

HOUSE BILL No. 1153

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-3.3.

Synopsis: Educational opportunity and academic success. Requires the department of education (department) to establish the division of educational opportunity and academic success (division) within the department. Requires the division to: (1) assess and monitor school corporations and public schools regarding culturally competent practice and training in instruction and classroom management; (2) provide technical assistance to school corporations and public schools regarding certain practices; and (3) work with the governor's office, the commission for higher education, the department of workforce development, divisions of the department, and the governor's equity and inclusion cabinet officer regarding equity and cultural competency matters. Requires the division to: (1) prepare a report regarding the data assessed and monitored and a report regarding ongoing progress or needs for future support related focus areas of monitoring, accountability, reporting, and technical assistance; and (2) submit, not later than July 1 of each year, the reports to the governor, state board of education, and the education standing committees of the senate and the house of representatives. Requires the department to post the reports and an executive summary on the department's website.

Effective: July 1, 2023.

Porter, Smith V

January 10, 2023, read first time and referred to Committee on Education.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1153



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 20-19-3.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]:
4 **Chapter. 3.3. Division of Educational Opportunity and**
5 **Academic Success**
6 **Sec. 1. This chapter applies to the following:**
7 (1) **School corporations.**
8 (2) **Public schools, including charter schools.**
9 **Sec. 2. As used in this chapter, "director" means the director of**
10 **the division described in section 5(a) of this chapter.**
11 **Sec. 3. As used in this chapter, "division" means the division of**
12 **educational opportunity and academic success established by**
13 **section 4 of this chapter.**
14 **Sec. 4. The department shall establish the division of educational**
15 **opportunity and academic success within the department.**
16 **Sec. 5. (a) The division includes the following:**
17 (1) **A director of the division, as selected by the secretary of**



- 1 **education.**
- 2 **(2) Internal staff and consultants sufficient to fulfill the duties**
- 3 **of the division.**
- 4 **(b) The director shall, as needed, contract or collaborate with**
- 5 **outside consultants with sufficient knowledge and expertise in**
- 6 **equity and excellence to assist the director.**
- 7 **Sec. 6. The division shall assess the status of culturally**
- 8 **competent practice and training in instruction and classroom**
- 9 **management by doing the following:**
- 10 **(1) On an annual basis, assess the extent that, and ways in**
- 11 **which, school corporations and public schools are**
- 12 **implementing Indiana's cultural competency requirements in**
- 13 **kindergarten through grade 12 through the following:**
- 14 **(A) Self-assessment by public schools through surveys and**
- 15 **rubrics.**
- 16 **(B) Outside evaluation through audits.**
- 17 **(C) Parent and other stakeholder feedback on the quality**
- 18 **of cultural competence training and implementation in the**
- 19 **public schools.**
- 20 **(D) Monitoring the extent and content of ongoing**
- 21 **in-service training for teachers and administrators.**
- 22 **(E) Monitoring whether school corporations and public**
- 23 **schools are providing adequate representation of the**
- 24 **history and heritage of black students within curricular**
- 25 **materials.**
- 26 **(2) On an annual basis, assess the extent to which teacher**
- 27 **training programs at approved postsecondary educational**
- 28 **institutions (as defined in IC 21-7-13-6(b)) are preparing**
- 29 **teachers to adequately carry out culturally responsive**
- 30 **pedagogy through course work in:**
- 31 **(A) content instruction;**
- 32 **(B) pedagogical and classroom management skills; and**
- 33 **(C) historical factors that created and are still maintaining**
- 34 **gaps.**
- 35 **(3) On an annual basis, monitor the following:**
- 36 **(A) Disparities in academic and disciplinary data in both**
- 37 **general education and for students with disabilities.**
- 38 **(B) If disparities described in clause (A) exist, strategies**
- 39 **being used at the school corporation and public school**
- 40 **level to reduce the disparities.**
- 41 **(C) The extent of equitable access to gifted and talented or**
- 42 **high ability programs, advanced placement courses, and**



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dual credit courses.

(D) Public school improvement plans to ensure that elements that address cultural competency are present and measurable in all public schools.

(E) The extent of implementation of positive school discipline practices that can reduce disparities in exclusionary discipline and public school arrests that reduce educational opportunity.

(F) The extent that public schools are implementing the requirement under IC 20-30-5-7 to offer the study of ethnic and racial groups as a one (1) semester elective course.

