
SENATE BILL No. 416

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-31-8-5; IC 20-32-8.5-2.

Synopsis: School evaluations; reading plans. Voids the administrative rule that establishes the A through F designations of school performance. Requires the state board of education (state board) to establish new designations of school improvement that: (1) are based on the measurement of student growth as compared against established standard criteria; and (2) are not based on the measurement of student growth compared against peers. Provides that before the state board may begin the rulemaking process to establish new categories or designations of school performance, the state board shall report to the general assembly the proposed new categories or designations. Provides that until new rules are adopted, the designations that were in effect on December 31, 2011, are in effect. Provides that a school's reading plan must include an emphasis on a growth measure at each grade level to determine and provide remedial acceleration for a student. Requires that a school's reading plan: (1) must include two or more assessments throughout the school year as well as a student's achievement or growth when determining appropriate remedial action; and (2) must emphasize a home and school reading initiative. Repeals a provision requiring a charter school's reading plan to include only a method for making determinant evaluations of reading skills by grade 3 and retention as a last resort for students who read below grade level. Provides that a charter school may request a waiver from reading plan requirements in the same manner that a school corporation may request a waiver.

Effective: July 1, 2013.

Charbonneau, Yoder

January 10, 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. 416



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 20-31-8-5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2013]: **Sec. 5. (a) 511 IAC 6.2-6 is void. The publisher of the**
- 4 **Indiana Administrative Code and Indiana Register shall remove**
- 5 **this rule from the Indiana Administrative Code.**
- 6 **(b) The state board shall establish new categories or**
- 7 **designations of school improvement under the requirements of this**
- 8 **chapter to replace 511 IAC 6.2-6. The new standards of assessing**
- 9 **school improvement:**
- 10 **(1) must be based on the measurement of student growth**
- 11 **compared with established standard criteria; and**
- 12 **(2) may not be based on the measurement of student growth**
- 13 **compared with peers.**
- 14 **(c) Before beginning the rulemaking process to establish new**
- 15 **categories or designations of school improvement, the state board**
- 16 **shall report to the general assembly the proposed new categories**
- 17 **or designations in an electronic format under IC 5-14-6.**



1 (d) Until the state board adopts rules establishing new
 2 categories or designations of school improvement to replace 511
 3 IAC 6.2-6, the categories or designations in effect on December 31,
 4 2011, are in effect.

5 (e) This section expires December 31, 2016.

6 SECTION 2. IC 20-32-8.5-2, AS AMENDED BY P.L.160-2012,
 7 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2013]: Sec. 2. (a) Except as provided in subsection (b), ~~or (c)~~,
 9 the plan required by this chapter must include the following:

10 (1) Reading skill standards for grade 1 through grade 3.

11 (2) ~~An emphasis on a method for making determinant evaluations~~
 12 ~~by grade 3 that might require remedial action for the student. An~~
 13 ~~emphasis on a growth measure at each grade level that~~
 14 ~~compares a student with established standard criteria and~~
 15 ~~does not compare a student with the student's peers in order~~
 16 ~~to determine and provide remedial acceleration action for a~~
 17 ~~student. The evaluations must be based on two (2) or more~~
 18 ~~assessments made throughout the school year. The plan must~~
 19 ~~require that the student's achievement and growth be taken~~
 20 ~~into account when determining appropriate remedial action~~
 21 ~~and may include including retention as a last resort, after other~~
 22 ~~methods of remediation have been evaluated or used, or both, if~~
 23 ~~reading skills are below the standard. Appropriate consultation~~
 24 ~~with parents or guardians must be part of the plan.~~

25 (3) ~~An emphasis on a home and school reading initiative with~~
 26 ~~appropriate consultation with parents to accelerate the~~
 27 ~~reading improvement of a student.~~

28 ~~(4)~~ (4) The fiscal impact of each component of the plan, if any. In
 29 determining whether a component has a fiscal impact,
 30 consideration shall be given to whether the component will
 31 increase costs to the state or a school corporation or require the
 32 state or school corporation to reallocate resources.

33 ~~(b) For a charter school, as defined in IC 20-24-1-4, a plan may~~
 34 ~~include only the following:~~

35 (1) ~~A method for making determinant evaluations of reading skills~~
 36 ~~by grade 3.~~

37 (2) ~~Retention as a last resort for students reading below grade~~
 38 ~~level as measured by the evaluation or assessment.~~

39 ~~(b)~~ (b) This subsection applies to a public school, ~~that is not~~
 40 ~~including~~ a charter school. A school corporation may receive a waiver
 41 of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state
 42 board approves an alternative reading plan provided by the school

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