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# HOUSE BILL No. 1326

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-12-12-6; IC 5-22-21-7.5; IC 6-3.1-15; IC 9-18-31-6; IC 12-17-19-24; IC 20-19; IC 20-20; IC 20-24-8-5; IC 20-26; IC 20-28-2-6; IC 20-30; IC 20-31; IC 20-32; IC 20-40-8-20.

**Synopsis:** Various education matters. Provides that an "expanded criminal history check," for purposes of education law, requires a national criminal history background check. Eliminates other types of permissible record searches under current law. Abolishes the following programs and entities concerning various education matters: (1) Technology apprenticeship grant program. (2) Corporation for educational technology, including the buddy system project. (3) School intervention and career counseling development program. (4) Education consultant for health and physical education. (5) Principal leadership academy. (6) School grant writing and fund raising assistance program. (7) Technology preparation task force. (8) Research and development program concerning various studies and evaluations. (9) Educational technology council. (10) Teacher quality and professional improvement program. (11) Committee on educational attitudes, motivation, and parental involvement. (12) Readiness testing. (13) Student services programs. (14) Twenty-first century schools pilot program. (15) Anti-gang counseling pilot program and fund. (16) Department of education review of professional development programs. (17) Placement of school in category or designation of school improvement. (18) Performance based awards. (19) ISTEP program citizens' review committee. (20) Ambassador for education. Deletes provisions concerning: (1) availability of ISTEP essay questions for inspection by students and parents; and (2) requests for rescoring. Deletes obsolete provisions concerning testing schedules. Deletes obsolete provisions concerning assessments at the conclusion of certain Core 40 courses. Makes conforming changes. Deletes references to statutes repealed during the 2011 legislative session.

**Effective:** July 1, 2012.

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## Rhoads, Behning

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January 11, 2012, read first time and referred to Committee on Education.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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# HOUSE BILL No. 1326



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 4-12-12-6, AS AMENDED BY P.L.2-2007,
- 2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2012]: Sec. 6. Money in the account that is not otherwise
- 4 designated under section 3 of this chapter is annually dedicated to the
- 5 following:
- 6 (1) The certified school to career program and grants under
- 7 IC 22-4.1-8.
- 8 (2) The certified internship program and grants under IC 22-4.1-7.
- 9 (3) The Indiana economic development partnership fund under
- 10 IC 4-12-10.
- 11 (4) Minority training program grants under IC 22-4-18.1-11.
- 12 ~~(5) Technology apprenticeship grants under IC 20-20-32.~~
- 13 ~~(6) (5) The back home in Indiana program under IC 22-4-18.1-12.~~
- 14 ~~(7) (6) The Indiana schools smart partnership under IC 22-4.1-9.~~
- 15 ~~(8) (7) The scientific instrument project within the department of~~
- 16 ~~education.~~
- 17 ~~(9) (8) The coal technology research fund under IC 21-47-4-5.~~



1 SECTION 2. IC 5-22-21-7.5, AS AMENDED BY P.L.1-2006,  
 2 SECTION 124, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2012]: Sec. 7.5. (a) This section applies to  
 4 surplus computer hardware that:

5 (1) is not usable by a state agency as determined under section 6  
 6 of this chapter; and

7 (2) has market value.

8 (b) As used in this section, "educational entity" refers to ~~the~~  
 9 ~~following:~~

10 (1) a school corporation as defined in IC 36-1-2-17 or nonpublic  
 11 schools as defined in IC 20-10.1-1-3 before July 1, 2005, or  
 12 IC 20-18-2-12.

13 (2) ~~The corporation for educational technology described in~~  
 14 ~~IC 20-10.1-25.1 before July 1, 2005; or IC 20-20-15.~~

15 (c) As used in this section, "market value" means the value of the  
 16 property is more than the estimated costs of sale and transportation of  
 17 the property.

18 (d) Surplus computer hardware available for sale may, under the  
 19 policies prescribed by the budget agency, be offered to an educational  
 20 entity.

21 SECTION 3. IC 6-3.1-15-1, AS AMENDED BY P.L.1-2005,  
 22 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 1. As used in this chapter, "buddy system project"  
 24 ~~has the meaning set forth in IC 20-20-15-4(1)(A).~~ **means a statewide**  
 25 **computer project placing computers in homes of public school**  
 26 **students (commonly referred to as the "buddy system project")**  
 27 **and any other educational technology program or project jointly**  
 28 **authorized by the state superintendent and the governor.**

29 SECTION 4. IC 6-3.1-15-10, AS AMENDED BY P.L.1-2005,  
 30 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2012]: Sec. 10. The state board shall ~~in consultation with the~~  
 32 ~~corporation for educational technology if the corporation is established~~  
 33 ~~under IC 20-20-15-3;~~ establish minimum standards for qualified  
 34 computer equipment. Upon receipt of computer equipment, a service  
 35 center shall promptly inspect the equipment. If the computer equipment  
 36 meets the minimum standards established by the state board, the  
 37 service center shall accept the computer equipment as qualified  
 38 computer equipment and shall, subject to section 11(b) of this chapter,  
 39 promptly send a certification to the computer equipment owner for the  
 40 tax credit available under this chapter.

