
SENATE BILL No. 330

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-2-8; IC 20-20-29-4; IC 20-26-15-5; IC 20-31; IC 21-12-6-5.

Synopsis: School accreditation. Makes various changes, beginning in 2014, to the manner in which a school may be accredited under a performance based accreditation system. Provides that a school may be accredited under a performance based accreditation system approved by the Indiana state board of education (state board) or by a national or regional accreditation agency that is approved by the state board. Provides that the state board shall establish: (1) a system for approving agencies or entities that seek to accredit schools in Indiana; and (2) a procedure for determining whether a school is making progress toward meeting the criteria for accreditation by a national or regional accreditation agency approved by the state board. Provides that the Indiana department of education (department) shall establish a schedule for verifying compliance with legal standards and shall report noncompliance to the state board. Requires the state board to verify noncompliance with legal standards and to adopt rules to establish consequences of noncompliance. Requires the department to publish on its Internet web site the accreditation status and legal compliance status of each school and school corporation. Eliminates the probationary accreditation status. Provides that the department shall determine when a school or a school corporation has complied with certain legal standards. Provides that the department may conduct an onsite evaluation of a school or school corporation to make a recommendation to the state board as to the legal compliance status of the school or school corporation. Makes conforming amendments.

Effective: July 1, 2013.

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January 8, 2013, read first time and referred to Committee on Education and Career Development.



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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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SENATE BILL No. 330



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 20-19-2-8, AS AMENDED BY P.L.145-2011,
 2 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 8. (a) In addition to any other powers and duties
 4 prescribed by law, the state board shall adopt rules under IC 4-22-2
 5 concerning, but not limited to, the following matters:
 6 (1) The designation and employment of the employees and
 7 consultants necessary for the department. The state board shall fix
 8 the compensation of employees of the department, subject to the
 9 approval of the budget committee and the governor under
 10 IC 4-12-2.
 11 (2) The establishment and maintenance of standards and
 12 guidelines for media centers, libraries, instructional materials
 13 centers, or any other area or system of areas in a school where a
 14 full range of information sources, associated equipment, and
 15 services from professional media staff are accessible to the school
 16 community. With regard to library automation systems, the state
 17 board may only adopt rules that meet the standards established by



1 the state library board for library automation systems under
 2 IC 4-23-7.1-11(b).
 3 (3) The establishment and maintenance of standards for student
 4 personnel and guidance services.
 5 ~~(4) This subdivision expires December 31, 2011. The~~
 6 ~~establishment and maintenance of minimum standards for driver~~
 7 ~~education programs (including classroom instruction and practice~~
 8 ~~driving) and equipment. Classroom instruction standards~~
 9 ~~established under this subdivision must include instruction about:~~
 10 ~~(A) railroad-highway grade crossing safety; and~~
 11 ~~(B) the procedure for participation in the human organ donor~~
 12 ~~program;~~
 13 ~~and must provide, effective July 1, 2010, that the classroom~~
 14 ~~instruction may not be provided to a child less than fifteen (15)~~
 15 ~~years and one hundred eighty (180) days of age.~~
 16 ~~(5) (4) The inspection of all public schools in Indiana to~~
 17 ~~determine the condition of the schools. The state board shall~~
 18 ~~establish standards governing the accreditation of public schools.~~
 19 ~~Observance of:~~
 20 ~~(A) IC 20-31-4 before July 1, 2014, or IC 20-31-4.5 after~~
 21 ~~June 30, 2014;~~
 22 ~~(B) IC 20-28-5-2;~~
 23 ~~(C) IC 20-28-6-3 through IC 20-28-6-7;~~
 24 ~~(D) IC 20-28-11.5; and~~
 25 ~~(E) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, and~~
 26 ~~IC 20-32-8;~~
 27 is a prerequisite to the accreditation of a school. Local public
 28 school officials shall make the reports required of them and
 29 otherwise cooperate with the state board regarding required
 30 inspections. Nonpublic schools may also request the inspection
 31 for classification purposes. Compliance with the building and site
 32 guidelines adopted by the state board is not a prerequisite of
 33 accreditation.
 34 ~~(6) (5) The distribution of funds and revenues appropriated for the~~
 35 ~~support of schools in the state.~~
 36 ~~(7) (6) The state board may not establish an accreditation system~~
 37 ~~for nonpublic schools that is less stringent than the accreditation~~
 38 ~~system for public schools.~~
 39 ~~(8) (7) A separate system for recognizing nonpublic schools under~~
 40 ~~IC 20-19-2-10. Recognition of nonpublic schools under this~~
 41 ~~subdivision constitutes the system of regulatory standards that~~
 42 ~~apply to nonpublic schools that seek to qualify for the system of~~

