



January 29, 2010

HOUSE BILL No. 1134

DIGEST OF HB 1134 (Updated January 28, 2010 8:56 am - DI 109)

Citations Affected: IC 20-28.

Synopsis: Teacher performance evaluations. Prohibits the use of test scores as a sole factor to determine teacher employment decisions.

Effective: July 1, 2010.

Porter

January 7, 2010, read first time and referred to Committee on Education.
January 28, 2010, amended, reported — Do Pass.

C
o
p
y

HB 1134—LS 6905/DI 109+



January 29, 2010

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

C
O
P
Y

HOUSE BILL No. 1134

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 20-28-11-3, AS AMENDED BY P.L.182-2009(ss),
2 SECTION 514, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: Sec. 3. (a) Each plan:
4 (1) must provide for the improvement of the performance of the
5 individuals evaluated;
6 (2) must provide for the growth and development of the
7 individuals evaluated;
8 (3) must require periodic assessment of the effectiveness of the
9 plan;
10 (4) must provide that nonpermanent and semipermanent teachers
11 receive:
12 (A) an evaluation on or before December 31 each year; and
13 (B) if requested by that teacher, an additional evaluation on or
14 before March 1 of the following year;
15 (5) may provide a basis for making employment decisions; and
16 (6) if federal rules, regulations, or directives require the use of
17 collective program results of tests to evaluate educators in order

HB 1134—LS 6905/DI 109+



1 to qualify for those federal funds, collective program results of
 2 tests used by any school corporation that would receive federal
 3 funds may be used as a factor, but not the sole factor, to evaluate
 4 educators. If collective testing results are used as a factor in
 5 evaluations by a school corporation, they must be applied to all
 6 educators in that school corporation.

7 Except as provided in subdivision (6), the plan may not provide for an
 8 evaluation that is based in whole or in part on the ISTEP program test
 9 scores of the students in the school corporation.

10 **(b) If subsection (a)(6) applies:**

11 **(1) the collective testing results may not be used as a sole**
 12 **factor to make assignment or employment decisions regarding**
 13 **teachers;**

14 **(2) each test used must be determined to be valid and reliable**
 15 **according to accepted psychometric standards for the purpose**
 16 **that a test is used; and**

17 **(3) a testing contractor must certify that a test is valid and**
 18 **reliable for the purpose for which it is used.**

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1134, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 15, delete "any" and insert "**the**".

Page 2, line 16, after "used;" insert "**and**".

Page 2, line 18, delete "used; and" and insert "**used.**".

Page 2, delete lines 19 through 21.

and when so amended that said bill do pass.

(Reference is to HB 1134 as introduced.)

SMITH V, Chair

Committee Vote: yeas 6, nays 5.

C
O
P
Y