41 SECTION 5. IC 9-18-31-6, AS AMENDED BY P.L.1-2005,  
 42 SECTION 100, IS AMENDED TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2012]: Sec. 6. The fees collected under this  
2 chapter shall be distributed as follows:

- 3 (1) ~~Twenty-five percent (25%) to the state superintendent of~~
- 4 ~~public instruction to administer the school intervention and career~~
- 5 ~~counseling development program and fund under IC 20-20-17.~~
- 6 (2) ~~Seventy-five percent (75%) as provided under section 7 of this~~
- 7 ~~chapter.~~

8 SECTION 6. IC 12-17-19-24, AS ADDED BY P.L.1-2005,  
9 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 24. (a) To evaluate the effectiveness of step ahead  
11 as the program relates to the step ahead goals listed in section 13 of this  
12 chapter, the panel shall employ the following assessment mechanisms:

- 13 (1) The step ahead county coordinator shall annually report to the
- 14 panel on the development, quality, and appropriateness of the
- 15 individual family service plans for children whose parents qualify
- 16 under the income eligibility guidelines.
- 17 (2) The step ahead county coordinator shall annually report to the
- 18 panel on the number of children who:
- 19 (A) are using step ahead services; and
- 20 (B) do not qualify under the income eligibility guidelines.
- 21 (3) The panel shall annually assess the results of any readiness
- 22 program ~~under IC 20-20-26~~ **established by the department of**
- 23 **education** for students in kindergarten and grade 1 to determine
- 24 whether children enrolling in school after benefiting from step
- 25 ahead demonstrate greater readiness for learning. The department
- 26 of education shall cooperate with the panel in this regard by
- 27 assisting in defining the term "readiness" and supporting the
- 28 evaluation based on knowledge and training in early childhood.
- 29 (4) Any other valid assessment technique or method approved by
- 30 the panel.

31 (b) The panel shall implement a schedule for assessing step ahead  
32 programs, using prior evaluation results and techniques learned  
33 through the department of education's pilot preschool programs.

34 SECTION 7. IC 20-19-2-8, AS AMENDED BY P.L.145-2011,  
35 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2012]: Sec. 8. (a) In addition to any other powers and duties  
37 prescribed by law, the state board shall adopt rules under IC 4-22-2  
38 concerning, but not limited to, the following matters:

- 39 (1) The designation and employment of the employees and
- 40 consultants necessary for the department. The state board shall fix
- 41 the compensation of employees of the department, subject to the
- 42 approval of the budget committee and the governor under

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- 1 IC 4-12-2.  
 2 (2) The establishment and maintenance of standards and  
 3 guidelines for media centers, libraries, instructional materials  
 4 centers, or any other area or system of areas in a school where a  
 5 full range of information sources, associated equipment, and  
 6 services from professional media staff are accessible to the school  
 7 community. With regard to library automation systems, the state  
 8 board may only adopt rules that meet the standards established by  
 9 the state library board for library automation systems under  
 10 IC 4-23-7.1-11(b).  
 11 (3) The establishment and maintenance of standards for student  
 12 personnel and guidance services.  
 13 (4) This subdivision expires December 31, 2011. The  
 14 establishment and maintenance of minimum standards for driver  
 15 education programs (including classroom instruction and practice  
 16 driving) and equipment. Classroom instruction standards  
 17 established under this subdivision must include instruction about:  
 18 (A) railroad-highway grade crossing safety; and  
 19 (B) the procedure for participation in the human organ donor  
 20 program;  
 21 and must provide, effective July 1, 2010, that the classroom  
 22 instruction may not be provided to a child less than fifteen (15)  
 23 years and one hundred eighty (180) days of age.  
 24 (5) The inspection of all public schools in Indiana to determine  
 25 the condition of the schools. The state board shall establish  
 26 standards governing the accreditation of public schools.  
 27 Observance of:  
 28 (A) IC 20-31-4;  
 29 (B) IC 20-28-5-2;  
 30 (C) IC 20-28-6-3 through IC 20-28-6-7;  
 31 (D) IC 20-28-11.5; and  
 32 (E) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, and  
 33 IC 20-32-8;  
 34 is a prerequisite to the accreditation of a school. Local public  
 35 school officials shall make the reports required of them and  
 36 otherwise cooperate with the state board regarding required  
 37 inspections. Nonpublic schools may also request the inspection  
 38 for classification purposes. Compliance with the building and site  
 39 guidelines adopted by the state board is not a prerequisite of  
 40 accreditation.  
 41 (6) The distribution of funds and revenues appropriated for the  
 42 support of schools in the state.

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- 1 (7) The state board may not establish an accreditation system for
- 2 nonpublic schools that is less stringent than the accreditation
- 3 system for public schools.
- 4 (8) A separate system for recognizing nonpublic schools under
- 5 IC 20-19-2-10. Recognition of nonpublic schools under this
- 6 subdivision constitutes the system of regulatory standards that
- 7 apply to nonpublic schools that seek to qualify for the system of
- 8 recognition.
- 9 (9) The establishment and enforcement of standards and
- 10 guidelines concerning the safety of students participating in
- 11 cheerleading activities.
- 12 (10) Subject to IC 20-28-2, the preparation and licensing of
- 13 teachers.

14 (b) Before final adoption of any rule, the state board shall make a  
 15 finding on the estimated fiscal impact that the rule will have on school  
 16 corporations.

17 SECTION 8. IC 20-19-2-14, AS AMENDED BY P.L.172-2011,  
 18 SECTION 120, IS AMENDED TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2012]: Sec. 14. The state board shall do the  
 20 following:

- 21 (1) Establish the educational goals of the state, developing
- 22 standards and objectives for local school corporations.
- 23 (2) Assess the attainment of the established goals.
- 24 (3) Assure compliance with established standards and objectives.
- 25 (4) Coordinate with the commission for higher education
- 26 (IC 21-18-1) and the department of workforce development
- 27 (IC 22-4.1-2) to develop entrepreneurship education programs for
- 28 elementary and secondary education, higher education, and
- 29 individuals in the work force.
- 30 (5) Make recommendations to the governor and general assembly
- 31 concerning the educational needs of the state, including financial
- 32 needs.
- 33 **(6) Provide for reviews to ensure the validity and reliability of**
- 34 **the ISTEP program.**

35 SECTION 9. IC 20-19-3-6 IS REPEALED [EFFECTIVE JULY 1,  
 36 2012]. Sec. 6: (a) The department shall:

- 37 (+) establish a program in health and physical education to
- 38 encourage children in kindergarten through grade 12 to develop:
- 39 (A) healthful living habits;
- 40 (B) an interest in lifetime health and physical fitness; and
- 41 (C) decision making skills in the areas of health and physical
- 42 fitness;