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1 recognition.

2 ~~(9)~~ **(8)** The establishment and enforcement of standards and

3 guidelines concerning the safety of students participating in

4 cheerleading activities.

5 ~~(10)~~ **(9)** Subject to IC 20-28-2, the preparation and licensing of

6 teachers.

7 (b) Before final adoption of any rule, the state board shall make a

8 finding on the estimated fiscal impact that the rule will have on school

9 corporations.

10 SECTION 2. IC 20-19-2-10, AS AMENDED BY P.L.65-2012,

11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

12 JULY 1, 2013]: Sec. 10. (a) It is the policy of the state that the state:

13 (1) recognizes that nonpublic schools provide education to

14 children in Indiana;

15 (2) has an interest in ensuring that all Indiana children are well

16 educated in both curricular and extracurricular programs; and

17 (3) should facilitate the transferability of comparable academic

18 credit between appropriate nonpublic schools and state supported

19 educational institutions.

20 (b) The state board shall implement a system of recognition of the

21 educational programs of nonpublic schools to fulfill the policy set forth

22 in subsection (a).

23 (c) The system of recognition described under subsection (b) must:

24 (1) be voluntary in nature with respect to the nonpublic school;

25 (2) recognize the characteristics that distinguish nonpublic

26 schools from public schools; and

27 (3) be a recognition system that is separate from the accreditation

28 standards required of public schools and available to nonpublic

29 schools under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

30 (d) This section does not prohibit a nonpublic school from seeking

31 accreditation under section ~~8(a)(5)~~ **8(a)(4)** of this chapter.

32 (e) The state board shall adopt rules under IC 4-22-2 to implement

33 this section.

34 (f) The department shall waive accreditation standards for an

35 accredited nonpublic alternative school that enters into a contract with

36 a school corporation to provide alternative education services for

37 students who have:

38 (1) dropped out of high school;

39 (2) been expelled; or

40 (3) been sent to the nonpublic alternative school due to the

41 students' lack of success in the public school environment;

42 to accommodate the nonpublic alternative school's program and student

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1 population. A nonpublic alternative school to which this subsection
 2 applies is not subject to being placed in a category or designation under
 3 IC 20-31-8-4. However, the nonpublic alternative school must comply
 4 with all state reporting requirements and submit a school improvement
 5 growth model on the anniversary date of the nonpublic alternative
 6 school's original accreditation.

7 SECTION 3. IC 20-20-29-4, AS ADDED BY P.L.1-2005,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2013]: Sec. 4. A pilot program eligible to be funded under this
 10 chapter must include all of the following:

- 11 (1) School based management models.
- 12 (2) Parental involvement strategies.
- 13 (3) Innovative integration of curricula, individualized education
 14 programs, nonstandard courses, or textbook adoption in the
 15 school improvement plan described under ~~IC 20-31-4-6(6)~~:
 16 **IC 20-31-4-6(5) before July 1, 2014, or IC 20-31-4.5-7(5) after**
 17 **June 30, 2014.**
- 18 (4) Training for participants to become effective members on
 19 school/community improvement councils.

