



April 5, 2019

ENGROSSED HOUSE BILL No. 1630

DIGEST OF HB 1630 (Updated April 3, 2019 8:21 pm - DI 110)

Citations Affected: IC 20-19; IC 20-24; IC 20-25.7; IC 20-31; IC 20-32; noncode.

Synopsis: Various education matters. Provides that the state board of education (state board) may approve assigning a new identification number for a school that is in operation and requests a new number. Provides that the department of education (department) may assign an identification number to a new school upon the new school's request. Requires the state board to adopt rules to establish criteria that a school must meet to be considered a new school for identification number purposes. Voids 511 IAC 6.2-10-10. Provides that, after June 30, 2019, the state board may not use student growth as the exclusive means used in determining a school's final accountability category. Provides that, upon request beginning with the 2019-2020 school year, the department shall place certain innovation network schools and innovation network charter schools in a "null" or "no letter grade" category for purposes of assessing school performance for a certain number of years, consecutively, unless an innovation network school
(Continued next page)

Effective: Upon passage.

Behning, Clere, DeVon, Smith V

(SENATE SPONSORS — BUCHANAN, SPARTZ, MELTON, KRUSE,
RAATZ)

January 24, 2019, read first time and referred to Committee on Education.
February 18, 2019, amended, reported — Do Pass.
February 20, 2019, read second time, ordered engrossed. Engrossed.
February 21, 2019, read third time, passed. Yeas 97, nays 2.

SENATE ACTION

March 7, 2019, read first time and referred to Committee on Education and Career Development.
April 4, 2019, amended, reported favorably — Do Pass.

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Digest Continued

or innovation network charter school requests otherwise. Provides that, if requested by a school, the department may place the school in a "null" or "no letter grade" category for purposes of assessing school performance for the first three consecutive years of operation of the school. Adds Cambridge International exams as a postsecondary readiness competency that may be approved by the state board as a graduation pathway. Requires the state board to approve two or more benchmark, formative, interim, or similar assessments to identify students that require remediation. (Current law requires that the state board approve two or more benchmark assessments to identify students that require remediation.) Provides that, if a benchmark, formative, interim, or similar assessment is offered by: (1) a vendor that provides the statewide assessment; or (2) any of the vendor's subsidiaries or partners; a school corporation, charter school, state accredited nonpublic school, or eligible choice scholarship school is not eligible for a grant for the costs of the benchmark, formative, interim, or similar assessment. Prohibits the state board and department from contracting with, approving, or endorsing the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 12.



April 5, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1630

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-19-2-22 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 22. (a) If:**
4 (1) **a school is in operation; and**
5 (2) **the school requests a new identification number for the**
6 **school;**
7 **the state board may approve assigning a new identification number**
8 **for the school.**
9 (b) **In determining whether to approve a new identification**
10 **number for a school under this section, the state board may**
11 **consider a school's history of student growth and performance for**
12 **that particular school because:**
13 (1) **the school is reopening;**
14 (2) **the school is reconfigured; or**
15 (3) **the school corporation redistributes students.**
16 (c) **The state board shall adopt rules under IC 4-22-2 to**
17 **establish criteria that a school must meet to be considered a new**

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1 **school under IC 20-19-3-4(d).**

2 SECTION 2. IC 20-19-3-4, AS AMENDED BY P.L.65-2016,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 4. (a) The department shall:

- 5 (1) perform the duties required by statute;
6 (2) implement the policies and procedures established by the state
7 board;
8 (3) conduct analytical research to assist the state board in
9 determining the state's educational policy;
10 (4) compile statistics concerning the ethnicity, gender, and
11 disability status of students in Indiana schools, including statistics
12 for all information that the department receives from school
13 corporations on enrollment, number of suspensions, and number
14 of expulsions; and

15 (5) provide technical assistance to school corporations.