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- 1 (2) establish the position of education consultant for health and
- 2 physical education; and
- 3 (3) hire an individual to perform the duties of education
- 4 consultant for health and physical education.
- 5 (b) The education consultant for health and physical education shall:
- 6 (1) plan and develop curricula for health and physical education
- 7 for grades kindergarten through 12; and
- 8 (2) perform other duties designated by the department.
- 9 (c) The program in health and physical education must include the
- 10 following:
- 11 (1) Local school program development.
- 12 (2) Technical and inservice training assistance for local schools.
- 13 (3) Local school initiatives in writing curricula in the areas of
- 14 health and physical education.
- 15 (4) Cardiopulmonary resuscitation training using a training
- 16 program approved by the American Heart Association or an
- 17 equivalent nationally recognized training program.
- 18 (d) The department may give grants to or enter into contracts with
- 19 individuals or school corporations to carry out the purposes of the
- 20 program in health and physical education.
- 21 SECTION 10. IC 20-19-4-10, AS ADDED BY P.L.1-2005,
- 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2012]: Sec. 10. The roundtable shall review and recommend
- 24 to the state board for the state board's approval the following:
- 25 (1) The academic standards under IC 20-31-3, IC 20-32-4, **and**
- 26 IC 20-32-5 **and** ~~IC 20-32-6~~ for all grade levels from kindergarten
- 27 through grade 12.
- 28 (2) The content and format of the ISTEP program, including the
- 29 following:
- 30 (A) The graduation examination.
- 31 (B) The passing scores required at the various grade levels
- 32 tested under the ISTEP program.
- 33 SECTION 11. IC 20-20-2 IS REPEALED [EFFECTIVE JULY 1,
- 34 2012]. (Principal Leadership Academy).
- 35 SECTION 12. IC 20-20-4 IS REPEALED [EFFECTIVE JULY 1,
- 36 2012]. (Ambassador for Education).
- 37 SECTION 13. IC 20-20-9 IS REPEALED [EFFECTIVE JULY 1,
- 38 2012]. (School Grant Writing and Fund Raising Assistance Program).
- 39 SECTION 14. IC 20-20-10 IS REPEALED [EFFECTIVE JULY 1,
- 40 2012]. (Technology Preparation Task Force).
- 41 SECTION 15. IC 20-20-11 IS REPEALED [EFFECTIVE JULY 1,
- 42 2012]. (Research and Development Program).

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1 SECTION 16. IC 20-20-13-6, AS AMENDED BY  
 2 P.L.182-2009(ss), SECTION 305, IS AMENDED TO READ AS  
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The Senator  
 4 David C. Ford educational technology fund is established to extend  
 5 educational technologies to elementary and secondary schools. The  
 6 fund may be used for:

7 (1) the 4R's technology grant program to assist school  
 8 corporations (on behalf of public schools) in purchasing  
 9 technology equipment:

10 (A) for kindergarten and grade 1 students, to learn reading,  
 11 writing, and arithmetic using technology;

12 (B) for students in all grades, to understand that technology is  
 13 a tool for learning; and

14 (C) for students in kindergarten through grade 3 who have  
 15 been identified as needing remediation, to offer daily  
 16 remediation opportunities using technology to prevent those  
 17 students from failing to make appropriate progress at the  
 18 particular grade level;

19 (2) a school technology program developed by the department.  
 20 The program may include grants to school corporations for the  
 21 purchase of:

22 (A) equipment, hardware, and software;

23 (B) learning and teaching systems; and

24 (C) other materials;

25 that promote student learning, as determined by the department;

26 (3) providing educational technologies, including computers in  
 27 the homes of students;

28 (4) conducting educational technology training for teachers; and

29 (5) other innovative educational technology programs.

30 (b) The department may also use money in the fund under contracts  
 31 entered into with the office of technology established by IC 4-13.1-2-1  
 32 to study the feasibility of establishing an information  
 33 telecommunications gateway that provides access to information on  
 34 employment opportunities, career development, and instructional  
 35 services from data bases operated by the state among the following:

36 (1) Elementary and secondary schools.

37 (2) Postsecondary educational institutions.

38 (3) Career and technical educational centers and institutions that  
 39 are not postsecondary educational institutions.

40 (4) Libraries.

41 (5) Any other agencies offering education and training programs.

42 (c) The fund consists of:

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- 1 (1) state appropriations;
- 2 (2) private donations to the fund; **or**
- 3 ~~(3) money directed to the fund from the corporation for~~
- 4 ~~educational technology under IC 20-20-15; or~~
- 5 ~~(4) (3) any combination of the amounts described in subdivisions~~
- 6 (1) through ~~(3)~~; **(2)**.

7 (d) The fund shall be administered by the department.

8 (e) Unexpended money appropriated to or otherwise available in the  
9 fund at the end of a state fiscal year does not revert to the state general  
10 fund but remains available to the department for use under this chapter.

11 (f) Subject to section 7 of this chapter, a school corporation may use  
12 money from the school corporation's capital projects fund as permitted  
13 under IC 20-40-8 for educational technology equipment.

14 SECTION 17. IC 20-20-13-7, AS AMENDED BY P.L.2-2006,  
15 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2012]: Sec. 7. (a) Notwithstanding any other law, a school  
17 corporation is not entitled to:

- 18 (1) receive any money under this chapter; ~~or IC 20-20-15;~~
- 19 (2) use money from the school corporation's capital projects fund  
20 for educational technology equipment under IC 20-40-8; or
- 21 (3) receive an advance from the common school fund for an  
22 educational technology program under IC 20-49-4;

23 unless the school corporation develops a three (3) year technology plan.

24 (b) Each technology plan must include at least the following  
25 information:

- 26 (1) A description of the school corporation's intent to integrate  
27 technology into the school corporation's curriculum.
- 28 (2) A plan for providing inservice training.
- 29 (3) A schedule for maintaining and replacing educational  
30 technology equipment.
- 31 (4) A description of the criteria used to select the appropriate  
32 educational technology equipment for the appropriate use.
- 33 (5) Other information requested by the department after  
34 consulting with the budget agency.

