
HOUSE BILL No. 1005

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-4-2; IC 20-31; IC 20-32; IC 21-18.5-4-8.5; IC 21-43.

Synopsis: Remediation. Provides that a student's graduation plan may include an indication that the student plans to take a college and career readiness exam approved by the state board of education (state board) in consultation with the commission for higher education, the education roundtable, and the department of workforce development. Provides that a secondary school's strategic and continuous school improvement and achievement plan (plan) must address academic skills of a student to minimize: (1) the likelihood that a student will fail the graduation exam; and (2) the necessity of remedial work of the student while attending a postsecondary educational institution or workforce training program. Provides that the components of a secondary school's plan must include a provision to provide supplemental instruction to address remedial needs of a student who is in need of postsecondary remediation or who is likely to fail the graduation examination. Provides that the education roundtable, when making recommendations to the state board regarding the methods of measuring school improvement, may consider the remedial needs of students who are likely to fail a graduation exam or require remedial work while attending a postsecondary educational institution or workforce training program. Provides that the remediation grant program may provide grants to school corporations to prevent the need for postsecondary or workforce training remediation or to decrease the likelihood that a student may fail a graduation examination. Provides that, not later than July 1, 2013, the state board, in consultation with the education roundtable, the commission for higher education, and the department

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Effective: Upon passage; July 1, 2013.

Clere, McNamara

January 15, 2013, read first time and referred to Committee on Education.



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of workforce development, shall develop guidelines to assist secondary schools in identifying a student who is likely to: (1) fail a graduation examination; or (2) require remedial work at a postsecondary educational institution or workforce training program if the student subsequently attends a postsecondary educational institution or workforce training program upon graduation. Provides that the guidelines must include: (1) indicators to assist school personnel determine whether a student may be in need of supplemental instruction or remediation; and (2) standards and guidelines for secondary school personnel to determine when a student is required to be assessed using college and career readiness exams approved by the state board in consultation with the commission for higher education and the department of workforce development. Provides that the guidelines may provide best practices and strategies for improving services and support provided by a school to assist a student in achieving the level of academic performance that is appropriate for the student's grade level to minimize: (1) the likelihood that a student may fail a graduation exam; or (2) the necessity for postsecondary remedial course work by the student. Provides that if the appropriate school official determines, using the indicators established in the guidelines, that a student in grade 11 will likely require remedial work at a postsecondary educational institution or workforce training program or fail a graduation examination, the school official shall require the student to take a college and career readiness exam. Provides that a school official shall, based on the results of the exam, determine if the student is in need of additional remediation or instruction. Provides that a student must pass a college and career readiness exam before the student may enroll in a dual credit course. Provides that, after June 30, 2014, a student who receives a graduation waiver, other than the work readiness waiver, and obtains a general curriculum diploma is disqualified from receiving any state scholarships, grants, or assistance administered by the commission for higher education. Provides that a school official shall inform the student's parent of the likelihood that the student will require remedial work while the student attends a postsecondary educational institution or workforce development program. Provides that a school official may establish a remediation or supplemental instruction plan with the student's parent. Provides that, beginning after June 30, 2014, a student must achieve an equivalent of a 2.0 on a 4.0 unweighted grading scale in order for the student to receive postsecondary credit on a dual credit course or double up program course.

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Introduced

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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HOUSE BILL No. 1005



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 20-30-4-2, AS AMENDED BY P.L.140-2008,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2013]: Sec. 2. In consultation with the student's guidance
- 4 counselor, after seeking consultation with each student's parents, and
- 5 not later than the date on which the student completes grade 9, each
- 6 student shall further develop the graduation plan developed in grade 6
- 7 under section 1.5 of this chapter to also include the following:
- 8 (1) The subject and skill areas of interest to the student.
- 9 (2) A program of study under the college/technology preparation
- 10 curriculum adopted by the state board under IC 20-30-10-2 for
- 11 grades 10, 11, and 12 that meets the interests and aptitude of the
- 12 student.
- 13 (3) Assurances that, upon satisfactory fulfillment of the plan, the
- 14 student:
- 15 (A) is entitled to graduate; and



