



Reprinted
April 7, 2021

ENGROSSED HOUSE BILL No. 1514

DIGEST OF HB 1514 (Updated April 6, 2021 2:52 pm - DI 110)

Citations Affected: IC 20-24; IC 20-25; IC 20-25.7; IC 20-26;
IC 20-31; IC 20-32; IC 20-51; noncode.

Synopsis: Various education matters. Requires the state board of education (state board) to: (1) establish a compilation of longitudinal data indicating school performance success in various selected and enumerated program areas; and (2) present the data for each school in a manner that is commonly known as an Internet dashboard. Requires each school to post on a web page maintained on the school's Internet
(Continued next page)

Effective: Upon passage; July 1, 2020 (retroactive); July 1, 2021.

Cook, Behning, McNamara, Smith V

(SENATE SPONSORS — RAATZ, BUCHANAN, CRANE, FORD J.D.,
KRUSE)

January 14, 2021, read first time and referred to Committee on Education.
February 4, 2021, amended, reported — Do Pass.
February 8, 2021, read second time, ordered engrossed. Engrossed.
February 11, 2021, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 23, 2021, read first time and referred to Committee on Education and Career Development.
April 1, 2021, amended, reported favorably — Do Pass.
April 6, 2021, read second time, amended, ordered engrossed.

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Digest Continued

web site the exact same data and in a similar format as the data presented for the school on the state board's Internet web site. Allows a school to include custom indicators on the school's web page. Provides that the performance of a school's students on the statewide assessment program test and other criterion referenced benchmark assessments recommended by the department of education (department) and approved by the state board are the primary and majority means of assessing a school's improvement. (Current law provides that the performance of a school's students on the statewide assessment program test and other assessments recommended by the department and approved by the state board are the primary and majority means of assessing a school's improvement.) Provides that the state board may assign each domain, indicator, or measure used to assess school performance a separate and distinct category or designation. Provides that the state board shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2020-2021 school year. Requires each governing body of a school corporation and the equivalent for each charter school to submit to the department a report that includes certain information regarding instruction during the 2020-2021 school year and the 2021-2022 school year. Requires the department to do the following: (1) Conduct, in collaboration with the state board, a learning loss study regarding students in kindergarten through grade 10. (2) Prepare a report regarding the 2020-2021 school year and a report regarding the 2021-2022 school year that includes the submitted information and the study by the department. (3) Not later than December 1, 2021, and not later than December 1, 2022, submit the applicable reports to the governor, state board, and legislative council. Urges the legislative council to assign to an appropriate study committee for the 2022 interim and the 2023 interim the task of studying the information in the reports. Amends requirements that a benchmark, formative, interim, or similar assessment must meet for approval by the state board. Provides that before the state board may approve a benchmark, formative, interim, or similar assessment, the assessment vendor must enter into a data share agreement with the department. Repeals provisions that: (1) provide consequences for failing schools; (2) provide consequences for failing charter schools or choice scholarship schools; and (3) authorize the establishment of turnaround academies.

EH 1514—LS 7402/DI 116



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April 7, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1514

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 20-24-2.2-2 IS REPEALED [EFFECTIVE JULY
2 1, 2021]. Sec. 2: (a) ~~The minimum standard for renewal and the~~
3 ~~standard to avoid closure imposed by authorizers on a charter school~~
4 ~~is a requirement that the charter school not remain in the lowest~~
5 ~~category or designation of school improvement, including any~~
6 ~~alternative accountability category or designation, in the third year after~~
7 ~~initial placement in the lowest category or designation established~~
8 ~~under IC 20-31-8-4.~~
9 (b) ~~An authorizer of a charter school that does not meet the~~
10 ~~minimum standard for charter school renewal described in subsection~~
11 ~~(a) may petition the state board at any time to request permission to~~
12 ~~renew the charter school's charter notwithstanding the fact that the~~
13 ~~charter school does not meet the minimum standard. If timely~~
14 ~~notification is made, the state board shall hold a hearing under section~~
15 ~~2.5 of this chapter to consider the authorizer's request at the state~~
16 ~~board's next regularly scheduled board meeting.~~
17 (c) ~~In determining whether to grant a request under subsection (b);~~

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1 the state board shall consider the following:

2 (1) Enrollment of students with special challenges, such as drug
3 or alcohol addiction; prior withdrawal from school; prior
4 incarceration; or other special circumstances:

5 (2) High mobility of the student population resulting from the
6 specific purpose of the charter school:

7 (3) Annual improvement in the performance of students enrolled
8 in the charter school; as measured under IC 20-31-8; compared
9 with the performance of students enrolled in the charter school in
10 the immediately preceding school year:

11 SECTION 2. IC 20-24-2.2-2.5 IS REPEALED [EFFECTIVE JULY
12 1, 2021]. Sec. 2.5: (a) If the state board grants a petition request under
13 section 2 of this chapter, the state board shall:

14 (1) hold a hearing; and

15 (2) implement one (1) or more of the following actions:

16 (A) Require the implementation of a charter school
17 improvement plan:

18 (B) Order the reduction of any administrative fee collected
19 under IC 20-24-7-4 that is applicable to the charter school. The
20 reduction must become effective at the beginning of the month
21 following the month of the authorizer's hearing before the state
22 board:

23 (C) Prohibit or limit the enrollment of new students in the
24 charter school:

25 (D) Cancel the charter between the authorizer and organizer:

26 (E) Order the closure of the charter school at the end of the
27 current school year:

28 A charter school that is closed by the state board under this section may
29 not be granted a charter by any authorizer:

30 (b) In determining which action to implement under subsection
31 (a)(2); the state board shall consider the following:

32 (1) Enrollment of students with special challenges, such as drug
33 or alcohol addiction; prior withdrawal from school; prior
34 incarceration; or other special circumstances:

35 (2) High mobility of the student population resulting from the
36 specific purpose of the charter school:

37 (3) Annual improvement in the performance of students enrolled
38 in the charter school; as measured by IC 20-31-8-1; compared
39 with the performance of students enrolled in the charter school in
40 the immediately preceding school year:

41 SECTION 3. IC 20-24-2.2-4 IS REPEALED [EFFECTIVE JULY
42 1, 2021]. Sec. 4: If any authorizer renews the charter of; fails to close;



1 or grants a new charter to a charter school that the state board has
 2 ordered closed under section 2.5 of this chapter, the authorizer's
 3 authority to authorize new charter schools may be suspended by the
 4 state board until such a time as the state board formally approves the
 5 authorizer to authorize new charter schools. A determination under this
 6 section to suspend an authorizer's authority to authorize new charter
 7 schools must identify the deficiencies that, if corrected, will result in
 8 the approval of the authorizer to authorize new charter schools.

9 SECTION 4. IC 20-24-2.2-6 IS REPEALED [EFFECTIVE JULY
 10 1, 2021]. Sec. 6: (a) If deficiencies identified under section 4 of this
 11 chapter are not corrected within two (2) years after the date the state
 12 board suspends the authorizer's authority to authorize new charter
 13 schools in a final order under section 4 of this chapter, the state board,
 14 following an affirmative vote of two-thirds (2/3) of the members, may
 15 revoke the authorizer's authority to function as an authorizer. The state
 16 board shall take all necessary steps to decommission the authorizer,
 17 including overseeing the orderly winding up of authorization activities
 18 or responsibilities, and ensuring the transfer of any charter school
 19 records or administrative fees due under IC 20-24-7-4 in the
 20 authorizer's custody.

21 (b) Charter schools authorized by an authorizer that has been
 22 decommissioned under subsection (a) must apply to be approved by
 23 another authorizer within one hundred fifty (150) days after the date the
 24 state board revokes the authorizer's authority to function as an
 25 authorizer, regardless of whether the state board has begun the process
 26 of winding up authorization activities of the authorizer. A charter
 27 school that is not approved under this subsection must close at the end
 28 of the charter school's current school year containing the date in which
 29 the charter school's application under this subsection is disapproved.
 30 A charter school that is closed by the state board under section 2.5 of
 31 this chapter may not be approved by another authorizer under this
 32 subsection.