35 (c) The department shall develop guidelines concerning the  
36 development of technology plans. The guidelines developed under this  
37 subsection are subject to the approval of the governor.

38 SECTION 18. IC 20-20-13-8, AS ADDED BY P.L.1-2005,  
39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 8. Upon the approval of the governor and the  
41 budget agency, the department may use funds available under this  
42 chapter to provide or extend education technology to any school

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1 corporation for purposes described in this chapter. ~~The department~~  
 2 ~~(upon the approval of the governor and the budget agency) may direct~~  
 3 ~~funds under this chapter to the corporation for educational technology~~  
 4 ~~under IC 20-20-15 to further the corporation's purposes.~~

5 SECTION 19. IC 20-20-13-9, AS ADDED BY P.L.1-2005,  
 6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2012]: Sec. 9. (a) This section applies to the 4R's technology  
 8 program described in section 6(a)(1) of this chapter.

9 (b) In addition to any other funds available under this chapter, if  
 10 state funds are transferred under IC 20-32-5-19 to the 4R's technology  
 11 program:

- 12 (1) those funds do not revert to the state general fund;
- 13 (2) those funds shall be made available to the 4R's technology  
 14 program under this chapter; and
- 15 (3) the department, upon approval by the governor and the budget  
 16 agency, shall use those funds to award grants under this section.

17 (c) To be eligible to receive a grant under the program, a school  
 18 corporation must comply with the following:

- 19 (1) The school corporation must apply to the department for a  
 20 grant on behalf of a school within the school corporation to  
 21 purchase technology equipment.
- 22 (2) The school corporation must certify the following:
  - 23 (A) That the school will provide every kindergarten and grade  
 24 1 student at that school the opportunity to learn reading,  
 25 writing, and arithmetic using technology.
  - 26 (B) That the school will provide daily before or after school  
 27 technology laboratories for students in grades 1 through 3 who  
 28 have been identified as needing remediation in reading,  
 29 writing, or arithmetic.
  - 30 (C) That the school will provide additional technology  
 31 opportunities, that may include Saturday sessions, for students  
 32 in other grade levels to use the technology laboratories for  
 33 remediation in reading, writing, arithmetic, or mathematics.
  - 34 (D) That the school will provide technology opportunities to  
 35 students that attend remediation programs under IC 20-32-8 (if  
 36 the school corporation is required to do so) or any other  
 37 additional summer programs.
  - 38 (E) That the school corporation, either through its own or the  
 39 school's initiative, ~~or through donations made to the~~  
 40 ~~corporation for educational technology under IC 20-20-15 on~~  
 41 ~~behalf of the school corporation,~~ is able to provide a part of the  
 42 costs attributable to purchasing the necessary technology

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- 1 equipment.
- 2 (3) The school corporation must include in the application the
- 3 sources of and the amount of money secured under subdivision
- 4 (2)(E).
- 5 (4) The school corporation or the school must:
- 6 (A) provide teacher training services; or
- 7 (B) use vendor provided teacher training services.
- 8 (5) The school corporation must give primary consideration to the
- 9 purchase of technology equipment that includes teacher training
- 10 services.
- 11 (6) The teachers who will be using the technology equipment
- 12 must support the initiative described in this chapter.
- 13 (d) Upon review of the applications by the department, the
- 14 satisfaction of the requirements set forth in subsection (c), and subject
- 15 to the availability of funds for this purpose, the department shall award
- 16 to each eligible school corporation a grant to purchase technology
- 17 equipment under section 6(a)(1) of this chapter.
- 18 (e) The department shall monitor the compliance by the school
- 19 corporations receiving grants of the matters cited in subsection (c).
- 20 SECTION 20. IC 20-20-13-15, AS ADDED BY P.L.1-2005,
- 21 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2012]: Sec. 15. A school corporation qualifies for a
- 23 technology plan grant under sections 13 through 24 of this chapter
- 24 when the technology plan of the school corporation developed under
- 25 section 7 of this chapter is approved by the department. For purposes
- 26 of determining whether a school corporation qualifies for a grant under
- 27 sections 13 through 24 of this chapter, the department shall:
- 28 (1) review;
- 29 (2) suggest changes;
- 30 (3) approve; or
- 31 (4) reject;
- 32 a school corporation's technology plan. ~~However, before the~~
- 33 ~~department may approve a technology plan, the department must~~
- 34 ~~consult with the corporation for educational technology established by~~
- 35 ~~IC 20-20-15-3 on the contents of the technology plan.~~
- 36 SECTION 21. IC 20-20-13-17, AS ADDED BY P.L.1-2005,
- 37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2012]: Sec. 17. The total technology plan grant amount to a
- 39 qualifying school corporation is the amount determined by the
- 40 department ~~with advice from the educational technology council~~
- 41 ~~established by IC 20-20-14-2~~, multiplied by the school corporation's
- 42 ADM. The amount is one hundred dollars (\$100). However, for the

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1 purposes of determining the ADM of a school corporation, students  
2 who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted  
3 as students having legal settlement in the transferee corporation and not  
4 having legal settlement in the transferor corporation.

5 SECTION 22. IC 20-20-14 IS REPEALED [EFFECTIVE JULY 1,  
6 2012]. (Educational Technology Council).

7 SECTION 23. IC 20-20-15 IS REPEALED [EFFECTIVE JULY 1,  
8 2012]. (Corporation for Educational Technology).

9 SECTION 24. IC 20-20-17 IS REPEALED [EFFECTIVE JULY 1,  
10 2012]. (School Intervention and Career Counseling Development  
11 Program and Fund).

12 SECTION 25. IC 20-20-22 IS REPEALED [EFFECTIVE JULY 1,  
13 2012]. (Teacher Quality and Professional Improvement Program).

