



February 15, 2019

SENATE BILL No. 507

DIGEST OF SB 507 (Updated February 13, 2019 3:50 pm - DI 110)

Citations Affected: IC 20-19; IC 20-28.

Synopsis: Education matters. Provides that the state board of education (state board) may adopt and provide to schools: (1) an early warning system that provides actionable data on students as early as elementary school; and (2) a graduation pathways tracking and reporting system that provides actionable data on students. Provides that, if the state board enters into a contract with a vendor to provide an early warning system, the state board shall include in the contract a requirement that the vendor provide to the state board, at least quarterly, a statewide summary report concerning certain information. Provides that teacher evaluations must be conducted by a certified evaluator. Establishes requirements for a teacher evaluation model. Requires a school corporation to report certain data from the school corporation's teacher evaluation model. Requires the department of education to aggregate the data and provide the information to the commission for higher education (commission) and the state board not later than December 1 of each year. Requires the state board, working in conjunction with the commission, to analyze the data annually and publish findings and recommendations to inform the teacher preparation programs in Indiana. Allows the state board to establish criteria for renewal and initial teacher preparation program approvals based on the state board's findings.

Effective: July 1, 2019.

Raatz, Kruse

January 14, 2019, read first time and referred to Committee on Education and Career Development.
February 14, 2019, amended, reported favorably — Do Pass.

SB 507—LS 7281/DI 110



February 15, 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.

SENATE BILL No. 507

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 JULY
3 1, 2019]: **Sec. 22. (a) The state board may adopt and provide to**
4 **schools an early warning system that:**

5 **(1) provides actionable data on students as early as**
6 **elementary school; and**

7 **(2) includes the following:**

8 **(A) Research proven predictive analytics for on time high**
9 **school graduation without relying on threshold based**
10 **indicators.**

11 **(B) Recommendations regarding an actionable**
12 **intervention plan for each student who, based on**
13 **graduation indicators and multitiered systems of support,**
14 **is not on track to graduate on time or prepared for**
15 **postsecondary success.**

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1 **(C) A web based dashboard of the summative monthly**
 2 **results for each school corporation and statewide results in**
 3 **an easily understandable format that provides research**
 4 **based recommendations and next steps for intervention.**

5 **(D) Summative success data by each intervention plan used**
 6 **by each student, student group, school corporation, and**
 7 **statewide.**

8 **(b) The state board may contract with a vendor to provide the**
 9 **early warning system described in subsection (a). The state board**
 10 **shall include in a contract a requirement that the vendor provide**
 11 **to the state board, at least quarterly, a statewide summary report**
 12 **regarding:**

13 **(1) students who, based on graduation indicators, are not on**
 14 **track to graduate on time;**

15 **(2) the intervention plans implemented for the students**
 16 **described in subdivision (1) in attempting to ensure the**
 17 **students graduate on time; and**

18 **(3) whether the intervention plans described in subdivision (2)**
 19 **are, based on graduation indicators, successful in moving**
 20 **students to be on track to graduate on time and, if applicable,**
 21 **graduating on time for the purpose of evaluating the return**
 22 **on investment of intervention programs.**

23 **The information provided in subdivisions (2) and (3) must be**
 24 **disaggregated by grade level.**

25 **SECTION 2. IC 20-19-2-23 IS ADDED TO THE INDIANA CODE**
 26 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 27 **1, 2019]: Sec. 23. The state board may adopt and provide to schools**
 28 **a graduation pathways tracking and reporting system that:**

29 **(1) provides actionable data on students; and**

30 **(2) includes the following:**

31 **(A) Targeted diploma types and completed diploma types.**

32 **(B) Documentation on employability skills experience and**
 33 **related documentation for validation of employability**
 34 **skills experience.**

35 **(C) Ability to report and track postsecondary readiness**
 36 **competencies.**

37 **(D) A guidance tool for each student and school on career**
 38 **and technical education concentrators that students are**
 39 **attempting to complete and a synopsis of where the student**
 40 **stands for the purpose of guiding the student toward**
 41 **completion of the concentrator.**

