
SENATE BILL No. 481

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 to the administration of school accreditation. Replaces the current probationary accreditation status with a not full accreditation status. Provides that the state board of education (state board) may apply sanctions to a school or school corporation that is not fully accredited. Provides that if a school is assigned a not full accreditation status, the governing body of the school corporation shall develop a plan to raise the school's level of accreditation within one year. Provides that the department of education (department) may conduct a review or onsite evaluation of a school to make a recommendation to the state board as to the accreditation status of that school. Specifies membership of review panels. Provides that upon review by a review panel, the review panel shall make a recommendation to the state board concerning the accreditation status of the school and, if applicable, certain recommendations for improvement that the school should consider. Provides that upon receipt of a review panel's recommendation, the state board shall make a determination of the school's accreditation status. Provides that a school corporation assigned a not full accreditation status shall direct its efforts toward raising the level of accreditation of each of its schools that have a not full accreditation status to full accreditation status within one year. Provides an appeals process for a school corporation or school that is assigned a not full accreditation status. Provides that if a school or school corporation is assigned a not full accreditation status, the department shall provide assistance to that school or school corporation to achieve a full
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Effective: June 30, 2013; July 1, 2013.

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January 14, 2013, read first time and referred to Committee on Education and Career Development.



Digest Continued

accreditation status. Provides that if a school is assigned a not full accreditation status, the completion of the school improvement plan may involve parents, administrators, teachers, and other members of the community. Eliminates the accreditation of freeway schools. Removes language that provides that a freeway school corporation is exempt from provisions relating to performance based accreditation and the ISTEP program. Makes conforming amendments.

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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. 481



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) The inspection of all public schools in Indiana to determine
 17 the condition of the schools. The state board shall establish
 18 standards governing the accreditation of public schools.
 19 Observance of:
 20 ~~(A) IC 20-31-4;~~
 21 **(A) IC 20-31-4.5;**
 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) The distribution of funds and revenues appropriated for the
 35 support of schools in the state.
- 36 (7) The state board may not establish an accreditation system for
 37 nonpublic schools that is less stringent than the accreditation
 38 system for public schools.
- 39 (8) 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) The establishment and enforcement of standards and
- 3 guidelines concerning the safety of students participating in
- 4 cheerleading activities.
- 5 (10) 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 20-20-29-4, AS ADDED BY P.L.1-2005,

11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

12 JULY 1, 2013]: Sec. 4. A pilot program eligible to be funded under this

13 chapter must include all of the following:

- 14 (1) School based management models.
- 15 (2) Parental involvement strategies.
- 16 (3) Innovative integration of curricula, individualized education
- 17 programs, nonstandard courses, or textbook adoption in the
- 18 school improvement plan described under ~~IC 20-31-4-6(6)~~.
- 19 **IC 20-31-4.5-5(5).**

20 (4) Training for participants to become effective members on

21 school/community improvement councils.

22 SECTION 3. IC 20-26-15-5, AS AMENDED BY P.L.6-2012,

23 SECTION 133, IS AMENDED TO READ AS FOLLOWS

24 [EFFECTIVE JULY 1, 2013]: Sec. 5. Notwithstanding any other law,

25 the operation of the following is suspended for a freeway school

26 corporation or a freeway school if the governing body of the school

27 corporation elects to have the specific statute or rule suspended in the

28 contract:

29 (1) The following statutes and rules concerning curriculum and

30 instructional time:

- 31 IC 20-30-2-7
- 32 IC 20-30-5-8
- 33 IC 20-30-5-9
- 34 IC 20-30-5-11
- 35 511 IAC 6-7-6
- 36 511 IAC 6.1-5-0.5
- 37 511 IAC 6.1-5-1
- 38 511 IAC 6.1-5-2.5
- 39 511 IAC 6.1-5-3.5
- 40 511 IAC 6.1-5-4.

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

- 42 511 IAC 6.1-4-1.