14 SECTION 26. IC 20-20-23 IS REPEALED [EFFECTIVE JULY 1,  
15 2012]. (Projects for Innovative Education).

16 SECTION 27. IC 20-20-25 IS REPEALED [EFFECTIVE JULY 1,  
17 2012]. (Committee on Educational Attitudes, Motivation, and Parental  
18 Involvement).

19 SECTION 28. IC 20-20-26 IS REPEALED [EFFECTIVE JULY 1,  
20 2012]. (Readiness Testing).

21 SECTION 29. IC 20-20-27 IS REPEALED [EFFECTIVE JULY 1,  
22 2012]. (Student Services Programs).

23 SECTION 30. IC 20-20-29 IS REPEALED [EFFECTIVE JULY 1,  
24 2012]. (Twenty-First Century Schools Pilot Program).

25 SECTION 31. IC 20-20-30 IS REPEALED [EFFECTIVE JULY 1,  
26 2012]. (Anti-Gang Counseling Pilot Program and Fund).

27 SECTION 32. IC 20-20-31-6 IS REPEALED [EFFECTIVE JULY  
28 1, 2012]. *Sec. 6: A school committee shall submit the school's program  
29 to the state superintendent for the superintendent's review. The state  
30 superintendent:*

31 (1) shall review the plan to ensure that the program aligns with  
32 the school corporation's objectives, goals, and expectations;

33 (2) may make written recommendations of modifications to the  
34 program to ensure alignment; and

35 (3) shall return the program and any recommendations to the  
36 school committee.

37 SECTION 33. IC 20-20-31-7 IS REPEALED [EFFECTIVE JULY  
38 1, 2012]. *Sec. 7: A school committee may modify the program to  
39 comply with recommendations made by the state superintendent under  
40 section 6 of this chapter.*

41 SECTION 34. IC 20-20-31-8 IS REPEALED [EFFECTIVE JULY  
42 1, 2012]. *Sec. 8: A school committee shall submit the program as part*

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1 of its plan to the governing body. The governing body shall:

2 (1) approve or reject the program as part of the plan; and

3 (2) submit the program to the state board as part of the plan for  
4 the school.

5 SECTION 35. IC 20-20-31-9 IS REPEALED [EFFECTIVE JULY  
6 1, 2012]. Sec. 9: The state board may approve a school's program only  
7 if the program meets the board's core principles for professional  
8 development and the following additional criteria:

9 (1) To ensure high quality professional development, the  
10 program:

11 (A) is school based and collaboratively designed; and  
12 encourages participants to work collaboratively;

13 (B) has a primary focus on state and local academic standards;  
14 including a focus on Core 40 subject areas;

15 (C) enables teachers to improve expertise in subject  
16 knowledge and teaching strategies; uses of technologies; and  
17 other essential elements in teaching to high standards;

18 (D) furthers the alignment of standards, curriculum, and  
19 assessments; and

20 (E) includes measurement activities to ensure the transfer of  
21 new knowledge and skills to classroom instruction:

22 (2) A variety of resources, including needs assessments; an  
23 analysis of data regarding student learning needs; professional  
24 literature, research; and school improvement programs; are used  
25 in developing the program:

26 (3) The program supports professional development for all  
27 stakeholders.

28 (4) The program includes ongoing professional growth  
29 experiences that provide adequate time and job embedded  
30 opportunities to support school improvement and student  
31 learning; including flexible time for professional development  
32 that provides professional development opportunities before;  
33 during; and after the regular school day and school year.

34 (5) Under the program, teacher time for professional development  
35 sustains instructional coherence; participant involvement; and  
36 continuity for students.

37 (6) The program includes effective; research based strategies to  
38 support ongoing developmental activities.

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

41 (8) The program encourages diverse techniques; including  
42 inquiry; reflection; action research; networking; study groups;

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1 coaching; and evaluation.

2 (9) The program includes a means for evaluating the effectiveness  
3 of the program and activities under the program.

4 SECTION 36. IC 20-20-31-10 IS REPEALED [EFFECTIVE JULY  
5 1, 2012]. Sec. 10: The state board shall approve an evaluation system  
6 for professional development based on recommendations from the  
7 department. The department shall develop a means for measuring  
8 successful programs and activities in which schools participate. The  
9 measurements must include the following:

10 (1) A mechanism to identify and develop strategies to collect  
11 multiple forms of data that reflect the achievement of expectations  
12 for all students. The data may include the results of ISTEP  
13 program tests under IC 20-31-3, IC 20-32-4, IC 20-32-5, and  
14 IC 20-32-6; local tests; classroom work; and teacher and  
15 administrator observations.

16 (2) A procedure for using collected data to make decisions.

17 (3) A method of evaluation in terms of educator's practice and  
18 student learning, including standards for effective teaching and  
19 effective professional development.

20 SECTION 37. IC 20-20-31-11 IS REPEALED [EFFECTIVE JULY  
21 1, 2012]. Sec. 11: A school qualifies for a grant from the department  
22 when the school's program, developed and submitted under this  
23 chapter, is approved by the state board upon recommendation of the  
24 department. For purposes of determining whether a school qualifies for  
25 a grant under this chapter, the department shall:

26 (1) review;

27 (2) suggest changes to; and

28 (3) recommend approval or rejection of;

29 a school's program.

30 SECTION 38. IC 20-20-31-12 IS REPEALED [EFFECTIVE JULY  
31 1, 2012]. Sec. 12: A school must use a grant received under this chapter  
32 to implement all or part of the school's program by funding activities  
33 that may include the following:

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

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

38 (3) Workshops, seminars, and site visits.

39 (4) Cooperative programs with other school corporations.

40 (5) National board certification for teachers.

41 SECTION 39. IC 20-20-31-13 IS REPEALED [EFFECTIVE JULY  
42 1, 2012]. Sec. 13: A school may contract with private or public sector

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1 providers to provide professional development activities under this  
2 chapter.