16 (b) In compiling statistics by gender, ethnicity, and disability status
17 under subsection (a)(4), the department shall also categorize
18 suspensions and expulsions by cause as follows:

- 19 (1) Alcohol.
20 (2) Drugs.
21 (3) Deadly weapons (other than firearms).
22 (4) Handguns.
23 (5) Rifles or shotguns.
24 (6) Other firearms.
25 (7) Tobacco.
26 (8) Attendance.
27 (9) Destruction of property.
28 (10) Legal settlement (under IC 20-33-8-17).
29 (11) Fighting (incident does not rise to the level of battery).
30 (12) A battery offense included in IC 35-42-2.
31 (13) Intimidation (IC 35-45-2-1).
32 (14) Verbal aggression or profanity.
33 (15) Defiance.
34 (16) Other.

35 (c) The department shall provide the state board any data, including
36 fiscal data, as determined by the state board, in a reasonable time frame
37 established by the state board after consultation with the department,
38 necessary to conduct an audit or evaluation of any federal or state
39 supported program principally engaged in the provision of education,
40 including, but not limited to:

- 41 (1) early childhood education;
42 (2) elementary and secondary education;



1 (3) postsecondary education;
 2 (4) special education;
 3 (5) job training;
 4 (6) career and technical education; and
 5 (7) adult education;
 6 or for the enforcement of or compliance with federal legal requirements
 7 related to those education programs as determined by the state board.
 8 The state board and the department are considered state educational
 9 authorities within the meaning of the federal Family Educational Rights
 10 and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99) for the purpose
 11 of allowing the free exchange of information between the department
 12 and the state board.

13 **(d) The department may, upon request by a new school, assign**
 14 **an identification number for the new school.**

15 ~~(d)~~ (e) The department shall develop guidelines necessary to
 16 implement this section.

17 SECTION 3. IC 20-24-3-17, AS AMENDED BY P.L.35-2014,
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 UPON PASSAGE]: Sec. 17. (a) The department shall, **with approval**
 20 **of the state board**, assign a school corporation identification number
 21 for each organizer granted a charter.

22 (b) If an organizer assigned a school corporation identification
 23 number under subsection (a) consists of more than one (1) charter
 24 school, the department, **with approval of the state board**, shall assign
 25 each charter school a separate school identification number.

26 (c) If an organizer assigned a school corporation identification
 27 number under subsection (b) consists of more than one (1) campus, the
 28 department shall assign each campus a separate school identification
 29 number.

30 SECTION 4. IC 20-25.7-4-5, AS AMENDED BY P.L.179-2016,
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 UPON PASSAGE]: Sec. 5. (a) The board shall enter into an agreement
 33 with an innovation network team to establish an innovation network
 34 school or to reconstitute an eligible school as an innovation network
 35 school under section 3 or 4 of this chapter. An innovation network team
 36 may consist of or include teachers, a principal, a superintendent, or any
 37 combination of these individuals who were employed at the eligible
 38 school before the agreement is entered.

39 (b) The terms of the agreement must specify the following:
 40 (1) A statement that the innovation network school is considered
 41 to be part of the school corporation and not considered a separate
 42 local educational agency.



