

Final Rule

LSA Document #09-358(F)

DIGEST

Amends [511 IAC 5-2-3](#) concerning the applicability of the Indiana Statewide Testing for Educational Progress Program. Effective 30 days after filing with the Publisher.

[511 IAC 5-2-3](#)

SECTION 1. [511 IAC 5-2-3](#) IS AMENDED TO READ AS FOLLOWS:

[511 IAC 5-2-3](#) Applicability

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-24](#); [IC 20-26-15](#); [IC 20-31-8](#); [IC 20-32-8](#)

Sec. 3. (a) ~~Any~~ **The following shall participate in the ISTEP program:**

- (1) ~~A nonpublic school seeking accreditation, and all~~ **including a freeway school under [IC 20-26-15](#).**
- (2) ~~A charter school under [IC 20-24](#).~~
- (3) ~~A school operated by the state of Indiana.~~
- (4) ~~A school corporation.~~

(b) A school corporations that participates in the ISTEP shall administer the following tests and assessments as appropriate to the grade levels in the school:

- (1) ~~ISTEP criterion-referenced test to each student tests in English language arts and mathematics in grades 3, 4, 5, 6, 7, and 8. and 10.~~
- (2) ~~ISTEP tests in science in grades 4 and 6.~~
- (3) ~~ISTEP tests in social studies in grades 5 and 7.~~
- (4) ~~The graduation examination, consisting of the following Core 40 end of course assessments:~~
 - (A) ~~Algebra I.~~
 - (B) ~~English 10.~~
- (5) ~~The Biology I Core 40 end of course assessment to fulfill the federal high science testing requirement.~~
- (6) ~~Each Core 40 end of course assessment used for accountability purposes under [IC 20-31-8](#).~~

(c) Core 40 end of course assessment shall be administered to a student when the student completes the corresponding course.

~~(b)~~ **(d)** A student with a disability under [511 IAC 7](#) shall participate in the ISTEP program as required by federal law.

~~(e)~~ **(e)** A student:

- (1) whose primary language is other than English; and
- (2) who is a student with limited English proficiency;

shall participate in the ISTEP program as required by federal law.

~~(d)~~ **(f)** The building principal must document the exemption of a student from participation in the ISTEP program in the student's permanent educational record. For a student under subsection ~~(b)~~; **(d)**, the student's participation must be included in the student's IEP as defined under [511 IAC 7](#). **For a student under subsection (e), the student's participation must be included in the student's individual learning plan.**

(Indiana State Board of Education; [511 IAC 5-2-3](#); filed May 4, 1988, 8:40 a.m.: 11 IR 3037; filed Nov 13, 2000, 8:01 a.m.: 24 IR 994; readopted filed Oct 12, 2001, 12:55 p.m.: 25 IR 937; filed Dec 2, 2001, 12:22 p.m.: 25 IR 1148; filed Jun 17, 2003, 9:30 a.m.: 26 IR 3645; readopted filed Nov 4, 2009, 12:03 p.m.: [20091202-IR-511090701RFA](#); filed Dec 21, 2010, 10:09 a.m.: [20110119-IR-511090358FRA](#))

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Notice of Intent: [20090520-IR-511090358NIA](#)

Proposed Rule: [20100929-IR-511090358PRA](#)

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