 is certified and holds a license.
- 4 (C) Teachers with national board certification.
- 5 (16) The percentage of grade 3 students reading at grade 3 level.
- 6 (17) The number of students expelled, including the number
- 7 participating in other recognized education programs during their
- 8 expulsion.
- 9 (18) Chronic absenteeism, which includes the number of students
- 10 who have been absent more than ten (10) days from school within
- 11 a school year without being excused.
- 12 (19) The number of students who have dropped out of school,
- 13 including the reasons for dropping out.
- 14 (20) The number of student work permits revoked.
- 15 (21) The number of student driver's licenses revoked.
- 16 (22) The number of students who have not advanced to grade 10
- 17 due to a lack of completed credits.
- 18 (23) The number of students suspended for any reason.
- 19 (24) The number of students receiving an international
- 20 baccalaureate diploma.
- 21 (25) Other indicators of performance as recommended by the
- 22 education roundtable under IC 20-19-4.
- 23 SECTION 2. IC 20-36-2-1, AS ADDED BY P.L.1-2005, SECTION
- 24 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 25 2007]: Sec. 1. (a) The department shall establish a state resources
- 26 program using ~~existing~~ **designated** state resources that:
  - 27 (1) supports school corporations in the development of local
  - 28 programs for high ability students;
  - 29 (2) enables educational opportunities that encourage high ability
  - 30 students to reach the highest possible level at every stage of the
  - 31 students' development; and
  - 32 (3) provides state integrated services that include the following:
    - 33 (A) Information and materials resource centers.
    - 34 (B) Professional development plan and programs.
    - 35 (C) Research and development services.
    - 36 (D) Technical assistance that includes the following:
      - 37 (i) Student assessment.
      - 38 (ii) Program assessment.
      - 39 (iii) Program development and implementation.
    - 40 (E) Support for educators pursuing professional development
    - 41 leading to endorsement or licensure in gifted and talented
    - 42 education.

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1 (b) In addition to the program established under subsection (a), the  
 2 department shall use appropriations to provide grants to school  
 3 corporations for programs for high ability students ~~if the school~~  
 4 ~~corporation's plan~~ under section 2 of this chapter meets the following  
 5 criteria: ~~(1) The plan provides for multiple means of identifying high~~  
 6 ~~ability students, including procedures for students who may not be~~  
 7 ~~identified through traditional means because of economic~~  
 8 ~~disadvantage, cultural background, underachievement, or disabilities.~~  
 9 ~~(2) The plan sets forth appropriate education experiences in core~~  
 10 ~~curriculum areas for high ability students in kindergarten through grade~~  
 11 ~~12. (3) The plan aligns in an amount determined by the department~~  
 12 **that is based upon a set minimum amount increased by an**  
 13 **additional amount for each student in the program. A school**  
 14 **corporation's program must align** with the strategic and continuous  
 15 school improvement and achievement plans under IC 20-31-5-4 for the  
 16 schools within the school corporation. **A school that receives a grant**  
 17 **under this subsection shall submit an annual report to the**  
 18 **department that includes the following:**

19 (1) **The programs for which the grant is used.**

20 (2) **The results of the programs for which the grant is used,**  
 21 **including student general assessment results, program**  
 22 **effectiveness, or student achievement.**

23 SECTION 3. IC 20-36-2-2, AS ADDED BY P.L.1-2005, SECTION  
 24 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 25 2007]: Sec. 2. A governing body ~~may do the following:~~ **(1) shall**  
 26 **develop and periodically update a local plan to provide appropriate**  
 27 **educational experiences to high ability students in the school**  
 28 **corporation in kindergarten through grade 12. The plan must include**  
 29 **the following components:**

30 ~~(A)~~ **(1) The establishment of a broad based planning committee**  
 31 **that meets periodically to review the local education authority's**  
 32 **plan for high ability students. The committee must have**  
 33 **representatives from diverse groups representing the school and**  
 34 **community.**

35 ~~(B)~~ **(2) Student assessment. The assessments must identify**  
 36 **students for high ability programs using multiple methods,**  
 37 **including procedures for students not identified by traditional**  
 38 **assessments because of economic disadvantage, cultural**  
 39 **background, underachievement, or disabilities. The**  
 40 **assessments must identify students with high abilities in the**  
 41 **general intellectual domain and specific academic domains.**  
 42 **The results of an assessment under this subdivision must be**

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1 **recorded with the student test number assigned to a student.**  
2 ~~(C)~~ (3) Professional development.  
3 ~~(D)~~ (4) Development and implementation of a local program  
4 **services** for high ability students, **including appropriately**  
5 **differentiated curriculum and instruction in core academic**  
6 **areas for each grade.**  
7 ~~(E)~~ (5) Evaluation of the local program for high ability students.  
8 ~~(2)~~ Provide a local program for high ability students in  
9 accordance with the plan that the governing body develops under  
10 subdivision (1) for the high ability students in the school  
11 corporation in kindergarten through grade 12.

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SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Bill 408.

LUBBERS

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 408.

LUBBERS

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 408, 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 4, line 4, delete "chapter." and insert "chapter".

Page 4, line 11, after "aligns" insert "**in an amount determined by the department that is based upon a set minimum amount increased by an additional amount for each student in the program.**".

Page 4, line 13, after "corporation." insert "**A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:**

- (1) **The programs for which the grant is used.**
- (2) **The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.**

Page 5, delete lines 3 through 42.

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Delete page 6.  
Re-number all SECTIONS consecutively.  
and when so amended that said bill do pass.  
(Reference is to SB 408 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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