- 1 (2) A statement that the innovation network team authorizes the
 2 department to include the innovation network school's
 3 performance assessment results under IC 20-31-8 when
 4 calculating the school corporation's performance assessment
 5 under rules adopted by the state board.
- 6 (3) The amount of state and federal funding, including tuition
 7 support, and money levied as property taxes that will be
 8 distributed by the school corporation to the innovation network
 9 school.
- 10 (4) The performance goals and accountability metrics agreed
 11 upon for the innovation network school.
- 12 (5) Grounds for termination of the agreement, including the right
 13 of termination if the innovation network team fails to:
- 14 (A) comply with the conditions or procedures established in
 15 the agreement;
- 16 (B) meet generally accepted fiscal management and
 17 government accounting principles;
- 18 (C) comply with applicable laws; or
- 19 (D) meet the educational goals set forth in the agreement
 20 between the board and the innovation network team.
- 21 (c) If an agreement is entered into under subsection (a), the board
 22 shall notify the department that an agreement has been entered into
 23 under this section within thirty (30) days after the agreement is entered
 24 into.
- 25 (d) Upon receipt of the notification under subsection (c), for school
 26 years starting after the date of the agreement:
- 27 (1) the department shall include the innovation network school's
 28 performance assessment results under IC 20-31-8 when
 29 calculating the school corporation's performance assessment
 30 under rules adopted by the state board;
- 31 (2) the department shall treat the innovation network school in the
 32 same manner as a school operated by the school corporation when
 33 calculating the total amount of state and federal funding to be
 34 distributed to the school corporation; and
- 35 (3) if requested by an innovation network school established
 36 under IC 20-25.5-4-2(a)(2) (before its repeal) or
 37 IC 20-25.7-4-4(a)(2), the department may use student growth as
 38 the state board's exclusive means to determine the innovation
 39 network school's category or designation of school improvement
 40 under 511 IAC 6.2-10-10 for a period of three (3) years.
 41 **Beginning with the 2019-2020 school year, the department**
 42 **may not use student growth as the state board's exclusive**



1 **means to determine an innovation network school's category**
 2 **or designation of school improvement. This subdivision**
 3 **expires July 1, 2023.**

4 A school corporation and an innovation network school are not entitled
 5 to any state funding in addition to the amount the school corporation
 6 and school would otherwise be eligible to receive if the innovation
 7 network school were a public school maintained by the school
 8 corporation.

9 SECTION 5. IC 20-25.7-5-2, AS AMENDED BY P.L.86-2018,
 10 SECTION 174, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board may enter into
 12 an agreement with an organizer to reconstitute an eligible school as a
 13 participating innovation network charter school or to establish a
 14 participating innovation network charter school at a location selected
 15 by the board within the boundary of the school corporation.
 16 Notwithstanding IC 20-26-7-1, a participating innovation network
 17 charter school may be established within a vacant school building.

18 (b) The terms of the agreement entered into between the board and
 19 an organizer must specify the following:

20 (1) A statement that the organizer authorizes the department to
 21 include the charter school's performance assessment results under
 22 IC 20-31-8 when calculating the school corporation's performance
 23 assessment under rules adopted by the state board.

24 (2) The amount of state funding, including tuition support (if the
 25 participating innovation network charter school is treated in the
 26 same manner as a school operated by the school corporation
 27 under subsection (d)(2)), and money levied as property taxes that
 28 will be distributed by the school corporation to the organizer.

29 (3) The performance goals and accountability metrics agreed
 30 upon for the charter school in the charter agreement between the
 31 organizer and the authorizer.

32 (c) If an organizer and the board enter into an agreement under
 33 subsection (a), the organizer and the board shall notify the department
 34 that the agreement has been made under this section within thirty (30)
 35 days after the agreement is entered into.

36 (d) Upon receipt of the notification under subsection (c), for school
 37 years starting after the date of the agreement:

38 (1) the department shall include the participating innovation
 39 network charter school's performance assessment results under
 40 IC 20-31-8 when calculating the school corporation's performance
 41 assessment under rules adopted by the state board;

42 (2) the department shall treat the participating innovation network



1 charter school in the same manner as a school operated by the
 2 school corporation when calculating the total amount of state
 3 funding to be distributed to the school corporation unless
 4 subsection (e) applies; and

5 (3) if requested by a participating innovation network charter
 6 school that reconstitutes an eligible school, the department may
 7 use student growth as the state board's exclusive means to
 8 determine the innovation network charter school's category or
 9 designation of school improvement under 511 IAC 6.2-10-10 for
 10 a period of three (3) years. **Beginning with the 2019-2020 school**
 11 **year, the department may not use student growth as the state**
 12 **board's exclusive means to determine an innovation network**
 13 **charter school's category or designation of school**
 14 **improvement. This subdivision expires July 1, 2023.**

15 (e) If a participating innovation network school was established
 16 before January 1, 2016, and for the current school year has a
 17 complexity index that is greater than the complexity index for the
 18 school corporation that the innovation network school has contracted
 19 with, the innovation network school shall be treated as a charter school
 20 for purposes of determining tuition support. This subsection expires
 21 June 30, 2019.

