



Reprinted
March 4, 2014

ENGROSSED HOUSE BILL No. 1388

DIGEST OF HB 1388 (Updated March 3, 2014 7:58 pm - DI 71)

Citations Affected: IC 20-28.

Synopsis: Teacher quality preparation. Makes changes to the information a teacher education preparation program must annually submit to the department of education (department). Requires certain additional information to be included on the department's Internet web site. Provides that each teacher preparation program shall report to the department additional information, and requires the department to include information reported to the department on its Internet web site. Specifies that the department of education must establish standards for the continuous improvement of program processes and the performance of individuals who complete teacher preparation programs by July 1, 2015.

Effective: Upon passage; July 1, 2014.

Behning, Smith V

(SENATE SPONSORS — YODER, KRUSE, BRODEN)

January 15, 2014, read first time and referred to Committee on Education.
January 28, 2014, amended, reported — Do Pass.
January 30, 2014, read second time, amended, ordered engrossed.
January 31, 2014, engrossed.
February 3, 2014, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 10, 2014, read first time and referred to Committee on Education and Career Development.
February 27, 2014, amended, reported favorably — Do Pass.
March 3, 2014, read second time, amended, ordered engrossed.

EH 1388—LS 6916/DI 116



Reprinted
March 4, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1388

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 20-28-3-0.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 0.5. Information containing teacher**
4 **evaluation results that may be identified by teacher name,**
5 **identification number, or other identifying criteria is confidential**
6 **and exempt from disclosure requirements under IC 5-14-3-4.**

7 SECTION 2. IC 20-28-3-1, AS AMENDED BY P.L.254-2013,
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2014]: Sec. 1. **(a) As used in this section, "teacher**
10 **candidate" means an individual recommended for an initial**
11 **teaching license from a teacher preparation program located in**
12 **Indiana.**

13 ~~(a)~~ **(b)** As used in this section, "teacher preparation program"
14 includes, but is not limited to, the following:

- 15 (1) A teacher education school or department.
16 (2) A transition to teaching program under IC 20-28-4.

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1 **(3) Any other entity approved by the department to offer a**
 2 **course of study leading to an initial teaching license.**

3 ~~(b)~~ **(c)** The department shall:

4 (1) arrange a statewide system of professional instruction for
 5 teacher education;

6 (2) accredit and ~~inspect~~ **review** teacher preparation programs that
 7 comply with the rules of the department;

8 (3) approve content area licensure programs for particular kinds
 9 of teachers in accredited teacher preparation programs; and

10 (4) specify the types of licenses for individuals who complete
 11 programs of approved courses.

12 ~~(c)~~ **(d)** The department shall work with teacher preparation
 13 programs to develop a system of teacher education that ensures
 14 individuals who ~~graduate from the complete~~ teacher preparation
 15 programs are able to meet the highest professional standards.

16 ~~(d)~~ **(e)** **Before July 1, 2015**, the department shall establish standards
 17 for the continuous improvement of program processes and the
 18 performance of individuals who complete teacher preparation
 19 programs. The state board shall adopt rules containing the standards
 20 not later than two hundred seventy (270) days after the department
 21 finishes the standards.

22 ~~(e)~~ **(f)** The standards established under subsection ~~(d)~~ **(e)** must
 23 include benchmarks for performance, including ~~at least the following~~:

24 ~~(1)~~ test score data for each teacher preparation entity on content
 25 area licensure tests and test score data for each teacher
 26 preparation entity on pedagogy licensure tests.

27 ~~(2)~~ ~~The maximum number of times each individual who~~
 28 ~~completes a teacher preparation program takes each licensing test~~
 29 ~~before receiving a passing score.~~

30 ~~(f)~~ **(g)** Each teacher ~~education~~ preparation program shall annually
 31 report the program's performance on the standards and benchmarks
 32 established under this section to the department. The department shall
 33 make the information reported under this subsection available to the
 34 public on the department's Internet ~~website~~: **web site**. In addition to
 35 reporting performance, each teacher education school and department
 36 must report ~~the following information~~ **attrition, retention, and**
 37 **completion rates of teacher candidates for the previous three (3)**
 38 **calendar years.**

39 ~~(1)~~ the attrition retention, and completion rates of candidates:

40 **(h) In making information available to the public on the**
 41 **department's Internet web site, the department shall include in the**
 42 **report under subsection (g), in addition to the ratings described in**



1 **subsection (j), the following information:**

2 ~~(2)~~ **(1)** Average ~~raw~~ **scaled or standard** scores of ~~individuals~~
3 **teacher candidates** who complete teacher preparation programs
4 on basic skills, content area, and pedagogy licensure
5 examinations.