33 SECTION 5. IC 20-24-4-1, AS AMENDED BY P.L.211-2019,
 34 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2021]: Sec. 1. (a) A charter must meet the following
 36 requirements:

- 37 (1) Be a written instrument.
- 38 (2) Be executed by an authorizer and an organizer.
- 39 (3) Confer certain rights, franchises, privileges, and obligations
 40 on a charter school.
- 41 (4) Confirm the status of a charter school as a public school.
- 42 (5) Subject to subdivisions subdivision (6)(E), and (17); be



- 1 granted for:
- 2 (A) not less than three (3) years or more than seven (7) years;
- 3 and
- 4 (B) a fixed number of years agreed to by the authorizer and the
- 5 organizer.
- 6 (6) Provide for the following:
- 7 (A) A review by the authorizer of the charter school's
- 8 performance, including the progress of the charter school in
- 9 achieving the academic goals set forth in the charter, at least
- 10 one (1) time in each five (5) year period while the charter is in
- 11 effect.
- 12 (B) Renewal, if the authorizer and the organizer agree to renew
- 13 the charter.
- 14 (C) The renewal application must include guidance from the
- 15 authorizer, and the guidance must include the performance
- 16 criteria that will guide the authorizer's renewal decisions.
- 17 (D) The renewal application process must, at a minimum,
- 18 provide an opportunity for the charter school to:
- 19 (i) present additional evidence, beyond the data contained in
- 20 the performance report, supporting its case for charter
- 21 renewal;
- 22 (ii) describe improvements undertaken or planned for the
- 23 charter school; and
- 24 (iii) detail the charter school's plans for the next charter
- 25 term.
- 26 (E) Not later than the end of the calendar year in which the
- 27 charter school seeks renewal of a charter, the governing board
- 28 of a charter school seeking renewal shall submit a renewal
- 29 application to the charter authorizer under the renewal
- 30 application guidance issued by the authorizer. The authorizer
- 31 shall make a final ruling on the renewal application not later
- 32 than April 1 after the filing of the renewal application. A
- 33 renewal granted under this clause is not subject to the three (3)
- 34 year minimum described in subdivision (5). The April 1
- 35 deadline does not apply to any review or appeal of a final
- 36 ruling. After the final ruling is issued, the charter school may
- 37 obtain further review by the authorizer of the authorizer's final
- 38 ruling in accordance with the terms of the charter school's
- 39 charter and the protocols of the authorizer.
- 40 (7) Specify the grounds for the authorizer to:
- 41 (A) revoke the charter before the end of the term for which the
- 42 charter is granted; or



- 1 (B) not renew a charter.
- 2 (8) Set forth the methods by which the charter school will be held
- 3 accountable for achieving the educational mission and goals of
- 4 the charter school, including the following:
- 5 (A) Evidence of improvement in:
- 6 (i) assessment measures, including the statewide assessment
- 7 program measures;
- 8 (ii) attendance rates;
- 9 (iii) graduation rates (if appropriate);
- 10 (iv) increased numbers of Indiana diplomas with a Core 40
- 11 designation and other college and career ready indicators
- 12 including advanced placement participation and passage,
- 13 dual credit participation and passage, and International
- 14 Baccalaureate participation and passage (if appropriate);
- 15 (v) increased numbers of Indiana diplomas with Core 40
- 16 with academic honors and technical honors designations (if
- 17 appropriate);
- 18 (vi) student academic growth;
- 19 (vii) financial performance and stability; and
- 20 (viii) governing board performance and stewardship,
- 21 including compliance with applicable laws, rules and
- 22 regulations, and charter terms.
- 23 (B) Evidence of progress toward reaching the educational
- 24 goals set by the organizer.
- 25 (9) Describe the method to be used to monitor the charter
- 26 school's:
- 27 (A) compliance with applicable law; and
- 28 (B) performance in meeting targeted educational performance.
- 29 (10) Specify that the authorizer and the organizer may amend the
- 30 charter during the term of the charter by mutual consent and
- 31 describe the process for amending the charter.
- 32 (11) Describe specific operating requirements, including all the
- 33 matters set forth in the application for the charter.
- 34 (12) Specify a date when the charter school will:
- 35 (A) begin school operations; and
- 36 (B) have students attending the charter school.
- 37 (13) Specify that records of a charter school relating to the
- 38 school's operation and charter are subject to inspection and
- 39 copying to the same extent that records of a public school are
- 40 subject to inspection and copying under IC 5-14-3.
- 41 (14) Specify that records provided by the charter school to the
- 42 department or authorizer that relate to compliance by the



1 organizer with the terms of the charter or applicable state or
 2 federal laws are subject to inspection and copying in accordance
 3 with IC 5-14-3.

4 (15) Specify that the charter school is subject to the requirements
 5 of IC 5-14-1.5.

6 (16) This subdivision applies to a charter established or renewed
 7 for an adult high school after June 30, 2014. The charter must
 8 require:

9 (A) that the school will offer flexible scheduling;

10 (B) that students will not complete the majority of instruction
 11 of the school's curriculum online or through remote
 12 instruction;

13 (C) that the school will offer dual credit or industry
 14 certification course work that aligns with career pathways as
 15 recommended by the Indiana career council established by
 16 IC 22-4.5-9-3 (**expired**); and

17 (D) a plan:

18 (i) to support successful program completion and to assist
 19 transition of graduates to the workforce or to a
 20 postsecondary education upon receiving a diploma from the
 21 adult high school; and

22 (ii) to review individual student accomplishments and
 23 success after a student receives a diploma from the adult
 24 high school.

25 ~~(17) This subdivision applies to a charter between an authorizer~~
 26 ~~and an organizer of a charter school granted or renewed after June~~
 27 ~~30, 2019. The charter must require that:~~

28 ~~(A) a charter school comply with actions implemented by the~~
 29 ~~state board under IC 20-24-2.2-2.5; and~~

30 ~~(B) if the state board implements closure of the charter school~~
 31 ~~under IC 20-24-2.2-2.5, the charter is revoked at the time the~~
 32 ~~charter school closes.~~

33 (b) A charter school shall set annual performance targets in
 34 conjunction with the charter school's authorizer. The annual
 35 performance targets shall be designed to help each school meet
 36 applicable federal, state, and authorizer expectations.

37 SECTION 6. IC 20-25-10-1, AS ADDED BY P.L.1-2005,
 38 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2021]: Sec. 1. (a) The board shall modify, develop, and
 40 implement a plan for the improvement of student achievement in the
 41 schools in the school city.

42 (b) A plan modified, developed, and implemented under this chapter



1 must be consistent with this article and with IC 20-31-1, IC 20-31-2,
 2 IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, and
 3 IC 20-31-10.

4 SECTION 7. IC 20-25-10-3, AS AMENDED BY P.L.1-2006,
 5 SECTION 323, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2021]: Sec. 3. The board shall:

- 7 (1) modify, develop, and publish the plan required under this
 8 chapter; and
- 9 (2) implement the modified plan;

10 in compliance with the timelines of IC 20-31-1, IC 20-31-5,
 11 IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, and IC 20-31-10.

12 SECTION 8. IC 20-25-10-5, AS AMENDED BY P.L.233-2015,
 13 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2021]: Sec. 5. (a) The board shall annually assess and evaluate
 15 educational programs offered by the school city to determine:

- 16 (1) the relationship of the programs to improved student
 17 achievement; and
- 18 (2) the educational value of the programs in relation to cost.

19 (b) The board may obtain information from:

- 20 (1) educators in the schools offering a program;
- 21 (2) students participating in a program; and
- 22 (3) the parents of students participating in a program;

23 in preparing an assessment and evaluation under this section. The
 24 assessment must include the performance of the school's students in
 25 achieving student performance improvement levels under IC 20-31-1,
 26 IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, IC 20-31-10, and
 27 IC 20-25-11.

28 SECTION 9. IC 20-25-11-1, AS AMENDED BY P.L.244-2017,
 29 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2021]: Sec. 1. The board shall establish annual student
 31 performance improvement levels for each school that are not less
 32 rigorous than the student performance improvement levels under
 33 IC 20-31-1, IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, and
 34 IC 20-31-10, including the following:

- 35 (1) For students:
 - 36 (A) improvement in results on assessment tests and assessment
 37 programs;
 - 38 (B) improvement in attendance rates; and
 - 39 (C) improvement in progress toward graduation.
- 40 (2) For teachers:
 - 41 (A) improvement in student results on assessment tests and
 42 assessment programs;



- 1 (B) improvement in the number and percentage of students
 2 achieving:
 3 (i) state achievement standards; and
 4 (ii) if applicable, performance levels set by the board;
 5 on assessment tests;
 6 (C) improvement in student progress toward graduation;
 7 (D) improvement in student attendance rates for the school
 8 year;
 9 (E) improvement in individual teacher attendance rates;
 10 (F) improvement in:
 11 (i) communication with parents; and
 12 (ii) parental involvement in classroom and extracurricular
 13 activities; and
 14 (G) other objectives developed by the board.
 15 (3) For the school and school administrators:
 16 (A) improvement in student results on assessment tests, totaled
 17 by class and grade;
 18 (B) improvement in the number and percentage of students
 19 achieving:
 20 (i) state achievement standards; and
 21 (ii) if applicable, performance levels set by the board;
 22 on assessment tests, totaled by class and grade;
 23 (C) improvement in:
 24 (i) student graduation rates; and
 25 (ii) progress toward graduation;
 26 (D) improvement in student attendance rates;
 27 (E) management of:
 28 (i) education fund expenditures;
 29 (ii) operations fund expenditures; and
 30 (iii) total expenditures;
 31 per student;
 32 (F) improvement in teacher attendance rates; and
 33 (G) other objectives developed by the board.
 34 SECTION 10. IC 20-25-12-1, AS ADDED BY P.L.1-2005,
 35 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2021]: Sec. 1. (a) IC 20-31-1, IC 20-31-2, IC 20-31-5,
 37 IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, and IC 20-31-10 apply
 38 to the school city. The composition of a local school improvement
 39 committee is determined under IC 20-31-1, IC 20-31-2, IC 20-31-5,
 40 IC 20-31-6, IC 20-31-7, IC 20-31-8, ~~IC 20-31-9~~, and IC 20-31-10.
 41 (b) The plan developed and implemented by the board under
 42 IC 20-25-10 must contain general guidelines for decisions by the



1 educators in each school to improve student achievement in the school.