- 1 (B) will have taken at least the minimum variety and number
 2 of courses necessary to gain admittance to a state educational
 3 institution.
- 4 (4) An indication of assessments (other than ISTEP and the
 5 graduation examination) that the student plans to take voluntarily
 6 during grade 10 through grade 12, and which may include any of
 7 the following:
- 8 (A) The SAT Reasoning Test.
 9 (B) The ACT test.
 10 (C) Advanced placement exams.
 11 ~~(D) College readiness exams approved by the department.~~
 12 ~~(E) Workforce readiness exams approved by the department of~~
 13 ~~workforce development established under IC 22-4.1-2.~~
 14 **(D) College and career readiness exams approved by the**
 15 **state board in consultation with the commission for higher**
 16 **education established under IC 21-18-2-1, the education**
 17 **roundtable established under IC 20-19-4-2, and the**
 18 **department of workforce development under**
 19 **IC 22-4.1-2-1.**
- 20 SECTION 2. IC 20-31-5-4, AS ADDED BY P.L.1-2005, SECTION
 21 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 22 2013]: Sec. 4. (a) A plan must:
- 23 (1) state objectives for a three (3) year period; and
 24 (2) be annually reviewed and revised to accomplish the
 25 achievement objectives of the school.
- 26 (b) A plan must establish objectives for the school to achieve. These
 27 achievement objectives must be consistent with academic standards
 28 and include improvement in at least the following areas:
- 29 (1) Attendance rate.
 30 (2) The percentage of students meeting academic standards under
 31 the ISTEP program (IC 20-31-3 and IC 20-32-5).
 32 (3) For a secondary school, graduation rate.
- 33 (c) A plan must address the learning needs of all students, including
 34 programs and services for exceptional learners.
- 35 **(d) For a secondary school, a plan must address:**
 36 **(1) methods of reducing the likelihood that a student may fail**
 37 **a graduation exam and require a graduation waiver under**
 38 **IC 20-32-4-4 or IC 20-32-4-5; and**
 39 **(2) remedial needs of a student to minimize the necessity of**
 40 **remedial work of the student while the student attends a**
 41 **postsecondary educational institution or workforce training**
 42 **program.**

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1 ~~(d)~~ (e) A plan must specify how and to what extent the school
2 expects to make continuous improvement in all areas of the education
3 system where results are measured by setting benchmarks for progress
4 on an individual school basis.

5 ~~(e)~~ (f) A plan must note specific areas where improvement is needed
6 immediately.

7 SECTION 3. IC 20-31-5-6, AS AMENDED BY P.L.66-2009,
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2013]: Sec. 6. (a) A plan must contain the following
10 components for the school:

11 (1) A list of the statutes and rules that the school wishes to have
12 suspended from operation for the school.

13 (2) A description of the curriculum and information concerning
14 the location of a copy of the curriculum that is available for
15 inspection by members of the public.

16 (3) A description and name of the assessments that will be used
17 in the school in addition to ISTEP program assessments.

18 (4) A plan to be submitted to the governing body and made
19 available to all interested members of the public in an easily
20 understood format.

21 (5) A provision to maximize parental participation in the school,
22 which may include providing parents with:

23 (A) access to learning aids to assist students with school work
24 at home;

25 (B) information on home study techniques; and

26 (C) access to school resources.

27 (6) For a secondary school, a provision to do the following:

28 (A) Offer courses that allow all students to become eligible to
29 receive an academic honors diploma.

30 (B) Encourage all students to earn an academic honors
31 diploma or complete the Core 40 curriculum.

32 **(C) Provide supplemental instruction to address remedial
33 needs of a student to minimize:**

34 **(i) the necessity of remedial work of the student while the
35 student attends a postsecondary educational institution
36 or workforce training program; or**

37 **(ii) the likelihood that a student will fail a graduation
38 exam and require a graduation waiver under
39 IC 20-32-4-4 or IC 20-32-4-5.**

40 (7) A provision to maintain a safe and disciplined learning
41 environment for students and teachers that complies with the
42 governing body's plan for improving student behavior and

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1 discipline developed under IC 20-26-5-32.

2 (8) A provision for the coordination of technology initiatives and
3 ongoing professional development activities.

4 (b) If, for a purpose other than a plan under this chapter, a school
5 has developed materials that are substantially similar to a component
6 listed in subsection (a), the school may substitute those materials for
7 the component listed in subsection (a).

8 SECTION 4. IC 20-31-8-1, AS ADDED BY P.L.1-2005, SECTION
9 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
10 2013]: Sec. 1. (a) The performance of a school's students on the ISTEP
11 program test and other assessments recommended by the education
12 roundtable and approved by the state board are the primary and
13 majority means of assessing a school's improvement.

14 (b) The education roundtable shall examine and make
15 recommendations to the state board concerning:

16 (1) performance indicators to be used as a secondary means of
17 determining school progress;

18 (2) expected progress levels, continuous improvement measures,
19 distributional performance levels, and absolute performance
20 levels for schools; and

21 (3) an orderly transition from the performance based accreditation
22 system to the assessment system set forth in this article.

23 (c) The education roundtable shall consider methods of measuring
24 improvement and progress used in other states in developing
25 recommendations under this section.