6 ~~(3)~~ **(2)** The ~~maximum average~~ number of times ~~each individual~~
7 **teacher candidates** who ~~completes~~ **complete** a teacher
8 preparation program ~~takes~~ **take** each licensing test before
9 receiving a passing score **and the percentage of students who**
10 **receive a passing score on each licensing test on the students'**
11 **first attempts.**

12 ~~(4)~~ The percentage of individuals who complete teacher
13 preparation programs who obtain:

14 (A) full-time; and

15 (B) part-time;

16 teaching positions.

17 ~~(5)~~ The name of the employer of each individual who completes
18 a teacher preparation program and who obtains a full-time or
19 part-time teaching position:

20 ~~(g)~~ **(i)** Not later than July 30, 2016, the department, in conjunction
21 with the state board **and with input from teacher preparation**
22 **programs**, shall establish:

23 **(1)** a rating system for teacher preparation programs based on the
24 performance of the programs as demonstrated by the **information**
25 **reported to the department under IC 20-28-11.5-9 for**
26 **graduates of the teacher preparation program during their**
27 **first two (2) years of teaching and** data collected under
28 subsection ~~(f)~~ **(h)** for the three (3) most recent years; **and**

29 **(2)** a **minimum rating that teacher preparation programs**
30 **must achieve to avoid referral to the state board under**
31 **subsection (j).**

32 The department shall make the ratings available to the public on the
33 department's Internet web site.

34 **(j)** **Beginning July 1, 2017, and not later than each July 1**
35 **thereafter, the department shall submit a list to the state board of**
36 **teacher preparation programs that do not meet the minimum**
37 **rating established under subsection (i)(2). The state board may**
38 **take one (1) of the following actions:**

39 **(1)** **Place the teacher preparation program on an**
40 **improvement plan with clear performance goals and a**
41 **designated period in which the performance goals must be**
42 **achieved.**



1 **(2) Disapprove the teacher preparation program under**
 2 **IC 20-28-2-6.**

3 **(k) Each teacher preparation program shall report to the**
 4 **department, in a manner prescribed by the department, the**
 5 **teacher preparation program's admission practices, in accordance**
 6 **with:**

7 **(1) the Council for the Accreditation of Educator Preparation**
 8 **standards, for teacher preparation programs accredited by**
 9 **the Council for the Accreditation of Educator Preparation; or**
 10 **(2) rigorous academic entry requirements for admission into**
 11 **a teacher preparatory program that are equivalent to the**
 12 **minimum academic requirements determined by the Council**
 13 **for the Accreditation of Educator Preparation, for teacher**
 14 **preparation programs that are not accredited by the Council**
 15 **for the Accreditation of Educator Preparation.**

16 **The department shall include information reported to the**
 17 **department on the department's Internet web site.**

18 SECTION 3. IC 20-28-11.5-9, AS AMENDED BY P.L.254-2013,
 19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2014]: Sec. 9. (a) Before ~~August 1~~ **November 15** of each year,
 21 each **charter school (including a virtual charter school) and** school
 22 corporation shall provide the disaggregated results of staff performance
 23 evaluations by teacher identification numbers to the department.

24 **(b) Before August 1 of each year, each charter school and school**
 25 **corporation shall provide to the department:**

26 **(1) the name of the teacher preparation program that**
 27 **recommended the initial license for each teacher employed by**
 28 **the school; and**
 29 **(2) the annual retention rate for teachers employed by the**
 30 **school.**

31 **(c) Not before the beginning of the second semester (or the**
 32 **equivalent) of the school year and not later than August 1 of each**
 33 **year, the principal at each school described in subsection (a) shall**
 34 **complete a survey that provides information regarding the**
 35 **principal's assessment of the quality of instruction by each**
 36 **particular teacher preparation program located in Indiana for**
 37 **teachers employed at the school who initially received their**
 38 **teaching license in Indiana in the previous three (3) years. The**
 39 **survey shall be adopted by the state board and prescribed on a**
 40 **form developed not later than July 30, 2016, by the department.**
 41 **The school shall provide the surveys to the department along with**
 42 **the information provided in subsection (b). The department shall**



1 compile the information contained in the surveys, broken down by
 2 each teacher preparation program located in Indiana. The
 3 department shall include information relevant to a particular
 4 teacher preparation program located in Indiana in the
 5 department's report under subsection (f).