2 (c) The board's plan shall provide for the publication to other
3 schools in the school city and to the general community those:

- 4 (1) processes;
5 (2) innovations; and
6 (3) approaches;

7 that have led individual schools to significant improvement in student
8 achievement.

9 SECTION 11. IC 20-25-13-7, AS AMENDED BY P.L.1-2006,
10 SECTION 326, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2021]: Sec. 7. IC 20-28-6-4 and IC 20-28-6-5
12 apply to certificated employees in the school city. A teacher's students'
13 performance improvement levels under the assessment tests and
14 programs of IC 20-31-1, IC 20-31-5, IC 20-31-6, IC 20-31-7,
15 IC 20-31-8, ~~IC 20-31-9~~, and IC 20-31-10 may be used as a factor, but
16 not the only factor, to evaluate the performance of a teacher in the
17 school city.

18 SECTION 12. IC 20-25-15-1, AS ADDED BY P.L.1-2005,
19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2021]: Sec. 1. ~~In addition to the consequences of IC 20-31-9~~;
21 The board shall place a school in the school city in academic
22 receivership if the school fails for any two (2) consecutive school years
23 to meet student performance improvement levels.

24 SECTION 13. IC 20-25-15-3, AS ADDED BY P.L.1-2005,
25 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2021]: Sec. 3. (a) If a school is placed in academic
27 receivership, the superintendent and the board must take action to raise
28 the school's level of performance.

29 (b) ~~In addition to the consequences of IC 20-31-9~~; The actions that
30 the superintendent and the board may take to raise the performance of
31 a school in academic receivership include the following:

- 32 (1) Shifting resources of the school city to the school.
33 (2) Changing or removing:
34 (A) the school principal;
35 (B) teachers;
36 (C) administrators; or
37 (D) other staff.
38 (3) Establishing a new educational plan for the school.
39 (4) Requiring the superintendent or another school city appointee
40 to administer the school until the academic receivership status of
41 the school is removed.
42 (5) Contracting with a:



- 1 (A) for-profit organization;
- 2 (B) nonprofit organization; or
- 3 (C) individual;
- 4 to manage the school.
- 5 (6) Closing the school.
- 6 (7) Any other management, personnel, or policy changes that the
- 7 superintendent and board expect in the following school year to:
- 8 (A) raise the performance of the school; and
- 9 (B) avoid continuing academic receivership status for the
- 10 school.
- 11 (c) If this chapter is inconsistent with any other law relating to:
- 12 (1) education;
- 13 (2) teachers; or
- 14 (3) common schools;
- 15 this chapter governs.
- 16 SECTION 14. IC 20-25.7-5-5, AS AMENDED BY P.L.155-2020,
- 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2021]: Sec. 5. (a) IC 20-24-5-5 (with the exception of
- 19 IC 20-24-5-5(f)) does not apply to a participating innovation network
- 20 charter school that enters into an agreement with the board to
- 21 reconstitute or establish an eligible school.
- 22 (b) Except as provided in subsections (c) and (d), a participating
- 23 innovation network charter school must enroll any eligible student who
- 24 submits a timely application for enrollment.
- 25 (c) A participating innovation network charter school that
- 26 reconstitutes or establishes an eligible school may limit new
- 27 admissions to the participating innovation network charter school to:
- 28 (1) ensure that any student with legal settlement in the attendance
- 29 area, or in the school corporation if the school does not have a
- 30 defined attendance area, may attend the charter school;
- 31 (2) ensure that a student who attends the participating innovation
- 32 network charter school during a school year may continue to
- 33 attend the charter school in subsequent years;
- 34 (3) allow the siblings of a student alumnus or a current student
- 35 who attends the participating innovation network charter school
- 36 to attend the charter school;
- 37 (4) allow preschool students who attend a Level 3 or Level 4
- 38 Paths to QUALITY program preschool to attend kindergarten at
- 39 the participating innovation network charter school if the
- 40 participating innovation network charter school and the school
- 41 corporation or preschool provider have entered into an agreement
- 42 to share services or facilities;



1 (5) allow each student who qualifies for free or reduced price
 2 lunch under the national school lunch program to receive
 3 preference for admission to the participating innovation network
 4 charter school if the preference is specifically provided for in the
 5 charter and is approved by the authorizer; and

6 (6) allow each student who attended a turnaround academy ~~under~~
 7 ~~IC 20-31-9.5~~ or attends a school that is located in the same school
 8 building as the participating innovation network charter school to
 9 receive preference for admission to the participating innovation
 10 network charter school if the preference is specifically provided
 11 for in the participating innovation network charter school's charter
 12 and is approved by the authorizer of the participating innovation
 13 network charter school.

14 (d) A participating innovation network charter school with a
 15 curriculum that includes study in a foreign country may deny admission
 16 to a student if:

17 (1) the student:

18 (A) has completed fewer than twenty-two (22) academic
 19 credits required for graduation; and

20 (B) will be in the grade 11 cohort during the school year in
 21 which the student seeks to enroll in the participating
 22 innovation network charter school; or

23 (2) the student has been suspended (as defined in IC 20-33-8-7)
 24 or expelled (as defined in IC 20-33-8-3) during the twelve (12)
 25 months immediately preceding the student's application for
 26 enrollment for:

27 (A) ten (10) or more school days;

28 (B) a violation under IC 20-33-8-16;

29 (C) causing physical injury to a student, a school employee, or
 30 a visitor to the school; or

31 (D) a violation of a school corporation's drug or alcohol rules.

32 For purposes of subdivision (2)(A), student discipline received under
 33 IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B)
 34 through (2)(D) must be included in the calculation of the number of
 35 school days that a student has been suspended.

36 (e) A participating innovation network charter school may give
 37 enrollment preferences to children of the participating innovation
 38 network charter school's founders, governing board members, and
 39 participating innovation network charter school employees, as long as
 40 the enrollment preference under this subsection is not given to more
 41 than ten percent (10%) of the participating innovation charter school's
 42 total population and there is sufficient capacity for a program, class,



1 grade level, or building to ensure that any student with legal settlement
2 in the attendance area may attend the school.

3 (f) This subsection applies to an existing charter school that enters
4 into an innovation network agreement with the board. During the
5 charter school's first year of operation as a participating innovation
6 network charter school, the charter school may limit admission to:

- 7 (1) those students who were enrolled in the charter school on the
8 date it entered into the innovation network agreement; and
9 (2) siblings of students described in subdivision (1).

10 (g) This subsection applies if the number of applications for a
11 program, class, grade level, or building exceeds the capacity of the
12 program, class, grade level, or building. If a participating innovation
13 network charter school receives a greater number of applications than
14 there are spaces for students, each timely applicant must be given an
15 equal chance of admission. The participating innovation network
16 charter school that is not in a county containing a consolidated city
17 must determine which of the applicants will be admitted to the
18 participating innovation network charter school or the program, class,
19 grade level, or building by random drawing in a public meeting with
20 each timely applicant limited to one (1) entry in the drawing. However,
21 the participating innovation network charter school located in a county
22 with a consolidated city shall determine which of the applicants will be
23 admitted to the participating innovation network charter school or the
24 program, class, grade level, or building by using a publicly verifiable
25 random selection process.