20 SECTION 4. IC 20-26-15-5, AS AMENDED BY P.L.6-2012,
 21 SECTION 133, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2013]: Sec. 5. Notwithstanding any other law,
 23 the operation of the following is suspended for a freeway school
 24 corporation or a freeway school if the governing body of the school
 25 corporation elects to have the specific statute or rule suspended in the
 26 contract:

- 27 (1) The following statutes and rules concerning curriculum and
 28 instructional time:
 29 IC 20-30-2-7
 30 IC 20-30-5-8
 31 IC 20-30-5-9
 32 IC 20-30-5-11
 33 511 IAC 6-7-6
 34 511 IAC 6.1-5-0.5
 35 511 IAC 6.1-5-1
 36 511 IAC 6.1-5-2.5
 37 511 IAC 6.1-5-3.5
 38 511 IAC 6.1-5-4.
- 39 (2) The following rule concerning pupil/teacher ratios:
 40 511 IAC 6.1-4-1.
- 41 (3) The following statutes and rules concerning textbooks:
 42 IC 20-26-12-24

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- 1 IC 20-26-12-26
 2 IC 20-26-12-1
 3 IC 20-26-12-2
 4 511 IAC 6.1-5-5.
 5 (4) 511 IAC 6-7, concerning graduation requirements.
 6 (5) IC 20-31-4, **before July 1, 2014, or IC 20-31-4.5, after June**
 7 **30, 2014**, concerning the performance based accreditation system.
 8 (6) IC 20-32-5, concerning the ISTEP program established under
 9 IC 20-32-5-15, if an alternative locally adopted assessment
 10 program is adopted under section 6(7) of this chapter.
 11 SECTION 5. IC 20-31-4-18 IS ADDED TO THE INDIANA CODE
 12 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 13 **1, 2013]: Sec. 18. This chapter expires July 1, 2014.**
 14 SECTION 6. IC 20-31-4.5 IS ADDED TO THE INDIANA CODE
 15 AS A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
 16 **JULY 1, 2013]:**
 17 **Chapter 4.5. Performance Based Accreditation**
 18 **Sec. 1. This chapter applies after June 30, 2014.**
 19 **Sec. 2. As used in this chapter, "legal standards" means Indiana**
 20 **statutes and rules adopted by the state board that apply to each**
 21 **school.**
 22 **Sec. 3. (a) A school in Indiana may be accredited:**
 23 **(1) under a performance based accreditation system approved**
 24 **by the state board; or**
 25 **(2) by a national or regional accreditation agency or entity**
 26 **that is approved by the state board.**
 27 **(b) The state board shall establish the following:**
 28 **(1) A system for approving national or regional accreditation**
 29 **agencies or entities that seek to accredit schools in Indiana**
 30 **under this chapter.**
 31 **(2) A procedure for determining whether a school is making**
 32 **progress toward meeting the criteria for accreditation by a**
 33 **national or regional accreditation agency or entity approved**
 34 **by the state board.**
 35 **(c) The department shall establish a schedule for verifying**
 36 **compliance with legal standards under section 7 of this chapter and**
 37 **shall report noncompliance to the state board.**
 38 **(d) The state board shall verify compliance with legal standards**
 39 **and shall adopt rules to establish consequences for noncompliance.**
 40 **Consequences for failure to comply with legal standards may**
 41 **include but are not limited to compliance reports to the state**
 42 **board, withholding of state tuition support payments, or other**

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1 actions considered appropriate by the state board to facilitate
2 compliance with the legal standards.

3 (e) The department shall establish a schedule for accreditation
4 by national or regional accreditation agencies or entities approved
5 under subsection (b).

6 (f) The department shall publish on its Internet web site the
7 accreditation status and legal compliance status of each school and
8 school corporation.

9 Sec. 4. The state board shall recognize the following
10 accreditation levels:

11 (1) Full accreditation status.

12 (2) Not fully accredited.

13 Sec. 5. (a) When all the schools in a school corporation achieve
14 full accreditation status, the department shall recognize full
15 accreditation status of the school corporation.

16 (b) When a school has received accreditation from a national or
17 regional accreditation agency or entity approved by the state board
18 under section 3 of this chapter, the department shall recognize the
19 full accreditation status of the school.

20 Sec. 6. The state board shall determine which of the benchmarks
21 and indicators of performance listed in IC 20-20-8-8 are
22 appropriate benchmarks to be followed by a national or regional
23 accreditation agency or entity when accrediting schools under
24 section 3 of this chapter.