22 SECTION 6. IC 20-31-8-9 IS ADDED TO THE INDIANA CODE
 23 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 24 **UPON PASSAGE]: Sec. 9. After June 30, 2019, the state board may**
 25 **not use student growth as the exclusive means used in determining**
 26 **a school's final accountability category.**

27 SECTION 7. IC 20-31-8-10 IS ADDED TO THE INDIANA CODE
 28 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 29 **UPON PASSAGE]: Sec. 10. (a) If requested by a school, the**
 30 **department may place the school in a "null" or "no letter grade"**
 31 **category for purposes of this chapter for the first three (3)**
 32 **consecutive years of operation of the school.**

33 (b) Subject to subsection (c), if the department used student
 34 growth as the state board's exclusive means to determine an:

35 (1) innovation network school's category or designation of
 36 school improvement under IC 20-25.7-4-5(d)(3) for the
 37 2018-2019 school year; or

38 (2) innovation network charter school's category or
 39 designation of school improvement under IC 20-25.7-5-2(d)(3)
 40 for the 2018-2019 school year;

41 the department shall, beginning with the 2019-2020 school year
 42 and unless an innovation network school or innovation network



1 charter school requests otherwise, place the innovation network
 2 school or the innovation network charter school, whichever is
 3 applicable, in a "null" or "no letter grade" category for purposes
 4 of this chapter for not more than the number of school years
 5 determined for the innovation network school or innovation
 6 network charter school under subsection (c) consecutively. This
 7 subsection expires July 1, 2023.

8 (c) Each innovation network school described in subsection
 9 (b)(1) and each innovation network charter school described in
 10 subsection (b)(2) may not be placed in a "null" or "no letter grade"
 11 category under subsection (b) for more than the number of years
 12 that equal the result of:

13 (1) three (3) school years; minus

14 (2) the number of school years that student growth was used
 15 as the state board's exclusive means to determine the category
 16 or designation of school improvement for the innovation
 17 network school or innovation network charter school.

18 This subsection expires July 1, 2023.

19 (d) The department shall post the proficiency and growth scores
 20 of an innovation network school, an innovation network charter
 21 school, or a school described in subsection (a) on the department's
 22 Internet web site for each year the innovation network school,
 23 innovation network charter school, or school receives a "null" or
 24 "no letter grade" under this section.

25 SECTION 8. IC 20-32-4-1.5, AS AMENDED BY P.L.192-2018,
 26 SECTION 25, AND AS AMENDED BY P.L.174-2018, SECTION 4,
 27 AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL
 28 OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND
 29 AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 30 PASSAGE]: Sec. 1.5. (a) *This section applies after June 30, 2018. This*
 31 *subsection expires July 1, 2022. Except as provided in subsection (f)*
 32 *and sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is*
 33 *required to meet:*

34 (1) *the academic standards tested in the graduation examination;*

35 (2) *the Core 40 course and credit requirements adopted by the*
 36 *state board under IC 20-30-10; and*

37 (3) *any additional requirements established by the governing*
 38 *body;*

39 *to be eligible to graduate.*

40 (b) Except as provided in *subsection (f) and sections 4, 4.1, 5, 6, 7,*
 41 *8, 9, and 10 of this chapter, beginning with the class of students who*
 42 *expect to graduate during the 2022-2023 school year, each student*