26 SECTION 15. IC 20-26-5-40.6 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE UPON PASSAGE]: **Sec. 40.6. (a) This section does not**
29 **apply to a virtual charter school (as defined in IC 20-24-1-10).**

30 **(b) As used in this section, "virtual instruction" means**
31 **instruction that is provided in an interactive learning environment**
32 **created through technology in which the student is separated from**
33 **a teacher by time or space, or both.**

34 **(c) Not later than August 1, 2021, and not later than August 1,**
35 **2022, each governing body of a school corporation and the**
36 **equivalent for each charter school shall submit to the department**
37 **a report that includes the following information for each semester**
38 **of the immediately preceding school year:**

39 **(1) The following regarding virtual instruction:**

- 40 **(A) Whether the school corporation or charter school**
41 **provided virtual instruction to students of the school**
42 **corporation or charter school.**



- 1 **(B) If a school corporation or charter school provided**
 2 **virtual instruction under clause (A), the following**
 3 **information:**
- 4 **(i) The grade levels for which virtual instruction was**
 5 **provided.**
- 6 **(ii) The total number and percentage of students who**
 7 **received full-time virtual instruction and the number**
 8 **and percentage of students who received hybrid**
 9 **instruction in which instructional time included virtual**
 10 **instruction part of the time and in person instruction**
 11 **part of the time.**
- 12 **(iii) The numbers and percentages described in item (ii),**
 13 **disaggregated by grade level.**
- 14 **(iv) The number of days that the school corporation or**
 15 **charter school provided only full-time virtual instruction**
 16 **to students, disaggregated by grade level.**
- 17 **(v) The number of days that the school corporation or**
 18 **charter school provided only hybrid instruction to**
 19 **students, disaggregated by grade level.**
- 20 **(vi) Whether virtual instruction was provided through**
 21 **synchronous learning or asynchronous learning.**
- 22 **(vii) The status of student home Internet access.**
- 23 **(viii) Student access to electronic devices, including**
 24 **device to student ratio.**
- 25 **(2) If a school corporation or charter school provided virtual**
 26 **instruction as described in subdivision (1)(A), the following**
 27 **information:**
- 28 **(A) The total amount by which the school corporation or**
 29 **charter school reduced or increased expenditures in each**
 30 **of the following categories as a result of providing virtual**
 31 **instruction:**
- 32 **(i) Utilities.**
- 33 **(ii) Transportation.**
- 34 **(iii) Food service.**
- 35 **(iv) Salary and fringe benefits for personnel, including**
 36 **hiring or dismissal of school employees.**
- 37 **(v) Termination of any contracts.**
- 38 **(vi) Technology support.**
- 39 **(vii) Curriculum and other instructional materials.**
- 40 **(viii) Professional development, training, and teacher**
 41 **support.**
- 42 **(ix) Student support services.**



- 1 **(B) The total amount by which the school corporation or**
 2 **charter school reduced or increased expenditures each**
 3 **semester.**
- 4 **(3) Whether the governing body of the school corporation or**
 5 **the equivalent for a charter school elected to provide virtual**
 6 **instruction to students or was required by another state or**
 7 **local agency or entity to provide virtual instruction to**
 8 **students.**
- 9 **(4) Any data requested by the department to conduct the**
 10 **learning loss study described in subsection (d).**
- 11 **(5) Any other information required by the department.**
- 12 **(d) Subject to subsection (f), the department shall, in**
 13 **collaboration with the state board, conduct a learning loss study**
 14 **regarding students in kindergarten through grade 10 for the**
 15 **2020-2021 school year and the 2021-2022 school year. The study**
 16 **shall include the following:**
- 17 **(1) Which specific domains have significant learning loss for**
 18 **students in kindergarten through grade 10.**
- 19 **(2) What differences exist in:**
- 20 **(A) domain performance;**
 21 **(B) domain growth; or**
 22 **(C) both domain performance and domain growth;**
 23 **for specific subgroups, including students with disabilities and**
 24 **English language learners.**
- 25 **(3) What learning gaps are present in foundational skills,**
 26 **specifically literacy and numeracy for early grade levels.**
- 27 **(4) What are the overall student learning loss or gaps in**
 28 **education in Indiana due to the disruption in student**
 29 **education caused by the coronavirus disease (COVID-19).**
- 30 **(5) Any conclusions or recommendations to address student**
 31 **learning loss or gaps in education, including recommendations**
 32 **regarding remediation.**
- 33 **(e) The department shall do the following:**
- 34 **(1) Prepare a report regarding the 2020-2021 school year and**
 35 **a report regarding the 2021-2022 school year that includes:**
- 36 **(A) the information submitted to the department under**
 37 **subsection (c); and**
 38 **(B) information regarding the study described in**
 39 **subsection (d), including any conclusions and**
 40 **recommendations as described in subsection (d)(5).**
- 41 **(2) Not later than December 1, 2021, submit the report**
 42 **regarding the 2020-2021 school year and not later than**



- 1 **December 1, 2022, submit the report regarding the 2021-2022**
 2 **school year to the:**
 3 **(A) governor;**
 4 **(B) state board; and**
 5 **(C) legislative council in an electronic format under**
 6 **IC 5-14-6.**
 7 **(f) The department:**
 8 **(1) shall conduct research for the study described in**
 9 **subsection (d) after a review of the research methodology by**
 10 **the Indiana technical advisory committee;**
 11 **(2) may include the use of summative and formative data sets**
 12 **in conducting the study under subsection (d); and**
 13 **(3) may use a third party vendor in conducting the study**
 14 **under subsection (d).**
 15 **(g) This section expires January 1, 2023.**
 16 SECTION 16. IC 20-31-1-1, AS AMENDED BY P.L.92-2020,
 17 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2021]: Sec. 1. This article applies only to the following:
 19 (1) Except as provided in IC 20-31-4.1-3, public schools.
 20 (2) Except as provided in IC 20-31-7, ~~and IC 20-31-9~~; state
 21 accredited nonpublic schools.
 22 SECTION 17. IC 20-31-2-7, AS AMENDED BY P.L.223-2015,
 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2021]: Sec. 7. "Plan" refers to any of the following:
 25 (1) A strategic and continuous school improvement and
 26 achievement plan established under this article for a school or
 27 school corporation.
 28 (2) A plan to establish an innovation network school to improve
 29 school performance under IC 20-25.7.
 30 (3) ~~A plan to establish a transformation zone under~~
 31 ~~IC 20-31-9.5-9.5.~~
 32 (4) ~~Any plan approved by the state board for the turnaround of a~~
 33 ~~school or school corporation.~~
 34 SECTION 18. IC 20-31-2-9 IS REPEALED [EFFECTIVE JULY 1,
 35 2021]. Sec. 9. "Special management team" means an entity that is
 36 assigned by the state board under ~~IC 20-31-9-4(b)(1)(B)~~ to manage a
 37 turnaround academy in whole or in part.
 38 SECTION 19. IC 20-31-2-9.5 IS REPEALED [EFFECTIVE JULY
 39 1, 2021]. Sec. 9.5. "Transformation zone" means a school corporation
 40 that has submitted, through its governing body and to the state board,
 41 a plan and has been approved to operate under such a plan under
 42 ~~IC 20-31-9.5-9.5.~~



1 SECTION 20. IC 20-31-2-10 IS REPEALED [EFFECTIVE JULY
2 1, 2021]. ~~Sec. 10: "Turnaround academy" means a school that is subject~~
3 ~~to IC 20-31-9.5 and for the purpose of federal funding only, is~~
4 ~~considered a local educational agency.~~

5 SECTION 21. IC 20-31-8-1, AS AMENDED BY P.L.192-2018,
6 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2021]: Sec. 1. (a) The performance of a school's students on
8 the statewide assessment program test and other **criterion referenced**
9 **benchmark** assessments recommended by the department of education
10 and approved by the state board are the primary and majority means of
11 assessing a school's improvement. **The state board may, and is**
12 **encouraged to, incorporate social studies and science as indicators**
13 **for assessing school improvement.**

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

26 (d) The department of education may consider:

27 (1) the likelihood that a student may fail a graduation exam
28 (before July 1, 2022) or fail to meet a postsecondary readiness
29 competency established by the state board under
30 IC 20-32-4-1.5(c) and require a graduation waiver under
31 IC 20-32-4-4, IC 20-32-4-4.1, or IC 20-32-4-5; and

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

35 when making recommendations under this section.

36 SECTION 22. IC 20-31-8-3, AS AMENDED BY P.L.86-2018,
37 SECTION 181, IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The state board shall establish
39 a number of categories, using an "A" through "F" grading scale, to
40 designate **school performance. In addition, the state board may**
41 **assign each domain, indicator, or measure used to assess school**
42 **performance a separate and distinct category or designation.**



1 performance based on the individual student academic performance
2 and growth to proficiency in each school:

3 (b) The state board, in consultation with the department, shall define
4 "low population schools" and shall determine the criteria for placing
5 low population schools in categories established under subsection (a).
6 In setting the definition and criteria for low population schools, the
7 state board shall not penalize schools based on population. ~~An eligible~~
8 ~~school (as defined in IC 20-51-1-4.7) may not be penalized under~~
9 ~~IC 20-51-4-9 for the sole reason that the eligible school is considered~~
10 ~~a low population school under this subsection.~~ The state board's
11 definition and criteria may include the placement of a school that fits
12 the state board's definition in a "null" or "no letter grade" category.