42 **(E) The ability to transfer records between schools to**



- 1 **accommodate the mobility of students. All validation data**
 2 **must be transferable between schools.**
 3 **(F) Ability to have real time reporting on the number of**
 4 **students in a school, a school district, a region, or the state**
 5 **who have completed a specific postsecondary readiness**
 6 **competency, including a career and technical education**
 7 **concentrator.**
- 8 SECTION 3. IC 20-28-11.5-1, AS ADDED BY P.L.90-2011,
 9 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2019]: Sec. 1. As used in this chapter, "evaluator" means an
 11 individual who ~~conducts~~ **has been certified under section 3.5 of this**
 12 **chapter to conduct** a staff performance evaluation. The term includes
 13 a teacher who:
- 14 (1) has clearly demonstrated a record of effective teaching over
 - 15 several years;
 - 16 (2) is approved by the principal as qualified to evaluate under the
 - 17 plan; and
 - 18 (3) conducts staff performance evaluations as a significant part of
 - 19 teacher's responsibilities.
- 20 SECTION 4. IC 20-28-11.5-3.5 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2019]: **Sec. 3.5. (a) An individual may be**
 23 **certified as an evaluator if the individual has completed training**
 24 **consisting of proper evaluation of the items listed in section 4(e) of**
 25 **this chapter and that is approved by the state board under**
 26 **subsection (b). An evaluator must be recertified under this section**
 27 **every five (5) years in a manner prescribed by the state board.**
 28 **(b) The state board shall determine the process for approval of**
 29 **training programs necessary to certify an individual under**
 30 **subsection (a).**
- 31 SECTION 5. IC 20-28-11.5-4, AS AMENDED BY P.L.239-2015,
 32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 4. (a) Each school corporation shall develop a
 34 plan for annual performance evaluations for each certificated employee
 35 **conducted by an evaluator.** A school corporation shall implement the
 36 plan beginning with the 2012-2013 school year.
- 37 (b) Instead of developing its own staff performance evaluation plan
 - 38 under subsection (a), a school corporation may adopt a staff
 - 39 performance evaluation plan that meets the requirements set forth in
 - 40 this chapter or any of the following models:
 - 41 (1) A plan using master teachers or contracting with an outside
 - 42 vendor to provide master teachers.



- 1 (2) The System for Teacher and Student Advancement (TAP).
 2 (3) The Peer Assistance and Review Teacher Evaluation System
 3 (PAR).
 4 (c) A plan must include the following components:
 5 (1) Performance evaluations for all certificated employees,
 6 conducted at least annually.
 7 (2) Objective measures of student achievement and growth to
 8 significantly inform the evaluation. The objective measures must
 9 include:
 10 (A) student assessment results from statewide assessments for
 11 certificated employees whose responsibilities include
 12 instruction in subjects measured in statewide assessments;
 13 (B) methods for assessing student growth for certificated
 14 employees who do not teach in areas measured by statewide
 15 assessments; and
 16 (C) student assessment results from locally developed
 17 assessments and other test measures for certificated employees
 18 whose responsibilities may or may not include instruction in
 19 subjects and areas measured by statewide assessments.
 20 (3) Rigorous measures of effectiveness, including observations
 21 and other performance indicators.
 22 (4) An annual designation of each certificated employee in one
 23 (1) of the following rating categories:
 24 (A) Highly effective.
 25 (B) Effective.
 26 (C) Improvement necessary.
 27 (D) Ineffective.
 28 (5) An explanation of the evaluator's recommendations for
 29 improvement, and the time in which improvement is expected.
 30 (6) A provision that a teacher who negatively affects student
 31 achievement and growth cannot receive a rating of highly
 32 effective or effective.
 33 (7) For annual performance evaluations for school years
 34 beginning after June 30, 2015, provide for a pre-evaluation
 35 planning session conducted by the superintendent or equivalent
 36 authority for the school corporation with the principals in the
 37 school corporation.
 38 (d) In developing a performance evaluation model, a school
 39 corporation may consider the following:
 40 (1) Test scores of students (both formative and summative).
 41 (2) Classroom presentation observations.
 42 (3) ~~Observation of student-teacher interaction.~~



- 1 ~~(4)~~ **(3)** Knowledge of subject matter.
 2 ~~(5)~~ **(5)** Dedication and effectiveness of the teacher through time and
 3 effort on task.
 4 ~~(6)~~ **(4)** Contributions of teachers through group teacher
 5 interactivity in fulfilling the school improvement plan.
 6 ~~(7)~~ **(5)** Cooperation of the teacher with supervisors and peers.
 7 ~~(8)~~ **(6)** Extracurricular contributions of the teacher.
 8 ~~(9)~~ **(7)** Outside performance evaluations.
 9 ~~(10)~~ **(8)** Compliance with school corporation rules and
 10 procedures.
 11 ~~(11)~~ **(9)** Other items considered important by the school
 12 corporation in developing each student to the student's maximum
 13 intellectual potential and performance.