- 1 shall:
- 2 (1) demonstrate college or career readiness through a pathway
- 3 established by the state board, in consultation with the department
- 4 of workforce development and the commission for higher
- 5 education;
- 6 (2) meet the Core 40 course and credit requirements adopted by
- 7 the state board under IC 20-30-10; and
- 8 (3) meet any additional requirements established by the governing
- 9 body;
- 10 to be eligible to graduate.
- 11 (c) The state board shall establish graduation pathway requirements
- 12 under subsection (b)(1) in consultation with the department of
- 13 workforce development and the commission for higher education. A
- 14 graduation pathway requirement may include the following *options*
- 15 *postsecondary readiness competencies* approved by the state board:
- 16 ~~(1) End of course assessments measuring academic standards in~~
- 17 ~~subjects determined by the state board.~~
- 18 ~~(2) (1) International baccalaureate exams.~~
- 19 ~~(3) (2) Nationally recognized college entrance assessments.~~
- 20 ~~(4) (3) Advanced placement exams.~~
- 21 ~~(5) (4) Assessments necessary to receive college credit for dual~~
- 22 ~~credit courses.~~
- 23 ~~(6) (5) Industry recognized certificates.~~
- 24 ~~(7) (6) The Armed Services Vocational Aptitude Battery.~~
- 25 **(7) Cambridge International exams.**
- 26 ~~(8) (7) Any other *pathway* competency approved by the state~~
- 27 ~~board.~~
- 28 (d) If the state board establishes a nationally recognized college
- 29 entrance exam as a graduation pathway requirement, the nationally
- 30 recognized college entrance exam must be offered to a student at the
- 31 school in which the student is enrolled and during the normal school
- 32 day.
- 33 (e) When an apprenticeship is established as a graduation pathway
- 34 requirement, the state board shall establish as an apprenticeship only
- 35 an apprenticeship program registered under the federal National
- 36 Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal
- 37 apprenticeship program administered by the United States Department
- 38 of Labor.
- 39 (f) *Notwithstanding subsection (a), a school corporation, charter*
- 40 *school, or accredited nonpublic school may voluntarily elect to use*
- 41 *graduation pathways described in subsection (b) in lieu of the*
- 42 *graduation examination requirements specified in subsection (a) prior*



1 to July 1, 2022.

2 (g) *The state board, in consultation with the department of*
 3 *workforce development and the commission for higher education, shall*
 4 *approve college and career pathways relating to career and technical*
 5 *education, including sequences of courses leading to student*
 6 *concentrators.*

7 SECTION 9. IC 20-32-5.1-17, AS ADDED BY P.L.242-2017,
 8 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 17. (a) The state board shall approve two (2)
 10 or more benchmark, **formative, interim, or similar** assessments to
 11 identify students that require remediation and provide individualized
 12 instruction in which a school corporation, charter school, state
 13 accredited nonpublic school, or eligible school (as defined in
 14 IC 20-51-1-4.7) may receive a grant under subsection (c). The
 15 benchmark, **formative, interim, or similar** assessments must be
 16 **aligned show alignment, verified by a third party**, to Indiana's
 17 academic standards. **Approved assessments must also provide**
 18 **predictive study results for student performance on the statewide**
 19 **assessment under section 7 of this chapter, not later than two (2)**
 20 **years after the summative assessment has been first administered.**

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

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

42 (d) **If a benchmark, formative, interim, or similar assessment is**



1 offered by:
2 (1) a vendor that provides the statewide assessment under
3 section 7 of this chapter; or
4 (2) any subsidiaries or partners of a vendor described in
5 subdivision (1);
6 a school corporation, charter school, state accredited nonpublic
7 school, or eligible school (as defined in IC 20-51-1-4.7) is not
8 eligible for a grant under subsection (c) for the costs of using the
9 benchmark, formative, interim, or similar assessment.
10 (e) The state board and the department may not contract with,
11 approve, or endorse the use of a single vendor to provide
12 benchmark, formative, interim, or similar assessments for any
13 grade level or levels of kindergarten through grade 12.
14 SECTION 10. [EFFECTIVE UPON PASSAGE] (a) 511
15 IAC 6.2-10-10 is void. The publisher of the Indiana Administrative
16 Code and Indiana Register shall remove this section from the
17 Indiana Administrative Code.
18 (b) This SECTION expires January 1, 2020.
SECTION 11. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1630, 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 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-19-3-4, AS AMENDED BY P.L.65-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The department shall:

- (1) perform the duties required by statute;
- (2) implement the policies and procedures established by the state board;
- (3) conduct analytical research to assist the state board in determining the state's educational policy;
- (4) compile statistics concerning the ethnicity, gender, and disability status of students in Indiana schools, including statistics for all information that the department receives from school corporations on enrollment, number of suspensions, and number of expulsions; and
- (5) provide technical assistance to school corporations.

