



January 24, 2014

SENATE BILL No. 91

DIGEST OF SB 91 (Updated January 23, 2014 8:27 am - DI ck)

Citations Affected: IC 20-19.

Synopsis: Education standards. Adds a definition of "college and career readiness". Provides that before July 1, 2014, the state board of education (state board) shall adopt Indiana college and career readiness educational standards. Provides that academic standards adopted by the state board after June 30, 2010, are void. Provides that the academic standards in effect on June 30, 2010, are in effect until the state board adopts college and career readiness educational standards. Provides that before July 1, 2014, the state board shall authorize the department of education (department), for school years beginning after June 30, 2016, to administer either the ISTEP assessment or a comparable assessment program that is aligned with the educational standards adopted by the state board. Makes technical and conforming amendments.

Effective: Upon passage.

Schneider

January 7, 2014, read first time and referred to Committee on Rules and Legislative Procedure.

January 23, 2014, amended; reassigned to Committee on Education and Career Development.

SB 91—LS 6148/DI 13



January 24, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 91

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 20-19-2-14.5, AS ADDED BY P.L.286-2013,
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 14.5. (a) As used in this section:

4 **(1) "college and career readiness educational standards"**
5 **means the standards that a high school graduate must meet to**
6 **obtain the requisite knowledge and skill to transition without**
7 **remediation to postsecondary education or training, and**
8 **ultimately into a sustainable career; and**

9 **(†) "common core standards" refers to educational standards**
10 **developed for kindergarten through grade 12 by the Common**
11 **Core State Standards Initiative; and**

12 **(2) "cut scores" means the scores that define a student's**
13 **performance on an assessment, including passing, failing, or**
14 **falling into a performance category.**

15 **(b) Notwithstanding section 14 of this chapter, ~~after May 15, 2013,~~**
16 **the state board may take no further actions to implement as standards**

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1 for the state or direct the department to implement any common core
 2 standards developed by the Common Core State Standards Initiative
 3 until the state board conducts a comprehensive evaluation of the
 4 common core standards as provided in this section. Any common core
 5 standards adopted by the state board before May 15, 2013, remain in
 6 effect until the state board adopts educational standards under
 7 subsection (e). **academic standards adopted by the state board after**
 8 **June 30, 2010, are void. The academic standards in effect on June**
 9 **30, 2010, are in effect until the state board adopts college and**
 10 **career readiness educational standards under subsection (c).**

11 (c) Before July 1, 2014, the state board shall adopt **Indiana** college
 12 and career readiness educational standards. The educational standards
 13 must **do the following:**

14 (1) Meet national and international benchmarks for college and
 15 career readiness standards and be aligned with postsecondary
 16 educational expectations.

17 (2) **Use the highest standards in the United States.**

18 (3) **Comply with federal standards to receive a flexibility**
 19 **waiver under 20 U.S.C. 7861.**

20 (4) **Prepare Indiana students for college and career success,**
 21 **including the proper preparation for nationally recognized**
 22 **college entrance examinations such as the ACT and SAT.**

23 (5) **Maintain Indiana sovereignty.**

24 (6) **Provide strict safeguards to protect the confidentiality of**
 25 **student data.**

26 The state board shall implement educational standards that use the
 27 common core standards as the base model for academic standards to
 28 the extent necessary to comply with federal standards to receive a
 29 flexibility waiver under 20 U.S.C. 7861. However, higher academic
 30 standards may be adopted that supplement or supplant the common
 31 core standards if the higher educational standards would qualify for a
 32 flexibility waiver under 20 U.S.C. 7861 because the higher educational
 33 standards meet United States Department of Education flexibility
 34 waiver requirements that ensure college and career readiness of
 35 students.