26 **(d) The education roundtable may consider:**

27 **(1) the likelihood that a student may fail a graduation exam**
28 **and require a graduation waiver under IC 20-32-4-4 or**
29 **IC 20-32-4-5; and**

30 **(2) remedial needs of students who are likely to require**
31 **remedial work while the students attend a postsecondary**
32 **educational institution or workforce training program;**

33 **when making recommendations under this section.**

34 SECTION 5. IC 20-32-8-4, AS ADDED BY P.L.1-2005, SECTION
35 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
36 2013]: Sec. 4. The remediation grant program is established to provide
37 grants to school corporations for the following:

38 (1) Remediation of students who score below academic standards.

39 (2) Preventive remediation for students who are at risk of falling
40 below academic standards.

41 (3) For students in a freeway school or freeway school corporation
42 who are assessed under a locally adopted assessment program

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1 under IC 20-26-15-6(7):

- 2 (A) remediation of students who score below academic
3 standards under the locally adopted assessment program; and
4 (B) preventive remediation for students who are at risk of
5 falling below academic standards under the locally adopted
6 assessment program.

7 **(4) Targeted instruction of students to:**

- 8 (A) **reduce the likelihood that a student may fail a**
9 **graduation exam and require a graduation waiver under**
10 **IC 20-32-4-4 or IC 20-32-4-5; or**
11 (B) **minimize the necessity of remedial work of students**
12 **while the students attend postsecondary educational**
13 **institutions or workforce training programs.**

14 SECTION 6. IC 20-32-9 IS ADDED TO THE INDIANA CODE AS
15 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2013]:

17 **Chapter 9. Postsecondary and Workforce Training Program**
18 **Remediation Reduction**

19 **Sec. 1. Not later than July 1, 2013, the state board, in**
20 **consultation with the:**

- 21 (1) **education roundtable established under IC 20-19-4-2;**
22 (2) **commission for higher education established under**
23 **IC 21-18-2-1; and**
24 (3) **department of workforce development established under**
25 **IC 22-4.1-2-1;**

26 **shall develop guidelines to assist secondary schools in identifying**
27 **a student who is likely to require remedial work at a postsecondary**
28 **educational institution or workforce training program if the**
29 **student subsequently attends a postsecondary educational**
30 **institution or workforce training program upon graduation.**

31 **Sec. 2. The guidelines established in section 1 of this chapter:**

- 32 (1) **must include indicators to assist school personnel in**
33 **determining whether a student may be in need of**
34 **supplemental instruction or remediation to minimize the**
35 **student's need for remedial course work at a postsecondary**
36 **educational institution or workforce training program;**
37 (2) **must provide standards and guidelines for secondary**
38 **school personnel to determine when a student is required to**
39 **be assessed under section 3 of this chapter, including**
40 **guidelines that include:**

- 41 (A) **a description of the school official who may make a**
42 **determination to assess a student under section 3 of this**

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- 1 chapter; and
- 2 (B) thresholds for determining whether a student who
- 3 takes an examination under section 3 of this chapter
- 4 requires additional remediation or additional instruction;
- 5 and
- 6 (3) may provide best practices and strategies for improving
- 7 services and support provided by a school to assist a student
- 8 in achieving the level of academic performance that is
- 9 appropriate for the student's grade level to:
- 10 (A) reduce the likelihood that a student will fail a
- 11 graduation exam and require a graduation waiver under
- 12 IC 20-32-4-4 or IC 20-32-4-5; or
- 13 (B) minimize the necessity for postsecondary remedial
- 14 course work by the student.
- 15 Sec. 3. (a) If the appropriate secondary school official
- 16 determines, using the indicators established in section 2 of this
- 17 chapter, that a student in grade 11:
- 18 (1) has failed a graduation exam and may require a
- 19 graduation waiver under IC 20-32-4-4 or IC 20-32-4-5; or
- 20 (2) will likely require remedial work at a postsecondary
- 21 educational institution or workforce training program;
- 22 the appropriate secondary school official shall require the student
- 23 to take a college and career readiness exam approved by the state
- 24 board in consultation with the commission for higher education
- 25 established under IC 21-18-2-1, the education roundtable
- 26 established under IC 20-19-4-2, and the department of workforce
- 27 development under IC 22-4.1-2-1. The cost of the exam shall be
- 28 paid by the department.
- 29 (b) If a student is required to take an exam under subsection (a),
- 30 the appropriate school official shall make a determination based on
- 31 the guidelines established in section 2 of this chapter as to whether
- 32 the student is in need of additional instruction or remedial action.
- 33 If the appropriate school official determines that a student who
- 34 takes an exam under subsection (a) is in need of remediation or
- 35 supplemental instruction to prevent the need for remediation at a
- 36 postsecondary educational institution or workforce development
- 37 program, the appropriate school official shall inform the student's
- 38 parent:
- 39 (1) of the likelihood that the student will require remedial
- 40 course work;
- 41 (2) of the potential financial impact on the student or the
- 42 parent for the additional remedial course work described in

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1 subdivision (1); and

2 (3) of the additional time that may be required to earn a
3 degree;

4 while the student attends a postsecondary educational institution
5 or workforce development program. The appropriate secondary
6 school official may establish a remediation or supplemental
7 instruction plan with the student's parent.

