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# HOUSE BILL No. 1191

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-1-20.5-10; IC 20-5.5; IC 20-10.1-16.

**Synopsis:** ISTEP + diploma seal. Provides that a student is not required to pass the grade 10 ISTEP examination in order to graduate from high school. Provides for the placement of an ISTEP+ diploma seal on the high school diploma of a graduate who passes the grade 10 ISTEP examination. Provides that a student who does not pass the grade 10 ISTEP examination may be retested in any school year with the consent of the student's parent. Repeals references to the graduation examination and the obsolete grade 12 examination.

**Effective:** July 1, 2003.

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### Stilwell

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January 8, 2003, read first time and referred to Committee on Education.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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# HOUSE BILL No. 1191



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 20-1-20.5-10, AS ADDED BY P.L.146-1999,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2003]: Sec. 10. The roundtable shall review and recommend  
4 to the board for the board's approval the following:

- 5 (1) The academic standards under IC 20-10.1-16 for all grade
- 6 levels from kindergarten through grade 12.
- 7 (2) The content and format of the ISTEP program, including the
- 8 following:
- 9 (A) ~~The graduation examination.~~
- 10 (B) ~~The passing scores required at the various grade levels~~
- 11 ~~tested under the ISTEP program.~~

12 SECTION 2. IC 20-5.5-4-1, AS ADDED BY P.L.100-2001,  
13 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2003]: Sec. 1. A charter must do the following:

- 15 (1) Be a written instrument.
- 16 (2) Be executed by a sponsor and an organizer.
- 17 (3) Confer certain rights, franchises, privileges, and obligations



- 1 on a charter school.
- 2 (4) Confirm the status of a charter school as a public school.
- 3 (5) Be granted for:
- 4 (A) not less than three (3) years; and
- 5 (B) a fixed number of years agreed to by the sponsor and the
- 6 organizer.
- 7 (6) Provide for:
- 8 (A) a review by the sponsor of the charter school's
- 9 performance, including the progress of the charter school in
- 10 achieving the academic goals set forth in the charter, at least
- 11 one (1) time in each five (5) year period while the charter is in
- 12 effect; and
- 13 (B) renewal, if the sponsor and the organizer agree to renew
- 14 the charter.
- 15 (7) Specify the grounds for the sponsor to:
- 16 (A) revoke the charter before the end of the term for which the
- 17 charter is granted; or
- 18 (B) not renew a charter.
- 19 (8) Set forth the methods by which the charter school is held
- 20 accountable for achieving the educational mission and goals of
- 21 the charter school, including the following:
- 22 (A) Evidence of improvement in assessment measures,
- 23 including ISTEP ~~and Graduation Qualifying Exam~~,
- 24 **examinations**, attendance rates, graduation rates (if
- 25 appropriate), increased numbers of Core 40 diplomas (if
- 26 appropriate), and increased numbers of academic honors
- 27 diplomas (if appropriate).
- 28 (B) Evidence of progress toward reaching the educational
- 29 goals set by the organizer.
- 30 (9) Describe the method to be used to monitor the charter
- 31 school's:
- 32 (A) compliance with applicable law; and
- 33 (B) performance in meeting targeted educational performance.
- 34 (10) Specify that the sponsor and the organizer may amend the
- 35 charter during the term of the charter by mutual consent and
- 36 describe the process for amending the charter.
- 37 (11) Describe specific operating requirements, including all of the
- 38 matters set forth in the application for the charter.
- 39 (12) Specify a date when the charter school will:
- 40 (A) begin school operations; and
- 41 (B) have students in attendance at the charter school.
- 42 (13) Specify that records of a charter school relating to the

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1 school's operation and charter are subject to inspection and  
 2 copying to the same extent that records of a public school are  
 3 subject to inspection and copying under IC 5-14-3.

4 (14) Specify that records provided by the charter school to the  
 5 department or sponsor that relate to compliance by the operator  
 6 with the terms of the charter or applicable state or federal laws are  
 7 subject to inspection and copying in accordance with IC 5-14-3.

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

10 SECTION 3. IC 20-5.5-9-2, AS ADDED BY P.L.100-2001,  
 11 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2003]: Sec. 2. An annual report under this chapter must  
 13 contain the following information for a charter school:

14 (1) Results of all standardized testing, including ISTEP ~~and~~  
 15 ~~Graduation Qualifying Exam~~ **examinations.**

16 (2) A description of the educational methods and teaching  
 17 methods employed.

18 (3) Daily attendance records.

19 (4) Graduation statistics (if appropriate), including attainment of  
 20 Core 40 and Academic Honors Diplomas.

21 (5) Student enrollment data, including the following:

22 (A) The number of students enrolled.

23 (B) The number of students expelled.

24 (C) The number of students who discontinued attendance at  
 25 the charter school and the reasons for the discontinuation.

26 SECTION 4. IC 20-10.1-16-8, AS AMENDED BY P.L.193-1999,  
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2003]: Sec. 8. (a) The state superintendent shall develop an  
 29 ISTEP program testing schedule in which:

30 (1) each student in grades 3, 6, 8, and 10 must be tested; and

31 ~~(2) each student in grade 10 must take a graduation examination;~~

32 **(2) a student who does not meet the educational proficiency**  
 33 **standard tested in the grade 10 examination may retake the**  
 34 **grade 10 examination in any school year with the consent of**  
 35 **the student's parent.**

36 The board shall adopt rules to establish when a student is considered  
 37 to be in grade 10 for purposes of initially taking the ~~graduation grade~~  
 38 **10** examination.

39 (b) A student who is a child with a disability (as defined in  
 40 IC 20-1-6-1) shall be tested under this chapter with appropriate  
 41 accommodations in testing materials and procedures unless the  
 42 individuals who develop the child's individualized education program

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1 determine that testing under this chapter, or a part of the testing, is not  
 2 appropriate for the student and that an alternate assessment will be  
 3 used to test the student's achievement.

4 (c) Any decision with regard to a student who is a child with a  
 5 disability (as defined in IC 20-1-6-1) to participate in testing under this  
 6 chapter, to receive accommodations in testing materials and  
 7 procedures, to participate in remediation under IC 20-10.1-17, or to be  
 8 retained at the same grade level for consecutive school years shall be  
 9 made in accordance with the child's individualized education program,  
 10 subject to the ISTEP program manual, and federal law.

11 SECTION 5. IC 20-10.1-16-14.5 IS ADDED TO THE INDIANA  
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 13 [EFFECTIVE JULY 1, 2003]: **Sec. 14.5. (a) As used in this section,**  
 14 **"diploma" means a certificate of graduation that a governing body**  
 15 **issues to a student to certify that the student has satisfied the**  
 16 **minimum requirements for high school graduation.**

17 (b) As used in this section, "diploma seal" means an appropriate  
 18 indicator that is imprinted, impressed, or otherwise affixed to a  
 19 student's diploma to certify that the student has satisfied the  
 20 minimum requirements for receiving a diploma containing the  
 21 indicator.

22 (c) A governing body of a school corporation or governing  
 23 authority of a nonpublic school must provide an ISTEP+ diploma  
 24 seal to a student who receives:

25 (1) a diploma; and

26 (2) a passing score on the grade 10 examination under the  
 27 ISTEP program.

28 SECTION 6. THE FOLLOWING ARE REPEALED [EFFECTIVE  
 29 JULY 1, 2003]: IC 20-10.1-16-1.5; IC 20-10.1-16-13;  
 30 IC 20-10.1-16-14.

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