
HOUSE BILL No. 1838

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.2-3-5; IC 20-10.1-17.5.

Synopsis: Academic standards assistance pilot program. Requires the department of education to establish and administer an academic standards assistance pilot program. Provides for 30 schools selected by the state superintendent of public instruction to serve as pilot schools. Requires the assessment of pilot school students in the early grades and the development of an academic standards progress report for each student assessed. Provides for the establishment of an academic standards progress plan for each student in a pilot school who does not meet certain educational standards. Requires each pilot school to revise its strategic and continuous school improvement and achievement plan and to implement an academic progress assistance plan that sets new goals and establishes new programs for the school. Provides for funding of the pilot program by the state and the school corporations of the pilot schools. Provides that the pilot program law expires July 1, 2010. Makes other provisions to improve academic achievement and establish educational responsibilities for students in prekindergarten through grade 12.

Effective: July 1, 2005.

Porter

January 25, 2005, read first time and referred to Committee on Education.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1838



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 20-10.2-3-5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) A plan must
 3 contain the following components for the school:
 4 (1) A list of the statutes and rules that the school wishes to have
 5 suspended from operation for the school.
 6 (2) A description of the curriculum and information concerning
 7 the location of a copy of the curriculum that is available for
 8 inspection by members of the public.
 9 (3) A description and name of the assessments that will be used
 10 in the school in addition to ISTEP assessments.
 11 (4) A plan to be submitted to the governing body and made
 12 available to all interested members of the public in an easily
 13 understood format.
 14 (5) A provision to maximize parental participation in the school,
 15 which may include access to learning aids to assist students with
 16 school work at home, information on home study techniques, or
 17 access to school resources.



- 1 (6) For a secondary school, a provision to do the following:
- 2 (A) Offer courses that allow all students to become eligible to
- 3 receive an academic honors diploma.
- 4 (B) Encourage all students to earn an academic honors
- 5 diploma or complete the Core 40 curriculum.
- 6 (7) A provision to maintain a safe and disciplined learning
- 7 environment for students and teachers.
- 8 (8) A provision for the coordination of technology initiatives and
- 9 ongoing professional development activities.
- 10 (b) If, for a purpose other than a plan under this chapter, a school
- 11 has developed materials that are substantially similar to a component
- 12 listed in subsection (a), the school may substitute those materials for
- 13 the component listed in subsection (a).

14 **(c) A plan may include a requirement that the school develop**
 15 **and enter into written compacts with parents and students under**
 16 **IC 20-8.1-14. A written compact under this section may include the**
 17 **following provisions:**

- 18 (1) **A student's parent is responsible for the student's**
- 19 **attendance at and participation in the instructional program**
- 20 **of the school.**
- 21 (2) **A school may refer a student's parent to the appropriate**
- 22 **social or criminal justice agency for the student or parent's**
- 23 **failure to comply with the terms of the compact.**

24 SECTION 2. IC 20-10.3 IS ADDED TO THE INDIANA CODE AS
 25 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 26 2005]:

27 **ARTICLE 10.3. ACADEMIC ACHIEVEMENT AND**
 28 **EDUCATION RESPONSIBILITIES**

29 **Chapter 1. Definitions**

30 **Sec. 1. The definitions in this chapter apply throughout this**
 31 **article.**

32 **Sec. 2. "Academic standards progress report" refers to a report**
 33 **prepared by a pilot school concerning a student that sets forth the**
 34 **following:**

- 35 (1) **The student's most recent testing results, including**
- 36 **indications or scores by content standard, if applicable.**
- 37 (2) **The student's grades, if applicable.**
- 38 (3) **The student's attendance record.**
- 39 (4) **The student's disciplinary record, including suspensions**
- 40 **and expulsions.**

41 **Sec. 3. "Assessment" refers to one (1) of the following tests,**
 42 **depending upon the context in which the term is used:**

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- (1) For a student in prekindergarten, a school readiness test approved by the department.
- (2) For a student in kindergarten, an early literacy test approved by the department.
- (3) For a student in grade 1 or 2, a reading diagnostic test approved by the department.
- (4) For a student in grade 3, 4, 5, 6, 7, 8, or 10, a test developed under IC 20-10.1-16.