14 The state board and the department may recommend additional factors,
 15 but may not require additional factors unless directed to do so by the
 16 general assembly.

17 **(e) A performance evaluation model shall include each of the**
 18 **following using the exact nomenclature:**

- 19 **(1) Maximizing instructional time.**
 20 **(2) Student engagement.**
 21 **(3) Develop student understanding and mastery of lesson**
 22 **objectives.**
 23 **(4) Tracking student data and analyzing progress.**
 24 **(5) Check for student understanding.**

25 **The performance evaluation model results shall be reported to the**
 26 **department annually, in accordance with section 9 of this chapter.**
 27 **Each of the results described in subdivisions (1) through (5) shall**
 28 **be reported as results in the affirmative or negative at any point**
 29 **during the school year for the certificated employees under**
 30 **subsection (c)(4).**

31 **(f) The department shall aggregate the data under subsection (e)**
 32 **and provide the information to the commission for higher**
 33 **education and the state board, in a format prescribed by the state**
 34 **board, not later than December 1 of each year. The state board,**
 35 **working in conjunction with the commission for higher education,**
 36 **shall:**

- 37 **(1) analyze the data annually; and**
 38 **(2) publish findings and recommendations based, at least in**
 39 **part, on the data results;**

40 **to inform the teacher preparation programs in Indiana. The state**
 41 **board may establish criteria for renewal and initial teacher**
 42 **preparation program approvals based on the state board's findings**



1 **under this subsection.**

2 (e) (g) This subsection applies to plans applicable to annual
3 performance evaluations for school years beginning after June 30,
4 2015. The plan must:

5 (1) be in writing; and
6 (2) be explained to the governing body in a public meeting;
7 before the evaluations are conducted. Before explaining the plan to the
8 governing body, the superintendent of the school corporation shall
9 discuss the plan with teachers or the teachers' representative, if there
10 is one. This discussion is not subject to the open door law
11 (IC 5-14-1.5). The plan is not subject to bargaining, but a discussion of
12 the plan must be held.

13 (f) (h) The evaluator shall discuss the evaluation with the
14 certificated employee.

15 SECTION 6. IC 20-28-11.5-5, AS ADDED BY P.L.90-2011,
16 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2019]: Sec. 5. (a) The superintendent or equivalent authority,
18 for a school corporation that does not have a superintendent, may
19 provide for evaluations to be conducted by an external provider **who is**
20 **certified to make evaluations under section 3.5 of this chapter.**

21 (b) An individual may evaluate a certificated employee only if the
22 individual has received training and support in evaluation skills.

23 SECTION 7. IC 20-28-11.5-8, AS AMENDED BY P.L.160-2012,
24 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2019]: Sec. 8. (a) To implement this chapter, the state board
26 shall do the following:

27 (1) Before January 31, 2012, adopt rules under IC 4-22-2 that
28 establish:

29 (A) the criteria that define each of the four categories of
30 teacher ratings under section 4(c)(4) of this chapter;

31 (B) the measures to be used to determine student academic
32 achievement and growth under section 4(c)(2) of this chapter;

33 (C) standards that define actions that constitute a negative
34 impact on student achievement; and

35 (D) an acceptable standard for training evaluators.

36 (2) Before January 31, 2012, work with the department to develop
37 a model plan and release it to school corporations. Subsequent
38 versions of the model plan that contain substantive changes must
39 be provided to school corporations.

40 (3) Work with the department to ensure the availability of
41 ongoing training on the use of the performance evaluation to
42 ensure that all evaluators and certificated employees have access



1 to information on the plan, the plan's implementation, and this
2 chapter.