3 SECTION 40. IC 20-20-31-14 IS REPEALED [EFFECTIVE JULY  
4 1, 2012]. Sec. 14. A grant received under this chapter:

5 (1) may be expended only for the conduct of activities specified  
6 in the program; and

7 (2) must be coordinated with other professional development  
8 programs and expenditures of the school and school corporation.

9 SECTION 41. IC 20-20-31-15 IS REPEALED [EFFECTIVE JULY  
10 1, 2012]. Sec. 15. A school shall report to the department concerning  
11 the use of grants received under this chapter. A school that fails to  
12 make a report under this chapter is not eligible for a subsequent grant.

13 SECTION 42. IC 20-20-32 IS REPEALED [EFFECTIVE JULY 1,  
14 2012]. (Technology Apprenticeship Grant Program).

15 SECTION 43. IC 20-24-8-5, AS AMENDED BY P.L.90-2011,  
16 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 5. The following statutes and rules and guidelines  
18 adopted under the following statutes apply to a charter school:

- 19 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 20 (2) IC 20-39-1-1 (unified accounting system).
- 21 (3) IC 20-35 (special education).
- 22 (4) IC 20-26-5-10 (criminal history).
- 23 (5) IC 20-26-5-6 (subject to laws requiring regulation by state  
24 agencies).
- 25 (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 26 (7) IC 20-28-10-14 (teacher freedom of association).
- 27 (8) IC 20-28-10-17 (school counselor immunity).
- 28 (9) For conversion charter schools only, IC 20-28-6, IC 20-28-7.5,  
29 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 30 (10) IC 20-33-2 (compulsory school attendance).
- 31 (11) IC 20-33-3 (limitations on employment of children).
- 32 (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student  
33 due process and judicial review).
- 34 (13) IC 20-33-8-16 (firearms and deadly weapons).
- 35 (14) IC 20-34-3 (health and safety measures).
- 36 (15) IC 20-33-9 (reporting of student violations of law).
- 37 (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative  
38 observances).
- 39 (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, ~~IC 20-32-6~~, IC 20-32-8,  
40 or any other statute, rule, or guideline related to standardized  
41 testing (assessment programs, including remediation under the  
42 assessment programs).

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1 (18) IC 20-33-7 (parental access to education records).  
 2 (19) IC 20-31 (accountability for school performance and  
 3 improvement).  
 4 (20) IC 20-30-5-19 (personal financial responsibility instruction).  
 5 SECTION 44. IC 20-26-2-1.5, AS ADDED BY P.L.121-2009,  
 6 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2012]: Sec. 1.5. "Expanded criminal history check" means a  
 8 criminal history background check of an individual that includes  
 9 (†) a:  
 10 (A) search of the records maintained by all counties in Indiana  
 11 in which the individual who is the subject of the background  
 12 check resided;  
 13 (B) search of the records maintained by all counties or similar  
 14 governmental units in another state; if the individual who is  
 15 the subject of the background check resided in another state;  
 16 and  
 17 (C) check of:  
 18 (i) sex offender registries in all fifty (50) states; or  
 19 (ii) the national sex offender registry maintained by the  
 20 United States Department of Justice; or  
 21 (‡) a:  
 22 (A) (1) national criminal history background check (as defined in  
 23 IC 10-13-3-12); and  
 24 (B) (2) check of:  
 25 (i) (A) sex offender registries in all fifty (50) states; or  
 26 (ii) (B) the national sex offender registry maintained by the  
 27 United States Department of Justice.  
 28 SECTION 45. IC 20-26-13-5, AS AMENDED BY P.L.7-2011,  
 29 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 5. (a) As used in this chapter, "graduation" means  
 31 the successful completion by a student of:  
 32 (1) a sufficient number of academic credits, or the equivalent of  
 33 academic credits; and  
 34 (2) the graduation examination or waiver process required under  
 35 IC 20-32-3 through ~~IC 20-32-6~~; **IC 20-32-5**;  
 36 resulting in the awarding of a high school diploma or an academic  
 37 honors diploma.  
 38 (b) The term does not include the granting of a general educational  
 39 development diploma under IC 20-20-6 (before its repeal) or  
 40 IC 22-4.1-18.  
 41 SECTION 46. IC 20-26-15-5, AS ADDED BY P.L.1-2005,  
 42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 5. Notwithstanding any other law, the operation  
 2 of the following is suspended for a freeway school corporation or a  
 3 freeway school if the governing body of the school corporation elects  
 4 to have the specific statute or rule suspended in the contract:

5 (1) The following statutes and rules concerning curriculum and  
 6 instructional time:

7 IC 20-30-2-7

8 IC 20-30-5-8

9 IC 20-30-5-9

10 IC 20-30-5-11

11 511 IAC 6-7-6

12 ~~511 IAC 6.1-3-4~~

13 511 IAC 6.1-5-0.5

14 511 IAC 6.1-5-1

15 511 IAC 6.1-5-2.5

16 511 IAC 6.1-5-3.5

17 511 IAC 6.1-5-4.

18 (2) The following rule concerning pupil/teacher ratios:

19 511 IAC 6.1-4-1.

20 (3) The following statutes and rules concerning textbooks:

21 ~~IC 20-20-5-1 through IC 20-20-5-4~~

22 ~~IC 20-20-5-23~~

23 IC 20-26-12-24

24 IC 20-26-12-26

25 ~~IC 20-26-12-28~~

26 IC 20-26-12-1

27 IC 20-26-12-2

28 511 IAC 6.1-5-5.

29 (4) 511 IAC 6-7, concerning graduation requirements.

30 (5) IC 20-31-4, concerning the performance based accreditation  
 31 system.

32 (6) IC 20-32-5, concerning the ISTEP program established under  
 33 IC 20-32-5-15, if an alternative locally adopted assessment  
 34 program is adopted under section 6(7) of this chapter.