13 (c) In developing metrics for the categories established under
14 subsection (a), the state board, in consultation with the department, to
15 the extent not inconsistent with federal law, shall consider the severity
16 of tested students' disabilities when using statewide assessment scores
17 as a means of assessing school performance.

18 (d) In developing metrics for the categories established under
19 subsection (a), the state board shall consider the mobility of high
20 school students who are credit deficient and whether any high school
21 should be rewarded for enrolling credit deficient students or penalized
22 for transferring out credit deficient students.

23 SECTION 23. IC 20-31-8-5.5 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) Not later than July 1,**
26 **2024, the state board shall do the following:**

27 (1) **Establish a compilation of longitudinal data indicating**
28 **school performance success in various selected and**
29 **enumerated program areas.**

30 (2) **Present the data described in subdivision (1) for each**
31 **school in a manner that:**

32 (A) **can be conveniently and easily accessed from a single**
33 **web page on the state board's Internet web site; and**

34 (B) **is commonly known as an Internet dashboard.**

35 (b) **The dashboard must include the following:**

36 (1) **Indicators of student performance in elementary school,**
37 **including schools for grades 6 through 8, and high school.**

38 (2) **The school's graduation rate, as applicable.**

39 (3) **The percentage of high school graduates who earned**
40 **college credit before graduating, as applicable.**

41 (4) **The pass rate of the statewide assessment program tests**
42 **(as defined in IC 20-32-2-2.3), as applicable.**



- 1 **(5) The growth data of the statewide assessment program tests**
- 2 **(as defined in IC 20-32-2-2.3), as applicable.**
- 3 **(6) The attendance rate.**
- 4 **(7) State, national, and international comparisons for the**
- 5 **indicators, if applicable.**
- 6 **(c) The dashboard may include any other data indicating school**
- 7 **performance success that the state board determines is relevant.**
- 8 **(d) Each school shall post on a web page maintained on the**
- 9 **school's Internet web site the exact same data and in a similar**
- 10 **format as the data presented for the school on the state board's**
- 11 **Internet web site. However, the school may include custom**
- 12 **indicators on the web page described in this subsection.**
- 13 SECTION 24. IC 20-31-9 IS REPEALED [EFFECTIVE JULY 1,
- 14 2021]. (Consequences).
- 15 SECTION 25. IC 20-31-9.5-0.5 IS REPEALED [EFFECTIVE JULY
- 16 1, 2021]. Sec. 0.5: (a) The state board must approve any contracts
- 17 necessary to implement IC 20-31-9 and this chapter.
- 18 (b) The state board may direct the department to assist the state
- 19 board with the state board's duties under IC 20-31-9 and this chapter,
- 20 including; but not limited to:
- 21 (1) providing data to the state board that the state board
- 22 determines is necessary to execute such duties; and
- 23 (2) entering into contracts as determined by the state board.
- 24 SECTION 26. IC 20-31-9.5-1 IS REPEALED [EFFECTIVE JULY
- 25 1, 2021]. Sec. 1: (a) None of the following may be considered a school
- 26 employer under IC 20-29-2-15 with respect to a turnaround academy:
- 27 (1) The state;
- 28 (2) The state board;
- 29 (3) A special management team assigned by the state board under
- 30 IC 20-31-9-4.
- 31 (b) A special management team assigned under IC 20-31-9-4 shall
- 32 make all personnel decisions in the school. In operating a school as a
- 33 turnaround academy under this chapter, a special management team is
- 34 not bound by a contract entered into under IC 20-29.
- 35 SECTION 27. IC 20-31-9.5-2 IS REPEALED [EFFECTIVE JULY
- 36 1, 2021]. Sec. 2: (a) If the state board assigns a special management
- 37 team under IC 20-31-9-4 to operate a school as a turnaround academy,
- 38 for as long as the special management team operates the turnaround
- 39 academy the following requirements apply:
- 40 (1) The special management team has the right to use any school
- 41 building and all facilities and property otherwise part of the
- 42 school and recognized as part of the facilities or assets of the



1 school before its placement as a turnaround academy, including
 2 the building's contents, equipment, and supplies, and is entitled
 3 access to such additional facilities as were typically available to
 4 the school and its students, faculty, and staff before its placement
 5 as a turnaround academy. The special management team shall
 6 maintain and repair the buildings and grounds in a manner that is
 7 at least consistent with the maintenance and repair of the other
 8 buildings and grounds within the school corporation. The special
 9 management team shall maintain the building's contents and
 10 equipment in a reasonable manner.

11 (2) The special management team shall receive, control, and
 12 expend a pro rata share of the property tax revenue distributed to
 13 the school corporation under IC 6-1.1-27-1. The amount of
 14 property tax revenue shall be calculated by the department of
 15 local government finance on the basis of student enrollment for
 16 students attending that school who have legal settlement in the
 17 taxing unit other than the amount obligated to pay for existing
 18 debt service. The school corporation shall remit this amount to the
 19 special management team at a frequency determined by the state
 20 board in consultation with the department and the school
 21 corporation. This subsection does not apply if the school
 22 corporation provides services and funding to the special
 23 management team pursuant to an operations, maintenance, and
 24 repair agreement entered into before July 1, 2015.

25 (3) The special management team shall either:
 26 (A) provide transportation for students attending the
 27 turnaround academy; or
 28 (B) contract with the school corporation to provide
 29 transportation for students attending the turnaround academy.
 30 Transportation must be provided at the same level of service the
 31 school corporation provided before the school became a
 32 turnaround academy.

33 (b) The school corporation:
 34 (1) may not take action adverse to the special management team's
 35 operation of the school, including, but not limited to, taking action
 36 to dispose of or cloud the title of the real property on which the
 37 school is located or removing or disposing of personal property
 38 located in or assigned to the school; and
 39 (2) shall, not later than forty-five (45) days after the state board
 40 executes a contract with a special management team under section
 41 7 of this chapter, provide to the special management team all
 42 student records and other data in a manner consistent with the



1 federal Family Educational Rights and Privacy Act (20 U.S.C.
2 1232g and 34 CFR Part 99) for the students who attended the
3 school immediately before the school qualified for intervention
4 under IC 20-31-9.

5 (c) If the special management team contracts with a school
6 corporation for goods or services; the school corporation may not
7 charge the special management team more for the goods or services
8 than the school corporation pays for the goods or services:

9 (d) If the state board determines that the school corporation has not
10 complied with any provision of subsection (b) or (c); the state board
11 may order the department:

12 (1) to withhold from the school corporation additional state funds
13 otherwise to be distributed to the school corporation; and

14 (2) to distribute those funds to the special management team;

15 in order to permit the special management team to operate the school
16 notwithstanding the school corporation's noncompliance with
17 subsection (b) or (c):

18 (e) The special management team and the school corporation's board
19 shall hold a joint public meeting at least two (2) times each year to
20 discuss issues and progress concerning the turnaround academy:

21 SECTION 28. IC 20-31-9.5-3 IS REPEALED [EFFECTIVE JULY
22 1, 2021]. Sec. 3: (a) Turnaround academies are eligible to receive
23 building and technology loans administered by the state board from the
24 common school fund:

25 (b) A student who attends a turnaround academy or another school
26 subject to intervention under this chapter remains; under IC 20-43-4-1;
27 an eligible pupil of the school corporation where the student has legal
28 settlement:

29 (c) The state board; based upon recommendations received from the
30 department; shall determine the amounts of state tuition support and
31 federal funds that are necessary to fund options for improvement
32 implemented by the state board under this chapter with respect to each
33 turnaround academy:

34 (d) The department shall do the following:

35 (1) Present recommendations for state tuition support and federal
36 funding amounts to the state board before the start of each fiscal
37 year for each year during the intervention at a schedule
38 determined by the state board:

39 (2) Withhold from state tuition support and federal funds
40 otherwise to be distributed to the school corporation of the school
41 operated as a turnaround academy under this chapter the amount
42 determined under subsection (c) for the affected students. The



1 amount withheld under this subdivision may not exceed the total
2 per pupil funding for the affected students:

3 (3) Enter into any contracts necessary to implement the options
4 for improvement implemented for the school by the state board;
5 including contracts with a special management team assigned
6 under IC 20-31-9-4 to operate the school as a turnaround
7 academy. All contracts are subject to approval by the state board
8 before execution. All contracts must be submitted to the state
9 board for the state board's approval at least sixty (60) days prior
10 to execution.

11 (4) Make payments under the contracts entered into under
12 subdivision (3) with funds withheld from the school corporation
13 under subdivision (2):

14 SECTION 29. IC 20-31-9.5-4 IS REPEALED [EFFECTIVE JULY
15 1, 2021]. Sec. 4. Any student who lives in the attendance area served
16 by a school that is operated as a turnaround academy under this chapter
17 may attend the turnaround academy. The turnaround academy may not
18 refuse enrollment to a student who lives in the attendance area.