Sec. 4. "Board" refers to the Indiana state board of education established by IC 20-1-1-1.

Sec. 5. "Committee" refers to a pilot school's strategic and continuous school improvement and achievement committee established under IC 20-10.2-3-1.

Sec. 6. "Department" refers to the department of education established by IC 20-1-1.1-2.

Sec. 7. "Level I" has the meaning set forth in IC 20-10.3-3-5.

Sec. 8. "Level II" has the meaning set forth in IC 20-10.3-3-5.

Sec. 9. "Level III" has the meaning set forth in IC 20-10.3-3-5.

Sec. 10. "Parent" means the parent, guardian, or custodian of a child.

Sec. 11. "Pilot program" refers to the academic standards assistance pilot program established by IC 20-10.3-3-1.

Sec. 12. "Pilot school" means a school chosen under IC 20-10.3-3-1 to participate in the pilot program.

Sec. 13. "Plan" means an academic standards progress plan developed under IC 20-10.3-3.

Sec. 14. "Transition grade" means a placement for a student who has completed an academic year in a grade level but has not met the academic standards for advancement to the next grade level.

Chapter 2. Testing and Reports

Sec. 1. (a) This section applies to a student attending a pilot school who is in:

- (1) prekindergarten;
- (2) kindergarten;
- (3) grade 1 or 2; or
- (4) a transition grade between two (2) of the grades set forth in subdivisions (2) through (3).

(b) By September 30 of each year, a student to whom this section applies shall be administered an assessment that the department determines is appropriate for the grade in which the student is placed.

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1 (c) Based upon the results of an assessment administered under
2 subsection (b), a pilot school must develop an academic standards
3 progress report for each student described in section 1 of this
4 chapter. An academic standards progress report developed under
5 this subsection must include, in language that can be understood by
6 the student's parent, the following:

7 (1) For a student in prekindergarten, an explanation of the
8 student's school readiness.

9 (2) For a student in kindergarten, grade 1, grade 2, or a
10 transition grade, an indication by content standard of whether
11 the student has mastered or not mastered each content
12 standard.

13 (d) The principal of a pilot school shall make a reasonable effort
14 to assure that the parent of each student to whom this section
15 applies receives the student's academic standards progress report
16 within ten (10) days after the pilot school receives the student's
17 results for a test administered under subsection (b).

18 (e) A parent shall acknowledge the receipt of an academic
19 standards progress report delivered under this section within five
20 (5) days after receiving the report.

21 Sec. 2. (a) This section applies to a student described in section
22 1 of this chapter who is in grades 3 through 8 or grade 10.

23 (b) By September 20 of each year, a student to whom this section
24 applies shall be administered an appropriate assessment.

25 (c) Based upon the results of an assessment administered under
26 subsection (b) that are provided to a pilot school, the pilot school
27 must develop an academic standards progress report for each
28 student to whom this section applies. An academic standards
29 progress report under this subsection must include, in language
30 that can be understood by the student's parent, the following:

31 (1) An indication of whether the student has achieved a
32 passing score on the assessment.

33 (2) An indication of the scale score difference between the
34 student's score on the assessment and the performance
35 standard score for the assessment.

36 (3) An indication by content standard of:

37 (A) whether the student has achieved a passing score for
38 each content standard; and

39 (B) the proportion of test items relating to each content
40 standard that the student completed correctly.

41 (d) The principal of a pilot school shall make a reasonable effort
42 to assure that the parent of each student to whom this section

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1 applies receives the student's academic standards progress report
 2 within ten (10) days after the pilot school receives the student's
 3 results for a test administered under subsection (b).

4 (e) A parent shall acknowledge the receipt of an academic
 5 standards progress report delivered under this section within five
 6 (5) days after receiving the report.

7 **Sec. 3.** If a parent provides a pilot school with an electronic mail
 8 address to receive and acknowledge receipt of academic standards
 9 progress reports under this chapter, the pilot school must treat the
 10 electronic mail address as confidential information.