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- 1 (3) The following statutes and rules concerning textbooks:
 2 IC 20-26-12-24
 3 IC 20-26-12-26
 4 IC 20-26-12-1
 5 IC 20-26-12-2
 6 511 IAC 6.1-5-5.
- 7 (4) 511 IAC 6-7, concerning graduation requirements.
 8 (5) ~~IC 20-31-4~~, concerning the performance based accreditation
 9 system.
 10 (6) ~~IC 20-32-5~~, concerning the ISTEP program established under
 11 ~~IC 20-32-5-15~~, if an alternative locally adopted assessment
 12 program is adopted under section 6(7) of this chapter.
- 13 SECTION 4. IC 20-31-4-18 IS ADDED TO THE INDIANA CODE
 14 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JUNE
 15 30, 2013]: **Sec. 18. This chapter expires June 30, 2013.**
- 16 SECTION 5. IC 20-31-4.5 IS ADDED TO THE INDIANA CODE
 17 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2013]:
- 19 **Chapter 4.5. Accreditation**
- 20 **Sec. 1. As used in this chapter, "legal standards" means Indiana**
 21 **statutes and rules adopted by the state board that apply to each**
 22 **school for accreditation.**
- 23 **Sec. 2. (a) A school in Indiana must be accredited under the**
 24 **accreditation system established by this chapter.**
- 25 **(b) The state board shall establish the following:**
- 26 **(1) An accreditation system for accrediting schools in Indiana**
 27 **under this chapter.**
- 28 **(2) Consequences for schools and school corporations not fully**
 29 **accredited. Consequences for schools not fully accredited may**
 30 **include but are not limited to the submission of compliance**
 31 **reports to the state board, withholding of state tuition support**
 32 **payments, or other actions considered appropriate by the**
 33 **state board to facilitate compliance with this chapter.**
- 34 **(c) The department shall:**
- 35 **(1) establish a schedule for accrediting schools and school**
 36 **corporations under this chapter; and**
- 37 **(2) publish on the department's Internet web site the**
 38 **accreditation status of each school and school corporation.**
- 39 **Sec. 3. (a) The state board shall establish the following**
 40 **accreditation levels:**
- 41 **(1) Full accreditation status.**
- 42 **(2) Not full accreditation status.**

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1 (b) After the review process described in this chapter has been
 2 completed, the state board shall assign either a full accreditation
 3 status or a not full accreditation status to each school and school
 4 corporation.

5 Sec. 4. (a) When all the schools in a school corporation achieve
 6 a full accreditation status, the state board shall assign a full
 7 accreditation status to the school corporation.

8 (b) When a school is in compliance with this chapter, the state
 9 board shall assign a full accreditation status to the school.

10 (c) A school or school corporation not assigned a full
 11 accreditation status shall be assigned a not full accreditation status.

12 Sec. 5. The department shall determine whether the school has
 13 complied with the following legal standards for accreditation:

14 (1) Health and safety requirements.

15 (2) Minimum time requirements for school activity.

16 (3) Curriculum offerings.

17 (4) Development and implementation of a staff evaluation
 18 plan under IC 20-28-11.5.

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

21 (A) focuses on academic performance and growth; and

22 (B) is consistent with metrics for improvement of the
 23 school's category placement under IC 20-31-8.

24 (6) Financial responsibility requirements.

25 Sec. 6. If the department verifies that a school has not complied
 26 with all the legal standards under section 5 of this chapter, the
 27 department may establish a review panel to conduct a review or an
 28 onsite evaluation of that school to make a recommendation to the
 29 state board as to the accreditation status of that school.

30 Sec. 7. (a) Each review panel may consist of the following:

31 (1) One (1) or more staff members from the department.

32 (2) One (1) or more classroom teachers.

33 (3) One (1) or more individuals who are not classroom
 34 teachers but who are representatives of the field of education.

35 (4) One (1) or more members of the school's governing body.

36 (5) One (1) or more experts on the legal standards required
 37 for legal accreditation.

38 (b) The state board shall determine the selection process for the
 39 review panels.

40 (c) The department may require that more than one (1) review
 41 panel conduct an onsite evaluation of a school.