35 SECTION 47. IC 20-26-15-6, AS AMENDED BY P.L.2-2006,  
 36 SECTION 135, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2012]: Sec. 6. Except as provided in this  
 38 chapter and notwithstanding any other law, a freeway school  
 39 corporation or a freeway school may do the following during the  
 40 contract period:

41 (1) Disregard the observance of any statute or rule that is listed in  
 42 the contract.

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- 1 (2) Lease school transportation equipment to others for nonschool  
 2 use when the equipment is not in use for a school corporation  
 3 purpose, if the lessee has not received a bid from a private entity  
 4 to provide transportation equipment or services for the same  
 5 purpose.  
 6 (3) Replace the budget and accounting system that is required by  
 7 law with a budget or accounting system that is frequently used in  
 8 the private business community. The state board of accounts may  
 9 not go beyond the requirements imposed upon the state board of  
 10 accounts by statute in reviewing the budget and accounting  
 11 system used by a freeway school corporation or a freeway school.  
 12 (4) Establish a professional development and technology fund to  
 13 be used for:  
 14 (A) professional development; or  
 15 (B) technology, including video distance learning.  
 16 However, any money deposited in the professional development  
 17 and technology fund for technology purposes must be transferred  
 18 to the school technology fund.  
 19 (5) Subject to subdivision (4), transfer funds obtained from  
 20 sources other than state or local government taxation among any  
 21 accounts of the school corporation, including a professional  
 22 development and technology fund established under subdivision  
 23 (4).  
 24 (6) Transfer funds obtained from property taxation and from state  
 25 distributions among the general fund and the school  
 26 transportation fund, subject to the following:  
 27 (A) The sum of the property tax rates for the general fund and  
 28 the school transportation fund after a transfer occurs under this  
 29 subdivision may not exceed the sum of the property tax rates  
 30 for the general fund and the school transportation fund before  
 31 a transfer occurs under this subdivision.  
 32 (B) This subdivision does not allow a school corporation to  
 33 transfer to any other fund money from the:  
 34 (i) capital projects fund; or  
 35 (ii) debt service fund.  
 36 (7) Establish a locally adopted assessment program to replace the  
 37 assessment of students under the ISTEP program established  
 38 under IC 20-32-5-15, subject to the following:  
 39 (A) A locally adopted assessment program must be established  
 40 by the governing body and approved by the department.  
 41 (B) A locally adopted assessment program may use a locally  
 42 developed test or a nationally developed test.

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- 1 (C) Results of assessments under a locally adopted assessment  
 2 program are subject to the same reporting requirements as  
 3 results under the ISTEP program.
- 4 (D) Each student who completes a locally adopted assessment  
 5 program and the student's parent have the same rights to  
 6 **inspection and rescoring test scores** as set forth in  
 7 IC 20-32-5-9.
- 8 SECTION 48. IC 20-28-2-6, AS AMENDED BY P.L.90-2011,  
 9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2012]: Sec. 6. (a) Subject to subsection (c) and in addition to  
 11 the powers and duties set forth in ~~IC 20-20-22~~ or this article, the state  
 12 board may adopt rules under IC 4-22-2 to do the following:
- 13 (1) Set standards for teacher licensing and for the administration  
 14 of a professional licensing and certification process by the  
 15 department.
- 16 (2) Approve or disapprove teacher preparation programs.
- 17 (3) Set fees to be charged in connection with teacher licensing.
- 18 (4) Suspend, revoke, or reinstate teacher licenses.
- 19 (5) Enter into agreements with other states to acquire reciprocal  
 20 approval of teacher preparation programs.
- 21 (6) Set standards for teacher licensing concerning new subjects of  
 22 study.
- 23 (7) Evaluate work experience and military service concerning  
 24 postsecondary education and experience equivalency.
- 25 (8) Perform any other action that:
- 26 (A) relates to the improvement of instruction in the public  
 27 schools through teacher education and professional  
 28 development through continuing education; and
- 29 (B) attracts qualified candidates for teacher education from  
 30 among the high school graduates of Indiana.
- 31 (9) Set standards for endorsement of school psychologists as  
 32 independent practice school psychologists under IC 20-28-12.
- 33 (10) Before July 1, 2011, set standards for sign language  
 34 interpreters who provide services to children with disabilities in  
 35 an educational setting and an enforcement mechanism for the  
 36 interpreter standards.
- 37 (b) Notwithstanding subsection (a)(1), an individual is entitled to  
 38 one (1) year of occupational experience for purposes of obtaining an  
 39 occupational specialist certificate under this article for each year the  
 40 individual holds a license under IC 25-8-6.
- 41 (c) The state board may adopt rules under IC 4-22-2, including  
 42 emergency rules under IC 4-22-2-37.1, to establish procedures to

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1 expedite the issuance, renewal, or reinstatement under this article of a  
2 license or certificate of a person whose spouse serves on active duty (as  
3 defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.

4 SECTION 49. IC 20-30-5-7.5, AS ADDED BY P.L.54-2006,  
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 7.5. (a) This section does not apply to a student  
7 who:

- 8 (1) is in half-day kindergarten; or
- 9 (2) has a medical condition that precludes participation in the  
10 daily physical activity provided under this section.

11 (b) Beginning in the 2006-2007 school year, the governing body of  
12 each school corporation shall provide daily physical activity for  
13 students in elementary school. The physical activity ~~must be consistent~~  
14 ~~with the curriculum and programs developed under IC 20-19-3-6 and~~  
15 may include the use of recess. On a day when there is inclement  
16 weather or unplanned circumstances have shortened the school day, the  
17 school corporation may provide physical activity alternatives or elect  
18 not to provide physical activity.

19 SECTION 50. IC 20-30-10-2, AS ADDED BY P.L.1-2005,  
20 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2012]: Sec. 2. (a) The state board shall adopt the following:

- 22 (1) College/technology preparation curriculum models that may  
23 include all or part of ~~the following~~:  
24 (A) the college preparation curriculum models developed by  
25 the department under section 1 of this chapter.  
26 (B) ~~The technology preparation curriculum models developed~~  
27 ~~by the technology preparation task force under IC 20-20-10-~~  
28 (2) Teacher and staff training to implement the  
29 college/technology preparation curriculum models.