(b) In compiling statistics by gender, ethnicity, and disability status under subsection (a)(4), the department shall also categorize suspensions and expulsions by cause as follows:

- (1) Alcohol.
- (2) Drugs.
- (3) Deadly weapons (other than firearms).
- (4) Handguns.
- (5) Rifles or shotguns.
- (6) Other firearms.
- (7) Tobacco.
- (8) Attendance.
- (9) Destruction of property.
- (10) Legal settlement (under IC 20-33-8-17).
- (11) Fighting (incident does not rise to the level of battery).
- (12) A battery offense included in IC 35-42-2.
- (13) Intimidation (IC 35-45-2-1).
- (14) Verbal aggression or profanity.
- (15) Defiance.
- (16) Other.

(c) The department shall provide the state board any data, including



fiscal data, as determined by the state board, in a reasonable time frame established by the state board after consultation with the department, necessary to conduct an audit or evaluation of any federal or state supported program principally engaged in the provision of education, including, but not limited to:

- (1) early childhood education;
- (2) elementary and secondary education;
- (3) postsecondary education;
- (4) special education;
- (5) job training;
- (6) career and technical education; and
- (7) adult education;

or for the enforcement of or compliance with federal legal requirements related to those education programs as determined by the state board. The state board and the department are considered state educational authorities within the meaning of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99) for the purpose of allowing the free exchange of information between the department and the state board.

(d) The department shall, with approval of the state board, assign each school within a school corporation an identification number. When approving the assignment of a school identification number, the state board may consider a school's history of student growth and performance of a school if a school corporation requests a new identification number for that particular school because:

- (1) the school is reopening;**
- (2) the school is reconfigured; or**
- (3) the school corporation redistributes students.**

~~(d)~~ **(e)** The department shall develop guidelines necessary to implement this section.

SECTION 2. IC 20-24-3-17, AS AMENDED BY P.L.35-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) The department shall, **with approval of the state board**, assign a school corporation identification number for each organizer granted a charter.

(b) If an organizer assigned a school corporation identification number under subsection (a) consists of more than one (1) charter school, the department, **with approval of the state board**, shall assign each charter school a separate school identification number.

(c) If an organizer assigned a school corporation identification number under subsection (b) consists of more than one (1) campus, the



department shall assign each campus a separate school identification number."

Page 4, after line 10, begin a new paragraph and insert:

"SECTION 5. IC 20-31-8-9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. After June 30, 2019, the state board may not use student growth as the exclusive means used in determining a school's final accountability category.**

SECTION 6. IC 20-31-8-10 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. If requested by a charter school, the department may place the charter school in a "null" or "no letter grade" category for purposes of this chapter for the first three (3) consecutive years of operation of the charter school. However, the department shall post the charter school's proficiency and growth scores on the department's Internet web site for each year the charter school receives a "null" or "no letter grade" under this section.**

SECTION 7. IC 20-32-4-1.5, AS AMENDED BY P.L.192-2018, SECTION 25, AND AS AMENDED BY P.L.174-2018, SECTION 4, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:
 Sec. 1.5. (a) *This section applies after June 30, 2018. This subsection expires July 1, 2022. Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is required to meet:*
 (1) *the academic standards tested in the graduation examination;*
 (2) *the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and*
 (3) *any additional requirements established by the governing body;*

to be eligible to graduate.