19 SECTION 30. IC 20-31-9.5-7 IS REPEALED [EFFECTIVE JULY
20 1, 2021]. Sec. 7. (a) If the state board assigns a special management
21 team, the department shall enter into a contract with a special
22 management team. The terms of the contract must specify the
23 following:

24 (1) A requirement that the special management team and the
25 governing body conduct a public meeting two (2) times each year
26 to provide a report concerning:

27 (A) student achievement of affected students; and

28 (B) the condition of the school property and to address issues
29 related to the school property.

30 (2) The amount of local, state, and federal funding, including
31 tuition support, to be distributed to the school.

32 (3) A requirement that the student instruction must be provided
33 by teachers licensed under IC 20-28-5:

34 (4) The performance goals and accountability metrics agreed
35 upon for the school:

36 (5) Grounds for termination of the contract, including the right of
37 termination if the special management team fails to do any of the
38 following:

39 (A) Comply with the conditions or procedures established in
40 the contract.

41 (B) Meet the state's financial management and government
42 accounting requirements:



- 1 (C) Comply with applicable laws:
 2 (D) Meet the performance goals and accountability metrics
 3 agreed upon under subdivision (4):
 4 (b) The special management team shall have full autonomy to
 5 operate the school as provided in the contract described in subsection
 6 (a):
 7 (c) The term of the contract may not exceed five (5) years. The
 8 contract may be extended after the initial term at the direction of the
 9 state board.
 10 (d) Individuals employed by the special management team are
 11 entitled to participate in:
 12 (1) the state teachers' retirement fund created by IC 5-10.4;
 13 (2) the public employees' retirement fund created by IC 5-10.3; or
 14 (3) another employee pension or retirement fund.
 15 SECTION 31. IC 20-31-9.5-9.5, AS ADDED BY P.L.223-2015,
 16 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2021]: Sec. 9.5. (a) The governing body of a school that has
 18 been placed in the lowest two (2) categories or designations may
 19 submit a plan to the state board to create a transformation zone within
 20 the school corporation. A plan may be developed with the assistance of
 21 the department. **After June 30, 2021, the state board may not use the**
 22 **establishment of a transformation zone under this section as an**
 23 **intervention in a particular school corporation to improve school**
 24 **performance.**
 25 (b) The state board shall grant the designation as a transformation
 26 zone unless the state board concludes that the submitted plan does not
 27 substantially meet the criteria set forth in this section. All plans must
 28 be submitted to the state board not later than April 15, 2016, or April
 29 15 each year thereafter. All plans must be approved or denied by the
 30 state board not later than July 1 of the first year of implementation.
 31 (c) Each plan must include the following information:
 32 (1) An organizational chart that demonstrates that the leader of
 33 the transformation zone reports directly to the school corporation's
 34 superintendent.
 35 (2) A description of the innovations the school corporation will
 36 implement, which may include:
 37 (A) innovations in school staffing;
 38 (B) curriculum and nonmandated assessments;
 39 (C) class scheduling;
 40 (D) the length of the school day or year;
 41 (E) the use of financial and other resources;
 42 (F) teacher recruitment, employment, and compensation; and



- 1 (G) other innovations.
- 2 (3) The objective annual student performance and growth or
3 improvement performance gains that the school corporation
4 expects to achieve over the next five (5) years.
- 5 (4) A budget demonstrating financial sustainability of the
6 transformation zone. ~~without the use of special turnaround~~
7 ~~funding at the end of the fifth year of operation, with lower~~
8 ~~amounts of special turnaround funding in the fourth and fifth~~
9 ~~years.~~
- 10 (5) A description of any regulatory or district policy requirements,
11 subject to ~~the~~ the state board's approval, that would need to be
12 waived for the school corporation to implement the
13 transformation zone.
- 14 (d) Subject to subsection (e), a school within the transformation
15 zone ~~that is not operated by a special management team~~ is not subject
16 to IC 20-29 unless the school corporation voluntarily recognizes an
17 exclusive representative under IC 20-29-5-2. If the school corporation
18 voluntarily recognizes an exclusive representative under IC 20-29-5-2,
19 the school corporation may authorize a school within the
20 transformation zone to opt out of bargaining allowable subjects or
21 discussing discussion items by specifying the excluded items on the
22 notice required under IC 20-29-5-2(b). Such notice must be provided
23 to the education employment relations board at the time of the notice's
24 posting.
- 25 (e) Subsection (d) applies only to a school that has been designated
26 as a transformation zone following the third consecutive year in the
27 lowest performance category or designation.
- 28 (f) All plans approved under this chapter shall be sent by the state
29 board to the education employment relations board not later than
30 fifteen (15) days after the plan's approval.
- 31 SECTION 32. IC 20-31-9.5-11 IS REPEALED [EFFECTIVE JULY
32 1, 2021]. ~~Sec. 11. (a) At the time of the initial intervention or at any~~
33 ~~point during the intervention, the state board may approve a written~~
34 ~~request from a special management team to:~~
- 35 (1) ~~expand the grades offered at the school occupied by the~~
36 ~~special management team; and~~
- 37 (2) ~~operate a charter school managed by the special management~~
38 ~~team within the same facility;~~
- 39 ~~if the state board determines that academic outcomes or financial~~
40 ~~sustainability of the turnaround academy will improve through~~
41 ~~implementing the request.~~
- 42 (b) ~~A written request under subsection (a) must include all of the~~



- 1 following:
- 2 (1) An analysis of any building modifications that would be
- 3 necessary to serve various ages of students and corporation
- 4 approval of the modifications.
- 5 (2) Plans for ensuring safety of younger aged students when the
- 6 younger students are in shared space with older students.
- 7 (3) Specific year by year academic goals for the original affected
- 8 students and the additional grade levels of students, disaggregated
- 9 by grade.
- 10 (c) The state board shall hold a public hearing, located in the facility
- 11 proposed to be used, before approval of any request made under this
- 12 section.
- 13 SECTION 33. IC 20-32-5.1-17, AS AMENDED BY P.L.155-2020,
- 14 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 UPON PASSAGE]: Sec. 17. (a) The state board shall approve two (2)
- 16 or more benchmark, formative, interim, or similar assessments to
- 17 identify students that require remediation and provide individualized
- 18 instruction in which a school corporation, charter school, state
- 19 accredited nonpublic school, or eligible school (as defined in
- 20 IC 20-51-1-4.7) may receive a grant under subsection ~~(c)~~: **(g)**.
- 21 **(b) For a benchmark, formative, interim, or similar assessment**
- 22 **described in subsection (a) that is administered to students in**
- 23 **kindergarten through grade 2, the assessment must meet one (1) or**
- 24 **more of the following:**
- 25 **(1) The assessment shows alignment, verified by a third party,**
- 26 **to Indiana's academic standards.**
- 27 **(2) The assessment is a universal screener focusing on literacy**
- 28 **that:**
- 29 **(A) meets the screening requirements listed in**
- 30 **IC 20-35.5-2-2;**
- 31 **(B) shows alignment, verified by a third party, to Indiana's**
- 32 **academic standards for English/language arts domains,**
- 33 **specifically:**
- 34 **(i) reading foundations;**
- 35 **(ii) reading vocabulary;**
- 36 **(iii) reading nonfiction; and**
- 37 **(iv) reading literature; and**
- 38 **(C) received a convincing or partially convincing rating for**
- 39 **accuracy, reliability, and validity by the National Center**
- 40 **on Intensive Intervention.**
- 41 **(3) The assessment focuses on numeracy and shows alignment,**
- 42 **verified by a third party, to Indiana's academic standards for**



1 **mathematical domains, specifically:**

2 **(A) number sense;**

3 **(B) computation and algebraic thinking; and**

4 **(C) measurement.**

5 **(c) For a benchmark, formative, interim, or similar assessment**
 6 **described in subsection (a) that is administered to students in**
 7 **grades 3 through 7, the ~~benchmark, formative, interim, or similar~~ assessment** must show alignment, verified by a third
 8 **assessment** must show alignment, verified by a third
 9 party, to Indiana's academic standards.