30 (b) The college/technology preparation curriculum models that the  
31 state board adopts under subsection (a) must meet the conditions listed  
32 in

- 33 (1) section 3 of this chapter. ~~and~~
- 34 (2) ~~IC 20-20-10-3.~~

35 SECTION 51. IC 20-30-12-1 IS REPEALED [EFFECTIVE JULY  
36 1, 2012]. ~~Sec. 1. The department shall require all school corporations~~  
37 ~~to make available to the school corporation's high school students the~~  
38 ~~technology preparation curriculum developed under IC 20-20-10-~~

39 SECTION 52. IC 20-31-8-4 IS REPEALED [EFFECTIVE JULY 1,  
40 2012]. ~~Sec. 4. The state board shall place each school in a category or~~  
41 ~~designation of school improvement based on the department's findings~~  
42 ~~from the assessment of the improvement of each school under section~~

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1 2 of this chapter. The state board must place those schools that do not  
 2 show improvement and in which less than ninety percent (90%) of the  
 3 students meet academic standards in the lowest category or  
 4 designation.

5 SECTION 53. IC 20-31-11 IS REPEALED [EFFECTIVE JULY 1,  
 6 2012]. (Performance Based Awards).

7 SECTION 54. IC 20-32-5-5, AS AMENDED BY P.L.73-2011,  
 8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2012]: Sec. 5. The department shall make general language  
 10 arts essay scoring rubrics available to the public at least four (4)  
 11 months before the administration of a test. An essay question, a scoring  
 12 rubric, or an anchor paper used in the ISTEP program must not seek or  
 13 compile information about a student's:

- 14 (1) personal attitudes;
- 15 (2) political views;
- 16 (3) religious beliefs;
- 17 (4) family relationships; or
- 18 (5) other matters listed in IC 20-30-5-17(b).

19 The ISTEP program citizens' review committee department shall  
 20 determine whether an essay question or a scoring rubric complies with  
 21 this section.

22 SECTION 55. IC 20-32-5-9, AS ADDED BY P.L.1-2005,  
 23 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 9. (a) After reports of student scores are returned  
 25 to a school corporation, the school corporation shall promptly do the  
 26 following:

- 27 (1) give each student and the student's parent the student's ISTEP  
 28 program test scores.
- 29 (2) Make available for inspection to each student and the student's  
 30 parent the following:
  - 31 (A) A copy of the essay questions and prompts used in  
 32 assessing the student.
  - 33 (B) A copy of the student's scored essays.
  - 34 (C) A copy of the anchor papers and scoring rubrics used to  
 35 score the student's essays.

36 A student's parent may request a rescoring of a student's responses to  
 37 a test, including a student's essay.

38 (b) A student's ISTEP program scores may not be disclosed to the  
 39 public.

40 SECTION 56. IC 20-32-5-15, AS AMENDED BY P.L.229-2011,  
 41 SECTION 191, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) The state superintendent

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1 shall develop an ISTEP program testing schedule. ~~in which:~~

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

3 ~~(2) each student in grade 10 or grade 11 must take a graduation~~  
4 ~~examination.~~

5 (b) The state board shall adopt rules to establish when a student is  
6 ~~considered to be in grade 10~~ **has completed the coursework** for  
7 purposes of initially taking the graduation examination.

8 SECTION 57. IC 20-32-5-18, AS ADDED BY P.L.1-2005,  
9 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 18. (a) The department shall establish a pilot  
11 program to examine innovative testing methods.

12 (b) The department shall select a representative sample of school  
13 corporations determined through an application procedure to  
14 participate in the pilot program under this section.

15 (c) The types of methods authorized under this program include the  
16 following:

17 (1) Recently developed techniques for measuring higher order  
18 thinking skills.

19 (2) Performance testing of academic standards that are difficult to  
20 measure by a written test format.

21 (3) Expanded subject area assessment using student writing  
22 samples.

23 ~~(d) The funds necessary to implement a pilot program under this~~  
24 ~~section shall be expended from the research and development program~~  
25 ~~under IC 20-20-11.~~

26 SECTION 58. IC 20-32-5-21, AS ADDED BY P.L.1-2005,  
27 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2012]: Sec. 21. (a) The state board may require schools to  
29 participate in national or international assessments.

30 ~~(b) The state board may establish an assessment to be administered~~  
31 ~~at the conclusion of each Core 40 course in English/language arts,~~  
32 ~~mathematics, social studies, and science. However, participation in a~~  
33 ~~Core 40 assessment established under this subsection must be~~  
34 ~~voluntary on the part of a school corporation.~~

35 ~~(c)~~ **(b)** The state board may establish a diagnostic reading  
36 assessment for use in grades 1 and 2 to promote grade level reading  
37 competency by grade 3. However, participation in a reading assessment  
38 established under this subsection must be voluntary on the part of a  
39 school corporation.

40 SECTION 59. IC 20-32-6 IS REPEALED [EFFECTIVE JULY 1,  
41 2012]. (ISTEP Program Citizens' Review Committee).

42 SECTION 60. IC 20-40-8-20, AS AMENDED BY P.L.234-2007,

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1 SECTION 231, IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2012]: Sec. 20. Money in the fund may be  
3 transferred to another fund and used as provided by law. The laws  
4 permitting a transfer of money from the fund include the following:  
5 ~~(1) IC 20-20-10-5 (implementation of technology preparation task~~  
6 ~~force):~~  
7 ~~(2) (1) IC 20-40-11-3 (repair and replacement fund).~~  
8 ~~(3) (2) IC 20-40-12-6 (self-insurance fund).~~  
9 ~~(4) (3) IC 20-49-4-22 (advance for educational technology~~  
10 ~~program).~~

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