8 (c) Before a student determined to need additional instruction
9 or remedial action under subsection (b) may enroll in a dual credit
10 course under IC 21-43, the student may receive additional
11 instruction or remedial course work and must retake the
12 examination described in subsection (a). If the appropriate school
13 official determines that the student no longer requires additional
14 instruction or remedial action under the guidelines established
15 under section 2 of this chapter after retaking the exam under this
16 section, the student may enroll in a dual credit course under
17 IC 21-43. The cost of the administration of the exam under this
18 subsection shall be paid by the department.

19 SECTION 7. IC 21-18.5-4-8.5 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2013]: **Sec. 8.5. This section applies to a**
22 **student who receives a graduation waiver under IC 20-32-4-4 after**
23 **June 30, 2014. Notwithstanding any other law, a student who**
24 **receives a graduation waiver under IC 20-32-4-4 and receives a**
25 **general diploma under the criteria described in IC 20-32-4-4(6)(B)**
26 **is disqualified from receiving state scholarships, grants, or**
27 **assistance administered by the commission unless the student takes**
28 **a college and career readiness exam described in IC 20-32-9-3 and**
29 **the appropriate school official described in IC 20-32-9-2**
30 **determines that the student does not need additional remedial**
31 **course work or instruction under guidelines established by the**
32 **department under IC 20-32-9-1. The exam shall be administered by**
33 **the secondary school that granted the student the graduation**
34 **waiver. The cost of the exam shall be paid by the department.**

35 SECTION 8. IC 21-43-4-13, AS ADDED BY P.L.2-2007,
36 SECTION 284, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2013]: **Sec. 13. If a student enrolls in a course**
38 **offered by an eligible institution under the program, the eligible**
39 **institution and the student's school corporation shall enter into a**
40 **contract for dual credit. The contract must establish the terms and**
41 **conditions under which:**

42 (1) **except as provided in section 15 of this chapter, the eligible**

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1 institution will award credit for specified classes successfully
2 completed by students in the school corporation; and

3 (2) the school corporation will award credit for specified classes
4 successfully completed by students at the eligible institution.

5 SECTION 9. IC 21-43-4-15, AS ADDED BY P.L.2-2007,
6 SECTION 284, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2013]: Sec. 15. **(a) Except as provided in**
8 **subsection (b)**, if a student enrolls in an eligible institution after
9 graduation from secondary school, the eligible institution shall award
10 postsecondary credit for a course successfully completed by the student
11 at the eligible institution. If the student enrolls in another eligible
12 institution, that eligible institution may grant credit for courses
13 successfully completed by the student.

14 **(b) This subsection applies to a course in which a student enrolls**
15 **after June 30, 2014. A student must achieve an equivalent of a 2.0**
16 **on a 4.0 unweighted grading scale, as established by the eligible**
17 **institution, in order for the student to receive postsecondary credit**
18 **for the course.**

19 SECTION 10. IC 21-43-5-5, AS ADDED BY P.L.2-2007,
20 SECTION 284, IS AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2013]: Sec. 5. **(a) Except as provided in**
22 **subsection (b)**, a student is entitled to credit toward graduation
23 requirements for a course the student successfully completes at the
24 eligible institution.

25 **(b) This subsection applies to a course in which a student enrolls**
26 **after June 30, 2014. A student must achieve an equivalent of a 2.0**
27 **on a 4.0 unweighted grading scale, as established by the eligible**
28 **institution, in order for the student to receive postsecondary credit**
29 **for the course.**

30 SECTION 11. [EFFECTIVE UPON PASSAGE] **(a) The Indiana**
31 **state board of education established by IC 20-19-2-2, in**
32 **consultation with the:**

33 **(1) education roundtable established by IC 20-19-4-2;**

34 **(2) commission for higher education established by**
35 **IC 21-18-2-1; and**

36 **(3) department of workforce development established by**
37 **IC 22-4.1-2-1;**

38 **shall begin developing the guidelines described in IC 20-32-9-1, as**
39 **added by this act in the manner described in IC 20-32-9, as added**
40 **by this act. The guidelines must be completed by July 1, 2013.**

41 **(b) This SECTION expires January 1, 2014.**

42 SECTION 12. An emergency is declared for this act.

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