36 (d) The educational standards may not be adopted under subsection
 37 (e) until:

38 (1) the state board has received and considers:

39 (A) the department's evaluation of the common core under
 40 subsection (e);

41 (B) the final report of the legislative study committee
 42 established under subsection (f);



1 (C) the fiscal impact statement prepared by the office of
2 management and budget under subsection (g); and

3 (2) the state board holds at least three (3) public meetings and
4 takes public testimony regarding the adoption of educational
5 standards after the state board has received and considered the
6 information described in subdivision (1):

7 (e) Before July 1, 2013, the department shall provide a written
8 evaluation of the common core standards to the:

9 (1) governor;

10 (2) legislative council;

11 (3) state board; and

12 (4) chairperson of the legislative study committee established in
13 subsection (f):

14 The evaluation must be provided in an electronic format as provided
15 under IC 5-14-6:

16 (f) The legislative council shall establish a legislative study
17 committee to study issues relating to common core standards or other
18 standards. Not later than November 1, 2013, the legislative committee
19 shall submit the committee's final report to the legislative council,
20 governor, department, and state board. The report must:

21 (1) compare existing Indiana standards with the common core
22 standards;

23 (2) consider best practices in developing and adopting the
24 standards; seeking information from a broad range of sources;
25 including:

26 (A) subject area teachers from elementary and secondary
27 schools in Indiana;

28 (B) subject area instructors and experts from postsecondary
29 educational institutions; and

30 (C) any other standards the study committee considers to be
31 superior standards; and

32 (3) evaluate the cost to the state or school corporations associated
33 with implementing Partnership for Assessment of Readiness for
34 College and Careers assessment or the Smarter Balanced
35 assessment by schools:

36 The legislative study committee shall operate under the policies
37 governing study committees adopted by the legislative council. The
38 study committee shall hold at least three (3) public meetings:

39 (g) Before September 1, 2013, the office of management and budget
40 established by IC 4-3-22-3, in consultation with the state board, shall
41 provide an opinion concerning the fiscal impact to the state and school
42 corporations if the state board:



- 1 (1) fully implements the common core standards; and
 2 (2) discontinues the implementation of the common core
 3 standards:

4 The office of management and budget must provide its opinion in an
 5 electronic format under IC 5-14-6 to the governor, legislative council,
 6 and state board:

7 ~~(h)~~ (d) The department shall administer ISTEP assessments under
 8 IC 20-32-5 during the 2013-2015 biennium. ~~The state board may not~~
 9 ~~require the use of the Partnership for Assessment of Readiness for~~
 10 ~~College and Careers assessment or the Smarter Balanced assessment~~
 11 ~~by schools until the state board receives and considers the reports~~
 12 ~~received under subsections (e) through (g). This section does not~~
 13 ~~remove academic standards developed or implemented by the state~~
 14 ~~board before July 1, 2013. Before July 1, 2014, subject to subsection~~
 15 ~~(e), the state board shall authorize the department, for school years~~
 16 ~~beginning after June 30, 2016, to administer either the ISTEP~~
 17 ~~assessment under IC 20-32-5 or a comparable assessment program~~
 18 ~~that is aligned with the educational standards adopted by the state~~
 19 ~~board under subsection (c).~~

20 ~~(i)~~ (e) This subsection does not apply to an agreement with the
 21 United States Department of Education concerning a waiver from
 22 federal requirements. After June 30, 2013, the state, or the state board
 23 on behalf of the state, may not enter into or renew an agreement with
 24 any organization, entity, group, or consortium that requires the state to
 25 cede any measure of autonomy or control of education standards and
 26 assessments, including cut scores.

27 ~~(j)~~ (f) The state board may adopt emergency rules in the manner
 28 provided in IC 4-22-2-37.1 to implement this section. As provided in
 29 IC 4-22-2-37.1 for an emergency rule adopted under this section to be
 30 effective after one (1) extension period, the rule must be adopted in
 31 conformity with the procedures under IC 4-22-2-24 through
 32 IC 4-22-2-36.

33 SECTION 2. **An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 91, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Education and Career Development.

(Reference is to SB 91 as introduced.)

LONG, Chairperson

