

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 2001 General Assembly.

SENATE ENROLLED ACT No. 292

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-1-20.5-4, AS ADDED BY P.L.146-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 4. The roundtable consists of the following members:

- (1) A number of members appointed jointly by the governor and the superintendent of public instruction. These members must be representatives of:
 - (A) business and community leaders;
 - (B) elementary and secondary education, including ~~special education~~; **programs for exceptional learners (as defined in IC 20-10.2-2-5.5)**; and
 - (C) higher education.

The number of members appointed under clause (A) must be equal to the number of members appointed under clauses (B) and (C).

- (2) Two (2) members appointed by the president pro tempore of the senate from different political parties.
- (3) Two (2) members appointed by the speaker of the house of representatives from different political parties.

SECTION 2. IC 20-8.1-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. ~~Segregation Prohibited~~; **Generally: (a)** Neither the governing body of any school



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corporation nor the board of trustees of any college or university shall build or erect, establish, maintain, continue or permit any segregated or separate public kindergartens, public schools or districts, public school departments or divisions, or colleges or universities on the basis of race, color, creed or national origin of pupils or students. These officials may take any affirmative actions that are reasonable, feasible, and practical to effect greater integration and to reduce or prevent segregation or separation of races in public schools for whatever cause. These actions may include, but are not limited to, site selection, revision of school districts, curricula, or enrollment policies to implement equalization of educational opportunity for all.

(b) A school corporation shall review the school corporation's programs to determine if the school corporation's practices of:

- (1) separating students by ability;**
- (2) placing students into educational tracks; or**
- (3) using test results to screen students;**

have the effect of systematically separating students by race, color, creed, national origin, or socioeconomic class.

SECTION 3. IC 20-10.1-5.1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. **(a)** The department shall establish a state resources program using existing state resources that:

- (1) supports school corporations in the development of local programs for high ability students;
- (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and
- (3) provides state integrated services that include, but are not limited to, the following:
 - (A) Information and materials resource centers.
 - (B) Professional development plan and programs.
 - (C) Research and development services.
 - (D) Technical assistance that includes the following:
 - (i) Student assessment.
 - (ii) Program assessment.
 - (iii) Program development and implementation.
 - (E) Support for educators pursuing professional development leading to endorsement or licensure in gifted and talented education.**

(b) In addition to the program established under subsection (a), the department shall use appropriations to provide grants to school corporations for programs for high ability students if the school



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corporation's plan under section 4 of this chapter meets the following criteria:

- (1) The plan provides for multiple means of identifying high ability students, including procedures for students who may not be identified through traditional means because of economic disadvantage, cultural background, underachievement, or disabilities.
- (2) The plan sets forth appropriate education experiences in core curriculum areas for high ability students in kindergarten through grade 12.
- (3) The plan aligns with the strategic and continuous school improvement and achievement plans under IC 20-10.2-3-3 for the schools within the school corporation.

SECTION 4. IC 20-10.2-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 5.5. "Exceptional learner" refers to the following:**

- (1) A child with a disability (as defined in IC 20-1-6-1).
- (2) A high ability student (as defined in IC 20-10.1-5.1-2).

SECTION 5. IC 20-10.2-3-3, AS ADDED BY P.L.221-1999, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 3. (a) A plan:**

- (1) shall lay out objectives for a three (3) year period; and
- (2) must be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve. These achievement objectives must be consistent with academic standards and include improvement in at least the following areas:

- (1) Attendance rate.
- (2) The percentage of students meeting academic standards under the ISTEP program (IC 20-10.1-16).
- (3) For a secondary school, graduation rate.

(c) **A plan must address the learning needs of all students, including programs and services for exceptional learners.**

(d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(e) A plan must note specific areas where improvement is needed immediately.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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