(b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7, 8, 9, and 10 of this chapter, *beginning with the class of students who expect to graduate during the 2022-2023 school year, each student shall:*

- (1) demonstrate college or career readiness through a pathway established by the state board, in consultation with the department of workforce development and the commission for higher education;
- (2) meet the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and



(3) meet any additional requirements established by the governing body;
to be eligible to graduate.

(c) The state board shall establish graduation pathway requirements under subsection (b)(1) in consultation with the department of workforce development and the commission for higher education. A graduation pathway requirement may include the following *options postsecondary readiness competencies* approved by the state board:

~~(1)~~ *End of course assessments measuring academic standards in subjects determined by the state board.*

~~(2)~~ (1) International baccalaureate exams.

~~(3)~~ (2) Nationally recognized college entrance assessments.

~~(4)~~ (3) Advanced placement exams.

~~(5)~~ (4) Assessments necessary to receive college credit for dual credit courses.

~~(6)~~ (5) Industry recognized certificates.

~~(7)~~ (6) The Armed Services Vocational Aptitude Battery.

(7) Cambridge international exams.

~~(8)~~ ~~(7)~~ Any other *pathway competency* approved by the state board.

(d) If the state board establishes a nationally recognized college entrance exam as a graduation pathway requirement, the nationally recognized college entrance exam must be offered to a student at the school in which the student is enrolled and during the normal school day.

(e) When an apprenticeship is established as a graduation pathway requirement, the state board shall establish as an apprenticeship only an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.

(f) Notwithstanding subsection (a), a school corporation, charter school, or accredited nonpublic school may voluntarily elect to use graduation pathways described in subsection (b) in lieu of the graduation examination requirements specified in subsection (a) prior to July 1, 2022.

(g) The state board, in consultation with the department of workforce development and the commission for higher education, shall approve college and career pathways relating to career and technical education, including sequences of courses leading to student concentrators.

SECTION 8. IC 20-32-5.1-17, AS ADDED BY P.L.242-2017,

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SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: 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). The benchmark, **formative, interim, or similar** assessments must ~~be aligned~~ **show alignment, verified by a third party**, to Indiana's academic standards. **Approved assessments must also provide predictive study results for student performance on the statewide assessment under IC 20-32-5.1-7, not later than two (2) years after the summative assessment has been first administered.**

(b) 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.

(c) 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.

SECTION 9. [EFFECTIVE JULY 1, 2019] (a) **511 IAC 6.2-10-10 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.**



(b) This SECTION expires January 1, 2020.
SECTION 10. An emergency is declared for this act."
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1630 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. 1630, 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:

Replace the effective dates in SECTIONS 1 through 9 with "[EFFECTIVE UPON PASSAGE]".

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

"SECTION 1. IC 20-19-2-22 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22. (a) If:**

- (1) a school is in operation; and**
- (2) the school requests a new identification number for the school;**

the state board may approve assigning a new identification number for the school.

(b) In determining whether to approve a new identification number for a school under this section, the state board may consider a school's history of student growth and performance for that particular school because:

- (1) the school is reopening;**
- (2) the school is reconfigured; or**
- (3) the school corporation redistributes students.**

(c) The state board shall adopt rules under IC 4-22-2 to establish criteria that a school must meet to be considered a new school under IC 20-19-3-4(d)."



Page 2, delete lines 37 through 42, begin a new paragraph and insert:

"(d) The department may, upon request by a new school, assign an identification number for the new school."

Page 3, delete lines 1 through 4.

Page 3, delete lines 20 through 42.

Delete pages 4 through 5.

Page 6, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 4. IC 20-25.7-4-5, AS AMENDED BY P.L.179-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board shall enter into an agreement with an innovation network team to establish an innovation network school or to reconstitute an eligible school as an innovation network school under section 3 or 4 of this chapter. An innovation network team may consist of or include teachers, a principal, a superintendent, or any combination of these individuals who were employed at the eligible school before the agreement is entered.