42 Sec. 8. During an onsite evaluation, a review panel shall verify

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1 compliance with the legal standards for accreditation under section
2 5 of this chapter.

3 Sec. 9. Upon review of all the areas described in sections 5 and
4 8 of this chapter and completion of any onsite evaluation under
5 section 6 of this chapter, a review panel shall make a
6 recommendation to the state board concerning:

- 7 (1) the accreditation status of the school;
8 (2) if applicable, certain recommendations for improvement
9 that the school should consider, including recommendations
10 that the department provide technical assistance to the school
11 to become compliant with legal standards; and
12 (3) the next date of review or onsite evaluation for the school.

13 Sec. 10. (a) Upon receipt of a review panel's recommendation,
14 the state board shall make one (1) of the following determinations
15 as to the accreditation status of the school:

- 16 (1) Full accreditation status.
17 (2) Not full accreditation status, with the next review or onsite
18 evaluation being conducted one (1) year after the state
19 board's determination of not full accreditation status.

20 (b) A school that does not comply with all the legal standards
21 may not be determined to have acquired a full accreditation status.

22 Sec. 11. If a school is assigned a not full accreditation status, the
23 governing body of the school corporation shall develop a plan, not
24 later than one (1) year after the school is assigned a not full
25 accreditation status, to raise the school's level of accreditation not
26 later than one (1) year after the plan is developed.

27 Sec. 12. A school corporation on a not full accreditation status
28 shall direct its efforts toward raising the level of accreditation of
29 each of its schools that have a not full accreditation status to a full
30 accreditation status within one (1) year after the school
31 corporation is assigned a not full accreditation status.

32 Sec. 13. (a) If a school or school corporation is assigned a not
33 full accreditation status, the governing body of the school
34 corporation may appeal that determination to the state board.

35 (b) If a school or school corporation is assigned a not full
36 accreditation status, the department shall provide assistance to
37 that school or school corporation to achieve a full accreditation
38 status.

39 (c) If a school is assigned a not full accreditation status, the
40 completion of the school improvement plan under section 5 of this
41 chapter may involve parents, administrators, teachers, and other
42 members of the community.

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1 **Sec. 14. The state board shall adopt rules under IC 4-22-2**
 2 **necessary to implement this chapter.**

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

7 (1) Be a resident of Indiana.

8 (2) Be:

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

10 (i) public school; or

11 (ii) nonpublic school that is accredited either by the state
 12 board of education or by a national or regional accrediting
 13 agency whose accreditation is accepted as a school
 14 improvement plan under ~~IC 20-31-4-2~~; **IC 20-31-4.5-5(5)**;
 15 or

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

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

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

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

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

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

32 (D) not commit any other crime or delinquent act (as described
 33 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
 34 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
 35 repeal));

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

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

39 (ii) for any federal and state student financial assistance
 40 available to the eligible student to attend an eligible
 41 institution;

42 (F) achieve a cumulative grade point average upon graduation

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2 (i) at least 2.0, if the student graduates from high school
3 before July 1, 2014; and
4 (ii) at least 2.5, if the student graduates from high school
5 after June 30, 2014;
6 on a 4.0 grading scale (or its equivalent if another grading
7 scale is used) for courses taken during grades 9, 10, 11, and
8 12; and
9 (G) participate in an academic success program required under
10 the rules adopted by the commission, if the student initially
11 enrolls in the program after June 30, 2011.
12 (b) A student is also qualified to participate in the program if the
13 student:
14 (1) before or during grade 7 or grade 8, is placed by or with the
15 consent of the department of child services, by a court order, or by
16 a child placing agency in:
17 (A) a foster family home;
18 (B) the home of a relative or other unlicensed caretaker;
19 (C) a child caring institution; or
20 (D) a group home;
21 (2) agrees in writing, together with the student's caseworker (as
22 defined in IC 31-9-2-11), to the conditions set forth in subsection
23 (a)(4); and
24 (3) except as provided in subdivision (2), otherwise meets the
25 requirements of subsection (a).
26 (c) The commission may require that an applicant apply
27 electronically to participate in the program using an online Internet
28 application on the commission's web site.

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