10 **(d) For a benchmark, formative, interim, or similar assessment**
 11 **described in subsection (a) that is administered to students in**
 12 **grades 8 through 10, the assessment must show alignment, verified**
 13 **by a third party, to:**

14 **(1) Indiana's academic standards; or**

15 **(2) the nationally recognized college entrance exam required**
 16 **to be administered under section 7 of this chapter.**

17 **(e) The majority of the benchmark, formative, interim, or similar**
 18 **assessment reporting must indicate the degree to which students are on**
 19 **track for grade level proficiency and college and career readiness.**
 20 **Approved assessments must also provide predictive study results for**
 21 **student performance on the statewide assessment under section 7 of**
 22 **this chapter, not later than two (2) years after the summative**
 23 **assessment has been first administered.**

24 **(f) A school corporation, charter school, state accredited**
 25 **nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may**
 26 **elect to administer a benchmark, formative, interim, or similar**
 27 **assessment described in subsection (a). If a school corporation, charter**
 28 **school, state accredited nonpublic school, or eligible school (as defined**
 29 **in IC 20-51-1-4.7) administers an assessment described in subsection**
 30 **(a), the school corporation, charter school, state accredited nonpublic**
 31 **school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe**
 32 **the time and the manner in which the assessment is administered.**

33 **(g) If a school corporation, charter school, state accredited**
 34 **nonpublic school, or eligible school (as defined in IC 20-51-1-4.7)**
 35 **elects to administer a benchmark, formative, interim, or similar**
 36 **assessment described in subsection (a), the school corporation, charter**
 37 **school, state accredited nonpublic school, or eligible school (as defined**
 38 **in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from**
 39 **the department in an amount not to exceed the cost of the assessment.**
 40 **The department shall provide grants and reimbursements to a school**
 41 **corporation, charter school, state accredited nonpublic school, or**
 42 **eligible school (as defined in IC 20-51-1-4.7) under this section from**



1 money appropriated to the department for the purpose of carrying out
2 this section.

3 (d) (h) The state board and the department may not contract with,
4 approve, or endorse the use of a single vendor to provide benchmark,
5 formative, interim, or similar assessments for any grade level or levels
6 of kindergarten through grade 7.

7 (i) **Before the state board may approve a benchmark, formative,
8 interim, or similar assessment described in subsection (a), the
9 assessment vendor must enter into a data share agreement with the
10 department in the manner prescribed by the department.**

11 SECTION 34. IC 20-51-4-9 IS REPEALED [EFFECTIVE JULY 1,
12 2021]. Sec. 9: (a) Except as provided in subsection (b), the department
13 shall enforce the following consequences for an eligible school that is
14 nonpublic:

15 (1) If the school is placed in either of the lowest two (2)
16 categories or designations under IC 20-31-8-3 for two (2)
17 consecutive years, the department shall suspend choice
18 scholarship payments for one (1) year for new students who
19 would otherwise use a choice scholarship to attend the school.

20 (2) If the school is placed in either of the lowest two (2)
21 categories or designations under IC 20-31-8-3 for three (3)
22 consecutive years, the department shall suspend choice
23 scholarship payments for new students who would otherwise use
24 a choice scholarship to attend the school until the school is placed
25 in the middle category or higher category or designation, for two
26 (2) consecutive years.

27 (3) If the school is placed in the lowest category or designation
28 under IC 20-31-8-3 for three (3) consecutive years, the
29 department shall suspend choice scholarship payments for new
30 students who would otherwise use a choice scholarship to attend
31 the school until the school is placed in the middle category or
32 higher category or designation, for three (3) consecutive years.

33 (4) Students who:

34 (A) are currently enrolled at a school described in subdivision
35 (1), (2), or (3); and

36 (B) qualify for a choice scholarship for the upcoming school
37 year;

38 may continue to receive a choice scholarship at the school.

39 (b) An eligible school may submit a request to the state board to
40 waive or delay consequences imposed under subsection (a) for a
41 particular school year. The state board may grant a request to an
42 eligible school that requests a waiver or delay under this subsection if



1 the eligible school demonstrates that a majority of students in the
 2 eligible school demonstrated academic improvement during the
 3 preceding school year. A waiver or delay granted to an eligible school
 4 under this subsection is for one (1) school year only. An eligible school
 5 must make an additional request under this subsection to the state
 6 board to receive further delay or waiver of consequences imposed
 7 under subsection (a):

8 (c) This section may not be construed to prevent a student enrolled
 9 in a school subject to this section from applying for a choice
 10 scholarship in the future at another eligible school:

11 SECTION 35. P.L.2-2020, SECTION 1, IS AMENDED TO READ
 12 AS FOLLOWS [EFFECTIVE JULY 1, 2020 (RETROACTIVE)]:
 13 SECTION 1. (a) The definitions in IC 20 apply throughout this
 14 SECTION.

15 (b) Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, a school's or
 16 school corporation's category or designation of school or school
 17 corporation performance assigned by the state board under
 18 IC 20-31-8-4 for the 2018-2019 school year shall be calculated in the
 19 manner provided in 511 IAC 6.2-10, with the exception that a school's
 20 or school corporation's category or designation of school or school
 21 corporation performance for the 2018-2019 school year may not be
 22 lower than the school's or school corporation's category or designation
 23 of school or school corporation performance for the 2017-2018 school
 24 year.

25 (c) Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, a school's or
 26 school corporation's category or designation of school or school
 27 corporation performance assigned by the state board under
 28 IC 20-31-8-4 for the 2019-2020 school year shall be calculated in the
 29 manner provided in 511 IAC 6.2-10, with the exception that a school's
 30 or school corporation's category or designation of school or school
 31 corporation performance for the 2019-2020 school year is the higher of
 32 a school's or school corporation's category or designation of school or
 33 school corporation performance:

34 (1) determined under subsection (b); or

35 (2) for the 2019-2020 school year as determined under
 36 IC 20-31-8.

37 (d) **Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, the state**
 38 **board shall assign to a school or school corporation a "null" or "no**
 39 **letter grade" for the 2020-2021 school year. However, the most**
 40 **recent results of the school's ILEARN assessment must be included**
 41 **on the school's Internet web site.**

42 (e) Notwithstanding IC 20-31-8 and 511 IAC 6.3-1, the state



1 **board shall assign an adult high school a "null" or "no letter**
 2 **grade" category for the 2020-2021 school year.**

3 (d) (f) Notwithstanding IC 20-31-9, and except as otherwise
 4 provided in this subsection, a school's category or designation of school
 5 performance assigned by the state board under subsection (b) or (c)
 6 may not be used in the determination of consequences under
 7 IC 20-31-9. The school's category or designation of school performance
 8 for the 2020-2021 school year shall be considered the category or
 9 designation for the school year immediately following the 2017-2018
 10 school year for purposes of applying consequences under IC 20-31-9
 11 for a school that has been placed in the lowest category or designation
 12 of school performance under subsections (b) and (c). However, a
 13 school may petition the state board, and the state board shall grant the
 14 school's petition to use the grade assigned to the school under
 15 subsection (b) or (c) for purposes of applying IC 20-31-9.

16 (e) (g) Notwithstanding IC 20-51-4-9, and except as otherwise
 17 provided in this subsection, an eligible school's (as defined in
 18 IC 20-51-1-4.7) category or designation of school performance under
 19 subsection (b) or (c) may not be used in the determination of
 20 consequences under IC 20-51-4-9 if the eligible school is placed in
 21 either of the two (2) lowest categories or designations of school
 22 performance under subsection (b) or (c). The eligible school's category
 23 or designation of school performance for the 2020-2021 school year
 24 shall be considered the category or designation for the school year
 25 immediately following the 2017-2018 school year for purposes of
 26 applying consequences under IC 20-51-4-9 for an eligible school that
 27 has been placed in the two (2) lowest categories or designations of
 28 school performance under subsections (b) and (c). However, an eligible
 29 school may petition the state board, and the state board shall grant the
 30 eligible school's petition to use the eligible school's category or
 31 designation of school performance assigned under subsection (b) or (c)
 32 for purposes of applying IC 20-51-4-9.

33 (f) (h) Notwithstanding IC 20-24-2.2-2, a charter school's category
 34 or designation of school performance for the 2020-2021 school year
 35 shall be considered the category or designation for the school year
 36 immediately following the 2017-2018 school year for purposes of
 37 applying IC 20-24-2.2-2(a) for a charter school that has been placed in
 38 the lowest category or designation of school performance under
 39 subsection (b) or (c). However, a charter school may petition the state
 40 board, and the state board shall grant the charter school's petition to use
 41 the charter school's category or designation of school performance



1 assigned under subsection (b) or (c) for purposes of applying IC 20-24-2.2-2(a).

2 ~~(g)~~ (i) This SECTION expires January 1, 2023: 2024.

3 SECTION 36. [EFFECTIVE UPON PASSAGE] (a) **The definitions**
4 **used in IC 20 apply throughout this SECTION.**

5 (b) **Subject to subsection (c), consequences to which a school is**
6 **subject on June 30, 2021, under IC 20-31-9, before its repeal by this**
7 **act on July 1, 2021, are null and void after June 30, 2021.**

8 (c) **A school subject to consequences under IC 20-31-9, before its**
9 **repeal by this act on July 1, 2021, may petition the state board, in**
10 **a manner prescribed by the state board, to continue assistance**
11 **required or authorized by the state board under IC 20-31-9, before**
12 **its repeal by this act, as if IC 20-31-9 were not repealed by this act.**

13 (d) **This SECTION expires July 1, 2026.**

14 SECTION 37. [EFFECTIVE UPON PASSAGE] (a) **The legislative**
15 **council is urged to assign to an appropriate study committee for**
16 **the 2022 interim and the 2023 interim the task of studying the**
17 **information in the reports submitted by the department of**
18 **education under IC 20-26-5-40.6(e), as added by this act.**

19 (b) **This SECTION expires January 1, 2023.**

20 SECTION 38. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1514, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1514 as introduced.)