25 Sec. 7. The department shall determine whether a school and a
26 school corporation have complied with the following legal
27 standards:

28 (1) Health and safety requirements.

29 (2) Minimum time requirements for school activity.

30 (3) Curriculum offerings.

31 (4) Development and implementation of a staff performance
32 evaluation plan under IC 20-28-11.5.

33 (5) Completion of a school improvement plan that complies
34 with requirements developed by the state board and:

35 (A) focuses on student academic performance and growth;
36 and

37 (B) is consistent with metrics for improvement.

38 (6) Local salary scale under IC 20-28-9-1, as amended by
39 P.L.229-2011, SEC. 175.

40 Sec. 8. (a) If the department verifies that a school or a school
41 corporation has not complied with all the legal standards under
42 section 7 of this chapter, the department may conduct an onsite

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1 evaluation of the school or school corporation to make a
 2 recommendation to the state board as to the legal compliance
 3 status of the school or school corporation.

4 (b) The department may not publish or otherwise make
 5 available for public inspection any information concerning:

6 (1) a school's compliance with legal standards under section
 7 7 of this chapter;

8 (2) the meeting of performance benchmarks under section 6
 9 of this chapter;

10 (3) the conducting of an onsite evaluation by the department
 11 under this section; or

12 (4) the recommended accreditation status of the school;
 13 until all onsite evaluations have taken place and recommendations
 14 to the state board concerning the accreditation status of the school
 15 have been made.

16 Sec. 9. During an onsite evaluation under section 8 of this
 17 chapter, the department shall verify compliance with the legal
 18 standards under section 7 of this chapter.

19 Sec. 10. Upon receipt of the department's recommendation
 20 under section 8 of this chapter, the state board shall compel the
 21 school's or school corporation's compliance with legal standards.
 22 If a school or school corporation refuses to come into compliance,
 23 the school or school corporation shall be recognized as not fully
 24 accredited.

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

27 SECTION 7. IC 21-12-6-5, AS AMENDED BY P.L.107-2012,
 28 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2013]: Sec. 5. (a) To qualify to participate in the program, a
 30 student must meet the following requirements:

31 (1) Be a resident of Indiana.

32 (2) Be:

33 (A) enrolled in grade 7 or 8 at a:

34 (i) public school; or

35 (ii) nonpublic school that is accredited either by the state
 36 board of education or by a national or regional accrediting
 37 agency whose accreditation is accepted as a school
 38 improvement plan under IC 20-31-4-2 before July 1, 2014,
 39 or IC 20-31-4.5-3 after June 30, 2014; or

40 (B) otherwise qualified under the rules of the commission that
 41 are adopted under IC 21-18.5-4-9(2) to include students who
 42 are in grades other than grade 8 as eligible students.

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1 (3) Be a member of a household with an annual income of not
 2 more than the amount required for the individual to qualify for
 3 free or reduced priced lunches under the national school lunch
 4 program, as determined for the immediately preceding taxable
 5 year for the household.

6 (4) Agree, in writing, together with the student's custodial parents
 7 or guardian, that the student will:

8 (A) graduate from a secondary school located in Indiana that
 9 meets the admission criteria of an eligible institution;

10 (B) not illegally use controlled substances (as defined in
 11 IC 35-48-1-9);

12 (C) not commit a crime or an infraction described in
 13 IC 9-30-5;

14 (D) not commit any other crime or delinquent act (as described
 15 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
 16 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
 17 repeal));

18 (E) timely apply, when the eligible student is a senior in high
 19 school:

20 (i) for admission to an eligible institution; and

21 (ii) for any federal and state student financial assistance
 22 available to the eligible student to attend an eligible
 23 institution;

24 (F) achieve a cumulative grade point average upon graduation
 25 of:

26 (i) at least 2.0, if the student graduates from high school
 27 before July 1, 2014; and

28 (ii) at least 2.5, if the student graduates from high school
 29 after June 30, 2014;

30 on a 4.0 grading scale (or its equivalent if another grading
 31 scale is used) for courses taken during grades 9, 10, 11, and
 32 12; and

33 (G) participate in an academic success program required under
 34 the rules adopted by the commission, if the student initially
 35 enrolls in the program after June 30, 2011.