(b) The terms of the agreement must specify the following:

- (1) A statement that the innovation network school is considered to be part of the school corporation and not considered a separate local educational agency.
- (2) A statement that the innovation network team authorizes the department to include the innovation network school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.
- (3) The amount of state and federal funding, including tuition support, and money levied as property taxes that will be distributed by the school corporation to the innovation network school.
- (4) The performance goals and accountability metrics agreed upon for the innovation network school.
- (5) Grounds for termination of the agreement, including the right of termination if the innovation network team fails to:
 - (A) comply with the conditions or procedures established in the agreement;
 - (B) meet generally accepted fiscal management and government accounting principles;
 - (C) comply with applicable laws; or
 - (D) meet the educational goals set forth in the agreement between the board and the innovation network team.

(c) If an agreement is entered into under subsection (a), the board



shall notify the department that an agreement has been entered into under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the innovation network school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the innovation network school in the same manner as a school operated by the school corporation when calculating the total amount of state and federal funding to be distributed to the school corporation; and

(3) if requested by an innovation network school established under IC 20-25.5-4-2(a)(2) (before its repeal) or IC 20-25.7-4-4(a)(2), the department may use student growth as the state board's exclusive means to determine the innovation network school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years.

Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network school's category or designation of school improvement. This subdivision expires July 1, 2023.

A school corporation and an innovation network school are not entitled to any state funding in addition to the amount the school corporation and school would otherwise be eligible to receive if the innovation network school were a public school maintained by the school corporation.

SECTION 5. IC 20-25.7-5-2, AS AMENDED BY P.L.86-2018, SECTION 174, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board may enter into an agreement with an organizer to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. Notwithstanding IC 20-26-7-1, a participating innovation network charter school may be established within a vacant school building.

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under



IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. **Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.**

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, 2019."



Page 6, delete lines 10 through 19, begin a new paragraph and insert:

"SECTION 7. IC 20-31-8-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) If requested by a school, the department may place the school in a "null" or "no letter grade" category for purposes of this chapter for the first three (3) consecutive years of operation of the school.**

(b) Subject to subsection (c), if the department used student growth as the state board's exclusive means to determine an:

(1) innovation network school's category or designation of school improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019 school year; or

(2) innovation network charter school's category or designation of school improvement under IC 20-25.7-5-2(d)(3) for the 2018-2019 school year;

the department shall, beginning with the 2019-2020 school year and unless an innovation network school or innovation network charter school requests otherwise, place the innovation network school or the innovation network charter school, whichever is applicable, in a "null" or "no letter grade" category for purposes of this chapter for not more than the number of school years determined for the innovation network school or innovation network charter school under subsection (c) consecutively. This subsection expires July 1, 2023.

(c) Each innovation network school described in subsection (b)(1) and each innovation network charter school described in subsection (b)(2) may not be placed in a "null" or "no letter grade" category under subsection (b) for more than the number of years that equal the result of:

(1) three (3) school years; minus

(2) the number of school years that student growth was used as the state board's exclusive means to determine the category or designation of school improvement for the innovation network school or innovation network charter school.

This subsection expires July 1, 2023.

(d) The department shall post the proficiency and growth scores of an innovation network school, an innovation network charter school, or a school described in subsection (a) on the department's Internet web site for each year the innovation network school, innovation network charter school, or school receives a "null" or "no letter grade" under this section."



Page 7, line 19, delete "international" and insert "**International**".

Page 8, line 13, delete "IC 20-32-5.1-7," and insert "**section 7 of this chapter,**".

Page 8, between lines 35 and 36, begin a new paragraph and insert:

"(d) If a benchmark, formative, interim, or similar assessment is offered by:

(1) a vendor that provides the statewide assessment under section 7 of this chapter; or

(2) any subsidiaries or partners of a vendor described in subdivision (1);

a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is not eligible for a grant under subsection (c) for the costs of using the benchmark, formative, interim, or similar assessment.

(e) 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 12."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1630 as printed February 18, 2019.)

RAATZ, Chairperson

Committee Vote: Yeas 8, Nays 1.