BEHNING

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1514, 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 20-19-9-2, AS ADDED BY P.L.211-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The state board may adopt rules under IC 4-22-2 to establish requirements regarding virtual education programs, including the following:

- (1) Minimum requirements for the mandatory annual onboarding process and orientation required under section 3 of this chapter.
- (2) Requirements relating to tracking and monitoring student participation and attendance.
- (3) Ongoing student engagement and counseling policy requirements.
- (4) Employee policy requirements, including professional development requirements.

(b) The state board may adopt rules under IC 4-22-2 to establish requirements that a vendor described in section 7(a) of this chapter



must meet to receive approval by the department under section 7 of this chapter.

SECTION 2. IC 20-19-9-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. (a) A school corporation may not enter into or renew a contract with an outside vendor to operate or manage a dedicated virtual education school of the school corporation unless the vendor is approved by the department.**

(b) The department may approve a vendor described in subsection (a) if the vendor applies for approval on a form and in a manner established by the department."

Page 12, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 17. IC 20-26-5-40.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 40.6. (a) This section does not apply to a virtual charter school (as defined in IC 20-24-1-10).**

(b) As used in this section, "virtual instruction" means instruction that is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both.

(c) Not later than August 1, 2021, and not later than August 1, 2022, each governing body of a school corporation and the equivalent for each charter school shall submit to the department a report that includes the following information for each semester of the immediately preceding school year:

(1) The following regarding virtual instruction:

(A) Whether the school corporation or charter school provided virtual instruction to students of the school corporation or charter school.

(B) If a school corporation or charter school provided virtual instruction under clause (A), the following information:

(i) The grade levels for which virtual instruction was provided.

(ii) The total number and percentage of students who received full-time virtual instruction and the number and percentage of students who received hybrid instruction in which instructional time included virtual instruction part of the time and in person instruction part of the time.

(iii) The numbers and percentages described in item (ii), disaggregated by grade level.



- (iv) The number of days that the school corporation or charter school provided only full-time virtual instruction to students, disaggregated by grade level.
 - (v) The number of days that the school corporation or charter school provided only hybrid instruction to students, disaggregated by grade level.
 - (vi) Whether virtual instruction was provided through synchronous learning or asynchronous learning.
 - (vii) The status of student home Internet access.
 - (viii) Student access to electronic devices, including device to student ratio.
- (2) If a school corporation or charter school provided virtual instruction as described in subdivision (1)(A), the following information:
- (A) The total amount by which the school corporation or charter school reduced or increased expenditures in each of the following categories as a result of providing virtual instruction:
 - (i) Utilities.
 - (ii) Transportation.
 - (iii) Food service.
 - (iv) Salary and fringe benefits for personnel, including hiring or dismissal of school employees.
 - (v) Termination of any contracts.
 - (vi) Technology support.
 - (vii) Curriculum and other instructional materials.
 - (viii) Professional development, training, and teacher support.
 - (ix) Student support services.
 - (B) The total amount by which the school corporation or charter school reduced or increased expenditures each semester.
- (3) Whether the governing body of the school corporation or the equivalent for a charter school elected to provide virtual instruction to students or was required by another state or local agency or entity to provide virtual instruction to students.
- (4) Any data requested by the department to conduct the learning loss study described in subsection (d).
- (5) Any other information required by the department.
- (d) Subject to subsection (f), the department shall, in collaboration with the state board, conduct a learning loss study



regarding students in kindergarten through grade 10 for the 2020-2021 school year and the 2021-2022 school year. The study shall include the following:

- (1) Which specific domains have significant learning loss for students in kindergarten through grade 10.
 - (2) What differences exist in:
 - (A) domain performance;
 - (B) domain growth; or
 - (C) both domain performance and domain growth;
 for specific subgroups, including students with disabilities and English language learners.
 - (3) What learning gaps are present in foundational skills, specifically literacy and numeracy for early grade levels.
 - (4) What are the overall student learning loss or gaps in education in Indiana due to the disruption in student education caused by the coronavirus disease (COVID-19).
 - (5) Any conclusions or recommendations to address student learning loss or gaps in education, including recommendations regarding remediation.
- (e) The department shall do the following:
- (1) Prepare a report regarding the 2020-2021 school year and a report regarding the 2021-2022 school year that includes:
 - (A) the information submitted to the department under subsection (c); and
 - (B) information regarding the study described in subsection (d), including any conclusions and recommendations as described in subsection (d)(5).
 - (2) Not later than December 1, 2021, submit the report regarding the 2020-2021 school year and not later than December 1, 2022, submit the report regarding the 2021-2022 school year to the:
 - (A) governor;
 - (B) state board; and
 - (C) legislative council in an electronic format under IC 5-14-6.
- (f) The department:
- (1) shall conduct research for the study described in subsection (d) after a review of the research methodology by the Indiana technical advisory committee;
 - (2) may include the use of summative and formative data sets in conducting the study under subsection (d); and



(3) may use a third party vendor in conducting the study under subsection (d).

(g) This section expires January 1, 2023."

Page 14, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 25. IC 20-31-8-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) Not later than July 1, 2024, the state board shall do the following:**

(1) Establish a compilation of longitudinal data indicating school performance success in various selected and enumerated program areas.

(2) Present the data described in subdivision (1) for each school in a manner that:

(A) can be conveniently and easily accessed from a single web page on the state board's Internet web site; and

(B) is commonly known as an Internet dashboard.

(b) The dashboard must include the following:

(1) Indicators of student performance in elementary school, including schools for grades 6 through 8, and high school.

(2) The school's graduation rate, as applicable.

(3) The percentage of high school graduates who earned college credit before graduating, as applicable.

(4) The pass rate of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.

(5) The growth data of the statewide assessment program tests (as defined in IC 20-32-2-2.3), as applicable.

(6) The attendance rate.

(7) State, national, and international comparisons for the indicators, if applicable.

(c) The dashboard may include any other data indicating school performance success that the state board determines is relevant.

(d) Each school shall post on a web page maintained on the school's Internet web site the exact same data and in a similar format as the data presented for the school on the state board's Internet web site. However, the school may include custom indicators on the web page described in this subsection."

Page 15, delete lines 1 through 3.

Page 21, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 35. IC 20-32-5.1-17, AS AMENDED BY P.L.155-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17. (a) The state board shall approve two (2)**



or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection ~~(c)~~: **(g)**.

(b) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in kindergarten through grade 2, the assessment must meet one (1) or more of the following:

(1) The assessment shows alignment, verified by a third party, to Indiana's academic standards.

(2) The assessment is a universal screener focusing on literacy that:

(A) meets the screening requirements listed in IC 20-35.5-2-2;

(B) shows alignment, verified by a third party, to Indiana's academic standards for English/language arts domains, specifically:

(i) reading foundations;

(ii) reading vocabulary;

(iii) reading nonfiction; and

(iv) reading literature; and

(C) received a convincing or partially convincing rating for accuracy, reliability, and validity by the National Center on Intensive Intervention.

(3) The assessment focuses on numeracy and shows alignment, verified by a third party, to Indiana's academic standards for mathematical domains, specifically:

(A) number sense;

(B) computation and algebraic thinking; and

(C) measurement.

(c) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in grades 3 through 7, the ~~benchmark, formative, interim, or similar assessments~~ assessment must show alignment, verified by a third party, to Indiana's academic standards.

(d) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in grades 8 through 10, the assessment must show alignment, verified by a third party, to:

(1) Indiana's academic standards; or



(2) the nationally recognized college entrance exam required to be administered under section 7 of this chapter.

(e) The majority of the **benchmark, formative, interim, or similar** assessment reporting must indicate the degree to which students are on track for grade level proficiency and college and career readiness. Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(f) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(g) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(h) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

(i) Before the state board may approve a benchmark, formative, interim, or similar assessment described in subsection (a), the assessment vendor must enter into a data share agreement with the department in the manner prescribed by the department."

Page 24, line 5, after "were" insert "**not**".

Page 24, between lines 6 and 7, begin a new paragraph and insert:
"SECTION 39. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate study



committee for the 2022 interim and the 2023 interim the task of studying the information in the reports submitted by the department of education under IC 20-26-5-40.6(e), as added by this act.

(b) This SECTION expires January 1, 2023."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1514 as printed February 4, 2021.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1514 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 9.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1514 as printed April 2, 2021.)

RAATZ