3 (b) A school corporation may adopt the department's model plan, or
4 any other model plan approved by the department, without the state
5 board's approval.

6 (c) A school corporation may substantially modify the model plan
7 or develop the school corporation's own plan, if the substantially
8 modified or developed plan meets the criteria established under this
9 chapter. If a school corporation substantially modifies the model plan
10 or develops its own plan, the department may request that the school
11 corporation submit the plan to the department to ensure the plan meets
12 the criteria developed under this chapter. If the department makes such
13 a request, before submitting a substantially modified or new staff
14 performance evaluation plan to the department, the governing body
15 shall submit the staff performance evaluation plan to the teachers
16 employed by the school corporation for a vote. If at least seventy-five
17 percent (75%) of the voting teachers vote in favor of adopting the staff
18 performance evaluation plan, the governing body may submit the staff
19 performance evaluation plan to the department.

20 (d) Each school corporation shall submit its staff performance
21 evaluation plan to the department. The department shall publish the
22 staff performance evaluation plans on the department's Internet web
23 site. A school corporation must submit its staff performance evaluation
24 plan to the department for approval in order to qualify for any grant
25 funding related to this chapter.

26 **(e) Each school corporation plan must include the items listed**
27 **in section 4(e) of this chapter and report those results to the**
28 **department under section 4(e) of this chapter.**

29 SECTION 8. IC 20-28-11.5-9, AS AMENDED BY P.L.239-2015,
30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2019]: Sec. 9. (a) The principal of a school in a school
32 corporation shall report in the aggregate the results of staff
33 performance evaluations for the school for the previous school year to
34 the superintendent and the governing body for the school corporation
35 before August 15 of each year on the schedule determined by the
36 governing body. The report must be presented in a public meeting of
37 the governing body. Before presentation to the governing body, the
38 superintendent of the school corporation shall discuss the report of
39 completed evaluations with the teachers. This discussion is not subject
40 to the open door law (IC 5-14-1.5). The report of completed evaluations
41 is not subject to bargaining, but a discussion of the report must be held.

42 (b) A school corporation annually shall provide the disaggregated



1 results of staff performance evaluations by teacher identification
 2 numbers to the department **that must include disaggregated results**
 3 **on the items listed, and in a format described, in section 4(e) of this**
 4 **chapter:**

- 5 (1) after completing the presentations required under subsection
 6 (a) for all schools for the school corporation; and
 7 (2) before November 15 of that year.

8 Before November 15 of each year, each charter school (including a
 9 virtual charter school) shall provide the disaggregated results of staff
 10 performance evaluations by teacher identification numbers to the
 11 department.

12 (c) Before August 1 of each year, each charter school and school
 13 corporation shall provide to the department:

- 14 (1) the name of the teacher preparation program that
 15 recommended the initial license for each teacher employed by the
 16 school; and
 17 (2) the annual retention rate for teachers employed by the school.

18 (d) Not before the beginning of the second semester (or the
 19 equivalent) of the school year and not later than August 1 of each year,
 20 the principal at each school described in subsection (b) shall complete
 21 a survey that provides information regarding the principal's assessment
 22 of the quality of instruction by each particular teacher preparation
 23 program located in Indiana for teachers employed at the school who
 24 initially received their teaching license in Indiana in the previous two
 25 (2) years. The survey shall be adopted by the state board and prescribed
 26 on a form developed not later than July 30, 2016, by the department
 27 that is aligned with the matrix system established under
 28 IC 20-28-3-1(i). The school shall provide the surveys to the department
 29 along with the information provided in subsection (c). The department
 30 shall compile the information contained in the surveys, broken down
 31 by each teacher preparation program located in Indiana. The
 32 department shall include information relevant to a particular teacher
 33 preparation program located in Indiana in the department's report under
 34 subsection (g).

