



# INDIANA STATE BOARD OF EDUCATION

**To:** Indiana State Board of Education  
**From:** Chad E. Ranney, General Counsel  
**Date:** July 13, 2022  
**RE:** **Initiate Rulemaking and Approval of Proposed Rule – Certificate of Multilingual Proficiency**

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## MEMORANDUM

**Recommendation(s):** (1) Initiate rulemaking for purposes of updating the criteria for obtaining a certificate of multilingual proficiency in Indiana; and (2) approve the Proposed Rule (attached) concerning the criteria for obtaining a certificate of multilingual proficiency in Indiana.

The updated criteria removes reference to the ISTEP + English 10 graduation exam and instead references the statewide assessment described in IC 20-32-5.1-7. In addition, it also adds language stating that students who have a primary language other than English and limited English language proficiency may satisfy the requirement set forth in subsection (a)(3)(A) by achieving a score equal to or greater than the established proficiency benchmark on an English language proficiency assessment approved by the state board.

Once the recommendations in this memo are approved, Indiana Department of Education (“Department”) Staff will proceed with the rulemaking process outlined in IC 4-22-2 on the Board’s behalf. The rulemaking process shall proceed as follows:

- Department staff will seek a waiver from the Regulatory Moratorium as required by Financial Management Circular 2015-1 and Executive Order 13-03.
- Department staff will file all required paperwork and notices with the Legislative Services Agency.
- The Proposed Rule will be published in the Indiana Register.
- A public hearing will be conducted – comments will be accepted via email and in-person.
- All public comments and suggested edits will be presented to the Board for the Board’s consideration.
- The Board will adopt a final rule.

Amendments: Whenever an existing rule section 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 rule or rule section is being enacted, the text of the new provision will appear **in this style type**. Additionally, the word ADDED will appear in the introductory clause of each SECTION that adds a new rule or rule section to the Indiana Administrative Code.

Indiana Register

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## TITLE 511 INDIANA STATE BOARD OF EDUCATION

### Proposed Rule LSA Document #22-\_\_ \_\_

#### DIGEST

Amends 511 IAC 20-2-1 concerning the criteria for obtaining a certificate of multilingual proficiency. Effective 30 days after filing with the Publisher.

511 IAC 20-2-1.

### ARTICLE 20. CERTIFICATE OF MULTILINGUAL PROFICIENCY

#### Rule 2. Certificate Criteria and Department Duties

##### 511 IAC 20-2-1 Criteria for obtaining a certificate of multilingual proficiency

Authority: IC 20-30-14.5

Affected: IC 20-30-14.5

Sec. 1. (a) In order to earn the certificate, a student must meet the following criteria:

(1) Earn eight (8) credits in English and language arts.

(2) Earn six (6) credits in a single world language.

(3) Pass the following assessments:

(A) ~~The ISTEP+ English 10 graduation exam.~~ **Except as provided in subsection (b), the English/language arts portion of a statewide assessment described in IC 20-32-5.1-7.**

(B) A state board approved assessment of the world language.

**(b) Students who have a primary language other than English and limited English language proficiency may satisfy the requirement set forth in subsection (a)(3)(A) by achieving a score equal to or greater than the established proficiency benchmark on an English language proficiency assessment approved by the state board.**

~~(b)~~ (c) Students who enroll in school already proficient in a world language may satisfy the requirements of this section through a demonstration of proficiency on a state board approved assessment of the world language. Students who demonstrate a proficiency in a world language on a state board approved assessment may bypass the requirement contained in (a)(2) of this section [*subsection (a)(2)*] and shall be awarded the six (6) credits in the world language in which the student has been deemed proficient.

~~(c)~~ (d) The department shall prepare and keep a proposed list of standardized assessments of world languages for the state board's approval. This list shall be updated periodically as needed. (*Indiana State Board of Education; 511 IAC 20-2-1; filed Sep 16, 2016, 4:55 p.m.:*

*20161012-IR-511150283FRA)*