6 (d) During the second semester (or the equivalent) of the school
 7 year and not later than August 1 of each year, each teacher
 8 employed by a school described in subsection (a) in Indiana who
 9 initially received a teacher's license in Indiana in the previous three
 10 (3) years shall complete a form after the teacher completes the
 11 teacher's initial year teaching at a particular school. The
 12 information reported on the form must:

13 (1) provide the year in which the teacher was hired by the
 14 school;

15 (2) include the name of the teacher preparation program that
 16 recommended the teacher for an initial license;

17 (3) describe subjects taught by the teacher;

18 (4) provide the location of different teaching positions held by
 19 the teacher since the teacher initially obtained an Indiana
 20 teaching license;

21 (5) provide a description of any mentoring the teacher has
 22 received while teaching in the teacher's current teaching
 23 position;

24 (6) describe the teacher's current licensure status; and

25 (7) include an assessment by the teacher of the quality of
 26 instruction of the teacher preparation program in which the
 27 teacher participated.

28 The form shall be prescribed by the department. The forms shall
 29 be submitted to the department with the information provided in
 30 subsection (b). Upon receipt of the information provided in this
 31 subsection, the department shall compile the information contained
 32 in the forms and include an aggregated summary of the report on
 33 the department's Internet web site.

34 (b) (e) Before September + December 15 of each year, the
 35 department shall report the results of staff performance evaluations in
 36 the aggregate to the state board, and to the public via the department's
 37 Internet web site for:

38 (1) the aggregate of certificated employees of each school and
 39 school corporation; and

40 (2) the aggregate of graduates of each teacher preparation
 41 program in Indiana;

42 (3) for each school described in subsection (a), the annual rate



1 of retention for certificated employees for each school within
 2 the charter school or school corporation; and

3 (4) the aggregate results of staff performance evaluations for
 4 each category described in section 4(c)(4) of this chapter. In
 5 addition to the aggregate results, the results must be broken
 6 down:

7 (A) by the content area of the initial teacher license
 8 received by teachers upon completion of a particular
 9 teacher preparation program; or

10 (B) as otherwise requested by a teacher preparation
 11 program, as approved by the state board.

12 (f) Beginning September 1, 2015, and before September 1 of
 13 each year thereafter, the department shall report to each teacher
 14 preparation program in Indiana for teachers with three (3) or
 15 fewer years of teaching experience:

16 (1) information from the surveys relevant to that particular
 17 teacher education program provided to the department under
 18 subsection (c);

19 (2) information from the forms relevant to that particular
 20 teacher preparation program compiled by the department
 21 under subsection (d); and

22 (3) the results from the most recent school year for which data
 23 are available of staff performance evaluations for each
 24 category described in section 4(c)(4) of this chapter with three
 25 (3) or fewer years of teaching experience for that particular
 26 teacher preparation program. The report to the teacher
 27 preparation program under this subdivision shall be in the
 28 aggregate form and shall be broken down by the teacher
 29 preparation program that recommended an initial teaching
 30 license for the teacher.

31 SECTION 4. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1388, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 30, delete "ten" and insert "**five (5)**".

Page 2, line 31, delete "(10)".

Page 2, line 38, after "the" insert "**matrix**".

Page 3, line 18, delete "IC 20-28-11.5-9" and insert "**IC 20-28-11.5-9. The matrix rating system may not grade or compare teacher preparation programs. The matrix rating system must be based on data collected for teachers that initially receive their teaching license during the previous three (3) years.**".

Page 3, line 18, strike "for the three (3) most recent years.".

Page 3, line 19, after "make the" insert "**matrix**".

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"(j) Before July 1, 2015, each teacher preparation program that is not accredited by the Council for Accreditation of Educator Preparation shall, except as otherwise provided in this subsection, require applicants to the teacher preparation program to:

- (1) complete a clinical residency program supervised by a teacher that is rated highly effective by the teacher's employer;**
- (2) maintain a grade point average of at least 3.0 on a 4.0 grading scale or its equivalent at the time the individual is accepted in the teacher preparation program; and**
- (3) receive a test score that is considered in the top fiftieth percentile of the SAT or ACT test scores achieved by all students.**

A teacher preparation program may waive the requirements described in subdivisions (1) through (3) for not more than ten percent (10%) of the students admitted to the teacher preparation program during the same academic year.