35 (e) During the second semester (or the equivalent) of the school year
 36 and not later than August 1 of each year, each teacher employed by a
 37 school described in subsection (b) in Indiana who initially received a
 38 teacher's license in Indiana in the previous three (3) years shall
 39 complete a form after the teacher completes the teacher's initial year
 40 teaching at a particular school. The information reported on the form
 41 must:

- 42 (1) provide the year in which the teacher was hired by the school;



- 1 (2) include the name of the teacher preparation program that
 2 recommended the teacher for an initial license;
 3 (3) describe subjects taught by the teacher;
 4 (4) provide the location of different teaching positions held by the
 5 teacher since the teacher initially obtained an Indiana teaching
 6 license;
 7 (5) provide a description of any mentoring the teacher has
 8 received while teaching in the teacher's current teaching position;
 9 (6) describe the teacher's current licensure status; and
 10 (7) include an assessment by the teacher of the quality of
 11 instruction of the teacher preparation program in which the
 12 teacher participated.

13 The form shall be prescribed by the department. The forms shall be
 14 submitted to the department with the information provided in
 15 subsection (c). Upon receipt of the information provided in this
 16 subsection, the department shall compile the information contained in
 17 the forms and include an aggregated summary of the report on the
 18 department's Internet web site.

19 (f) Before December 15 of each year, the department shall report the
 20 results of staff performance evaluations in the aggregate to the state
 21 board, and to the public via the department's Internet web site for:

- 22 (1) the aggregate of certificated employees of each school and
 23 school corporation;
 24 (2) the aggregate of graduates of each teacher preparation
 25 program in Indiana;
 26 (3) for each school described in subsection (b), the annual rate of
 27 retention for certificated employees for each school within the
 28 charter school or school corporation; and
 29 (4) the aggregate results of staff performance evaluations for each
 30 category described in section 4(c)(4) of this chapter. In addition
 31 to the aggregate results, the results must be broken down:
 32 (A) by the content area of the initial teacher license received
 33 by teachers upon completion of a particular teacher
 34 preparation program; or
 35 (B) as otherwise requested by a teacher preparation program,
 36 as approved by the state board.

37 (g) Beginning November 1, 2016, and before September 1 of each
 38 year thereafter, the department shall report to each teacher preparation
 39 program in Indiana for teachers with three (3) or fewer years of
 40 teaching experience:

- 41 (1) information from the surveys relevant to that particular teacher
 42 education program provided to the department under subsection



1 (d);
2 (2) information from the forms relevant to that particular teacher
3 preparation program compiled by the department under
4 subsection (e); and
5 (3) the results from the most recent school year for which data are
6 available of staff performance evaluations for each category
7 described in section 4(c)(4) of this chapter with three (3) or fewer
8 years of teaching experience for that particular teacher
9 preparation program. The report to the teacher preparation
10 program under this subdivision shall be in the aggregate form and
11 shall be broken down by the teacher preparation program that
12 recommended an initial teaching license for the teacher.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 507, 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, delete lines 1 through 15.

Page 2, delete lines 1 through 17, 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 JULY 1, 2019]: **Sec. 22. (a) The state board may adopt and provide to schools an early warning system that:**

(1) provides actionable data on students as early as elementary school; and

(2) includes the following:

(A) Research proven predictive analytics for on time high school graduation without relying on threshold based indicators.

(B) Recommendations regarding an actionable intervention plan for each student who, based on graduation indicators and multitiered systems of support, is not on track to graduate on time or prepared for postsecondary success.

(C) A web based dashboard of the summative monthly results for each school corporation and statewide results in an easily understandable format that provides research based recommendations and next steps for intervention.

(D) Summative success data by each intervention plan used by each student, student group, school corporation, and statewide.

(b) The state board may contract with a vendor to provide the early warning system described in subsection (a). The state board shall include in a contract a requirement that the vendor provide to the state board, at least quarterly, a statewide summary report regarding:

(1) students who, based on graduation indicators, are not on track to graduate on time;

(2) the intervention plans implemented for the students described in subdivision (1) in attempting to ensure the students graduate on time; and

(3) whether the intervention plans described in subdivision (2) are, based on graduation indicators, successful in moving



students to be on track to graduate on time and, if applicable, graduating on time for the purpose of evaluating the return on investment of intervention programs.

The information provided in subdivisions (2) and (3) must be disaggregated by grade level."

Page 2, line 20, delete "shall" and insert "**may**".

Page 5, line 26, delete "board" and insert "**board, in a format prescribed by the state board,**".

Page 10, delete lines 5 through 17.

and when so amended that said bill do pass.

(Reference is to SB 507 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 7, Nays 2.