36 (b) A student is also qualified to participate in the program if the
 37 student:

38 (1) before or during grade 7 or grade 8, is placed by or with the
 39 consent of the department of child services, by a court order, or by
 40 a child placing agency in:

41 (A) a foster family home;

42 (B) the home of a relative or other unlicensed caretaker;

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- 1 (C) a child caring institution; or
 2 (D) a group home;
 3 (2) agrees in writing, together with the student's caseworker (as
 4 defined in IC 31-9-2-11), to the conditions set forth in subsection
 5 (a)(4); and
 6 (3) except as provided in subdivision (2), otherwise meets the
 7 requirements of subsection (a).
 8 (c) The commission may require that an applicant apply
 9 electronically to participate in the program using an online Internet
 10 application on the commission's web site.
- 11 SECTION 8. IC 20-25-13-5, AS ADDED BY P.L.1-2005,
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2013]: Sec. 5. Development and implementation of a staff
 14 performance evaluation plan for each school is a condition for
 15 accreditation for the school under ~~IC 20-19-2-8(a)(5)~~.
 16 **IC 20-19-2-8(a)(4)**.
- 17 SECTION 9. IC 20-32-5-17, AS ADDED BY P.L.1-2005,
 18 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2013]: Sec. 17. (a) If a nonpublic school seeks accreditation
 20 as authorized under ~~IC 20-19-2-8(a)(5)~~, **IC 20-19-2-8(a)(4)**, the
 21 governing body of the nonpublic school is entitled to acquire at no
 22 charge from the department:
 23 (1) the ISTEP program test; and
 24 (2) the scoring reports used by the department.
 25 (b) The nonpublic school seeking accreditation must:
 26 (1) administer the ISTEP program test to its students at the same
 27 time that school corporations administer the test; and
 28 (2) make available to the department the results of the ISTEP
 29 program testing.
- 30 SECTION 10. IC 20-33-3-7, AS ADDED BY P.L.1-2005,
 31 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2013]: Sec. 7. (a) This chapter applies to a child less than
 33 eighteen (18) years of age who is employed or is seeking employment
 34 in Indiana.
 35 (b) A child less than eighteen (18) years of age who is a resident of
 36 Indiana and who requires an employment certificate shall obtain the
 37 employment certificate from the issuing officer of the:
 38 (1) accredited school (as described in ~~IC 20-19-2-8(a)(5)~~)
 39 **IC 20-19-2-8(a)(4)**) that the child attends; or
 40 (2) school corporation in which the child resides.
 41 (c) A child less than eighteen (18) years of age who is not a resident
 42 of Indiana and who requires an employment certificate to work in

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1 Indiana shall obtain the certificate from the issuing officer of the school
2 corporation in which the child is:

- 3 (1) employed; or
- 4 (2) seeking employment.

5 The judge of a court with juvenile jurisdiction may suspend the
6 application of this chapter in cases involving juvenile delinquents or
7 incorrigibles whenever, in the opinion of the judge, the welfare of a
8 child warrants this action.

9 SECTION 11. IC 20-33-3-8, AS AMENDED BY P.L.1-2007,
10 SECTION 147, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) The issuing officer in each
12 accredited school (as described in ~~IC 20-19-2-8(a)(5)~~)
13 **IC 20-19-2-8(a)(4)**) shall be an individual who is:

- 14 (1) a guidance counselor;
 - 15 (2) a school social worker; or
 - 16 (3) an attendance officer for the school corporation and a teacher
17 licensed by the division of professional standards of the
18 department under IC 20-28-4 or IC 20-28-5;
- 19 and designated in writing by the principal.

20 (b) During the times in which the individual described in subsection
21 (a) is not employed by the school or when school is not in session, there
22 shall be an issuing officer available:

- 23 (1) who is a teacher licensed by the division of professional
24 standards of the department under IC 20-28-4 or IC 20-28-5; and
- 25 (2) whose identity and hours of work shall be determined by the
26 principal.

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