(k) Each teacher preparation program shall report to the department, in a manner prescribed by the department, the teacher preparation program's admission practices. The department shall include information reported to the department on the department's Internet web site."

Page 3, line 24, delete "and" and insert "**(including a virtual charter school), eligible school (as defined in IC 20-51-1-4.7), and**".

Page 3, line 34, delete "public".

Page 3, line 35, after "school" insert "**described in subsection (a)**".



Page 3, line 39, delete "ten (10)" and insert "**five (5)**".

Page 3, line 41, delete "charter school or".

Page 3, line 42, delete "corporation".

Page 4, line 8, delete "public".

Page 4, line 8, after "school" insert "**described in subsection (a)**".

Page 4, line 9, delete "ten (10)" and insert "**five (5)**".

Page 4, line 11, delete "public".

Page 4, delete line 14 and insert "**school;**".

Page 4, line 23, delete "and".

Page 4, line 24, delete "status." and insert "**status; and**".

Page 4, between lines 24 and 25, begin a new line block indented and insert:

"(7) include an assessment by the teacher of the quality of instruction of the teacher preparation program in which the teacher participated."

Page 4, line 38, delete "corporation and charter school," and insert "**described in subsection (a),**".

Page 5, line 1, delete "down by:" and insert "**down:**".

Page 5, delete lines 2 through 5, begin a new line double block indented and insert:

"(A) by the type of initial teacher license received by teachers upon completion of a particular teacher preparation program; or

(B) as otherwise requested by a teacher preparation program, as approved by the state board."

and when so amended that said bill do pass.

(Reference is to HB 1388 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 1.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1388 be amended to read as follows:

Page 2, line 30, delete "five (5)" and insert "**two (2)**".

Page 3, line 21, delete "three (3)" and insert "**two (2)**".



Page 4, line 23, delete "five (5)" and insert "**two (2)**".

Page 4, line 35, delete "five (5)" and insert "**two (2)**".

(Reference is to HB 1388 as printed January 28, 2014.)

SMITH V

HOUSE MOTION

Mr. Speaker: I move that House Bill 1388 be amended to read as follows:

Page 4, line 18, delete "Before August 1" and insert "**During the second semester (or the equivalent) of the school year and not later than August 1**".

Page 4, line 33, delete "Before August 1" and insert "**During the second semester (or the equivalent) of the school year and not later than August 1**".

(Reference is to HB 1388 as printed January 28, 2014.)

SMITH V

HOUSE MOTION

Mr. Speaker: I move that House Bill 1388 be amended to read as follows:

Page 4, line 7, delete ", eligible school (as)".

Page 4, line 8, delete "defined in IC 20-51-1-4.7)".

(Reference is to HB 1388 as printed January 28, 2014.)

HUSTON



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1388, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-28-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. Information containing teacher evaluation results that may be identified by teacher name, identification number, or other identifying criteria is confidential and exempt from disclosure requirements under IC 5-14-3-4.**"

Page 1, line 11, delete "option for a candidate to secure" and insert "**entity approved by the department to offer a course of study leading to**".

Page 2, line 10, delete "The" and insert "**Before December 31, 2014, the**".

Page 2, line 29, delete "for a teacher candidate that" and insert "**attrition, retention, and completion rates of teacher candidates for**".

Page 2, line 30, delete "attempted the teacher preparation program in".

Page 2, line 30, delete "two (2)" and insert "**three (3)**".

Page 2, line 31, after "years" insert ".".

Page 2, line 32, strike "the attrition".

Page 2, line 32, delete "(excluding teacher candidates removed from".

Page 2, delete line 33.

Page 2, line 34, delete "institution),".

Page 2, line 34, strike "retention, and completion rates of".

Page 2, line 34, delete "teacher".

Page 2, strike line 35.

Page 3, line 2, strike "each".

Page 3, line 3, delete "candidate" and insert "**candidates**".

Page 3, line 3, strike "completes" and insert "**complete**".

Page 3, line 3, strike "takes" and insert "**take**".

Page 3, line 4, delete "." and insert "**and the percentage of students who receive a passing score on each licensing test on the students' first attempts.**".