(4) Identify school corporations and public schools that are making exemplary progress and disseminate and amplify the school corporations' or public schools' work as models for other school corporations and public schools across Indiana.

Sec. 7. The division shall ensure accountability by using the data collected under section 6 of this chapter to ensure the following:

(1) The inclusion of the cultural competency requirements currently described in IC 20-31 by creating a performance based accountability system that evaluates the quality of school corporations' and public schools' cultural competence initiatives as one (1) component of the "A" through "F" school accountability framework.

(2) The development of guidelines and templates for, and support for, the development and improvement of school corporations' and public schools' cultural competency plans and cultural competency elements embedded in public school improvement plans, as specified in Indiana law.

(3) The development of a grant program to support school corporations and public schools in implementing model practices to close achievement and discipline gaps in order to strengthen workforce development, kindergarten through grade 12 educational opportunities, and academic success for all students.

Sec. 8. The division shall provide technical assistance to school corporations and public schools throughout Indiana on evidence based methodologies and practices that can increase the implementation of culturally responsive instruction and improve classroom management skills for the purpose of increasing academic achievement for all students and reducing academic and discipline gaps, including assistance regarding the following:

(1) Best practices for school corporations and public schools



1 to:

- 2 (A) examine and collect academic and disciplinary data;
 3 (B) identify academic and discipline gaps; and
 4 (C) self-monitor progress in closing any gaps.
 5 (2) Culturally competent instructional practices that lead to
 6 improved academic achievement for all students.
 7 (3) Practices and procedures that improve the provision of
 8 mental health services to address the needs of all students and
 9 increase teaching and learning time.
 10 (4) Instructional and classroom management practices that
 11 sustain and support the needs of all students and reduce
 12 disparities in school discipline outcomes.
 13 (5) Evidence based, school wide positive disciplinary
 14 practices, including positive behavioral interventions and
 15 supports and restorative practices, to:
 16 (A) improve the general school climate;
 17 (B) reduce conflicts and disruption and the probability of
 18 violence; and
 19 (C) reduce school exclusions and disparities in exclusions
 20 that threaten educational opportunities.

21 **Sec. 9. The division shall do the following:**

- 22 (1) Work with the commission for higher education and the
 23 department of workforce development to increase and ensure
 24 equitable academic opportunities that will impact future
 25 employability skills for all students, in particular students of
 26 color.
 27 (2) Collaborate with the governor's office to support the
 28 implementation of the ethnic studies and cultural competency
 29 laws.
 30 (3) Work in conjunction with other divisions of the
 31 department and the governor's equity and inclusion cabinet
 32 officer on all issues of equity to ensure that the lens of
 33 educational equity and opportunity is included in all
 34 considerations of the department's goals, objectives, and
 35 criteria for measuring educational progress, including:
 36 (A) ensuring contracted services are provided through the
 37 lens of equity and excellence;
 38 (B) seeking new ways of opening opportunities for minority
 39 vendors to provide high quality services to impact black
 40 student outcomes; and
 41 (C) ensuring that the state and the department review and
 42 report the percentage of minority contractors, vendors,



- 1 and service providers on an annual basis and demonstrate
 2 substantial progress each year towards matching the state
 3 population percentages.
- 4 **Sec. 10. (a) The division shall:**
- 5 (1) annually prepare a report of the results of the assessment
 6 and monitoring under section 6 of this chapter;
 7 (2) annually prepare a report regarding ongoing progress or
 8 needs for future support related focus areas of monitoring,
 9 accountability, reporting, and technical assistance until the
 10 academic and discipline disparity gaps close in Indiana; and
 11 (3) submit, not later than July 1 of each year, the reports
 12 under subdivisions (1) and (2) to the following:
- 13 (A) Each education standing committee of the senate and
 14 house of representatives in an electronic format under
 15 IC 5-14-6.
 16 (B) The governor.
 17 (C) The state board.
- 18 **(b) The department shall post the following on the department's**
 19 **website:**
- 20 (1) The reports prepared under subsection (a).
 21 (2) An executive summary that includes the following
 22 information:
- 23 (A) The areas of satisfactory compliance and progress in
 24 meeting the state's cultural competence goals.
 25 (B) The areas of less than satisfactory compliance that may
 26 be targeted for future assessing, monitoring, and
 27 additional support.