Page 3, line 13, after "department" delete "," and insert "**and the commission for higher education,**".

Page 3, line 14, after "board," insert "**the Independent Colleges of Indiana, and teacher preparation programs,**".

Page 3, line 21, delete "two (2)" and insert "**three (3)**".

Page 3, delete lines 24 through 40.

Page 3, line 41, delete "(k)" and insert "**(j)**".

Page 4, line 1, delete "." and insert ", **in accordance with:**

- (1) the Council for the Accreditation of Educator Preparation standards, for teacher preparation programs accredited by the Council for the Accreditation of Educator Preparation; or**
- (2) rigorous academic entry requirements for admission into a teacher preparatory program that are equivalent to the minimum academic requirements determined by the Council for the Accreditation of Educator Preparation, for teacher preparation programs that are not accredited by the Council for the Accreditation of Educator Preparation."**

Page 4, line 1, beginning with "The" begin a new line blocked left.

Page 4, line 6, strike "August 1" and insert "**November 15**".

Page 4, line 17, delete "During" and insert "**Not before the beginning of**".

Page 4, line 23, delete "that" and insert "**who**".

Page 4, line 24, delete "two (2)" and insert "**three (3)**".

Page 4, line 25, after "developed" insert "**not later than July 30, 2016,**".

Page 4, line 25, delete "." and insert "**that is aligned with the matrix system established under IC 20-28-3-1(i).**".

Page 4, line 36, delete "two" and insert "**three (3)**".

Page 4, line 37, delete "(2)".

Page 5, line 19, strike "September 1" and insert "**December 15**".

Page 5, line 30, delete "," and insert ". **In addition to the aggregate results, the results must be**".

Page 5, line 32, delete "type" and insert "**content area**".

Page 5, line 32, after "of" insert "**the**".

Page 5, line 39, delete ":" and insert "**for teachers with three (3) or fewer years of teaching experience:**".

Page 5, line 40, delete "a summary of" and insert "**information from**".

Page 6, line 1, delete "a summary of" and insert "**information from**".

Page 6, line 4, after "results" insert "**from the most recent school year for which data are available**".



Page 6, line 5, after "chapter" insert "**with three (3) or fewer years of teaching experience**".

Page 6, line 8, delete ":".

Page 6, line 9, delete "(A)".

Page 6, run in lines 8 through 9.

Page 6, line 10, delete "; and" and insert ".".

Page 6, delete lines 11 through 12, begin a new paragraph and insert:

"SECTION 4. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1388 as reprinted January 31, 2014.)

KRUSE, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1388 be amended to read as follows:

Page 2, line 16, delete "December 31, 2014," and insert "**July 1, 2015,**".

Page 3, line 6, strike "maximum" and insert "**average**".

(Reference is to EHB 1388 as printed February 28, 2014.)

YODER

SENATE MOTION

Madam President: I move that Engrossed House Bill 1388 be amended to read as follows:

Page 2, line 42, delete "matrix".

Page 3, line 1, delete "(i)," and insert "**(j),**".

Page 3, delete lines 19 through 31, begin a new paragraph and insert:

"~~(g)~~ **(i)** Not later than July 30, 2016, the department, in conjunction with the state board **and with input from teacher preparation programs,** shall establish:

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- (1) a rating system for teacher preparation programs based on the performance of the programs as demonstrated by the **information reported to the department under IC 20-28-11.5-9 for graduates of the teacher preparation program during their first two (2) years of teaching and** data collected under subsection ~~(f)~~ (h) for the three (3) most recent years; **and**
- (2) **a minimum rating that teacher preparation programs must achieve to avoid referral to the state board under subsection (j).**

The department shall make the ratings available to the public on the department's Internet web site.

(j) **Beginning July 1, 2017, and not later than each July 1 thereafter, the department shall submit a list to the state board of teacher preparation programs that do not meet the minimum rating established under subsection (i)(2). The state board may take one (1) of the following actions:**

- (1) **Place the teacher preparation program on an improvement plan with clear performance goals and a designated period in which the performance goals must be achieved.**
- (2) **Disapprove the teacher preparation program under IC 20-28-2-6."**

Page 3, line 32, delete "(j)" and insert "(k)".

Page 4, line 27, after "department" insert ".".

Page 4, delete line 28.

Page 4, line 29, delete "IC 20-28-3-1(i)".

(Reference is to EHB 1388 as printed February 28, 2014.)

BANKS