11 **Sec. 4.** By December 1 of each year, a teacher in a pilot school
 12 shall receive:

13 (1) the academic standards progress report for the previous
 14 academic school year prepared under this chapter for each
 15 student the teacher teaches; and

16 (2) an aggregate report that includes the following
 17 information concerning the students the teacher teaches:

18 (A) The students who achieved a passing score on an
 19 assessment administered under section 1 or 2 of this
 20 chapter by less than twenty-five hundredths (0.25)
 21 standard deviation from the passing score.

22 (B) The students who did not achieve a passing score on an
 23 assessment administered under section 1 or 2 of this
 24 chapter.

25 (C) By grade level and student, the scale score difference
 26 between the student's score on an assessment administered
 27 under section 1 or 2 of this chapter and the performance
 28 standard score.

29 (D) By grade level and student, the proportion of
 30 assessment items related to each content standard on
 31 which the student achieved a passing score on an
 32 assessment administered under section 1 or 2 of this
 33 chapter or the proportion of total points the student
 34 received on each assessment item.

35 **Sec. 5.** A pilot school's committee must receive an annual report
 36 of pilot the school's readiness, early literacy, or reading diagnostic
 37 aggregate mastery rates from assessments administered under
 38 section 1 of this chapter and the aggregate assessment results from
 39 assessments administered under section 2 of this chapter, as
 40 applicable, for each subgroup identified within the pilot school.
 41 Subgroups for which results must be reported under this section
 42 include the following:

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- (1) Each grade level.
- (2) The racial and ethnic groups within the pilot school, as identified by the department.
- (3) Students who are eligible to receive free or reduced price lunches.
- (4) Students who are designated as English language learners.
- (5) Students who are receiving special education services.

Sec. 6. (a) The parent of a student who withdraws from a pilot school shall receive a copy of the most recent of the student's academic standards progress report.

(b) A pilot school shall transmit a copy of a student's most recent academic standards progress report to another public school if a student who has withdrawn enrolls in another public school.

(c) A student academic standards progress report may be maintained and transmitted electronically.

(d) A student academic standards progress report:

- (1) shall be treated as confidential; and
- (2) may be viewed only by the student's parents and the certificated employees of the pilot school in which the student is enrolled.

Chapter 3. The Academic Standards Assistance Pilot Program

Sec. 1. (a) The academic standards assistance pilot program is established to provide supplemental instructional activities to improve students' progress toward proficiency in academic standards.

(b) Beginning with the 2005-2006 school year, the department shall establish the academic standards assistance pilot program targeting students in need of supplemental instruction.

(c) The department shall administer the pilot program.

(d) The state superintendent, with approval from the state board, shall choose thirty (30) pilot schools, including:

- (1) rural schools;
- (2) urban schools;
- (3) suburban schools;
- (4) elementary schools;
- (5) middle schools; and
- (6) high schools;

to participate in the pilot program. Schools chosen to participate in the pilot program must have average pass rates on ISTEP in both English and math of not more than forty percent (40%).

(e) The pilot program must be based on the best available

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- 1 research and practice.
- 2 **Sec. 2. (a) The parent of a student enrolled in a pilot school who**
- 3 **does not:**
- 4 **(1) demonstrate mastery of school readiness or reading**
- 5 **through an assessment administered under IC 20-10.3-2-1; or**
- 6 **(2) either:**
- 7 **(A) does not achieve a passing score; or**
- 8 **(B) achieves a passing score by less than twenty-five**
- 9 **hundredths (0.25) standard deviation from the passing**
- 10 **score;**
- 11 **on an assessment administered under IC 20-10.3-2-2;**
- 12 **must be given an academic standards progress plan for the student**
- 13 **that sets forth strategies and recommendations for improving the**
- 14 **student's progress towards proficiency in the academic areas**
- 15 **tested.**
- 16 **(b) A student for whom a plan is developed under subsection (a)**
- 17 **and:**
- 18 **(1) who is described in subsection (a)(1) or (a)(2)(A) shall; and**
- 19 **(2) who is described in subsection (a)(2)(B) may;**
- 20 **participate in the pilot program.**
- 21 **Sec. 3. (a) A student participating in the pilot program, the**
- 22 **student's parent, and the student's teachers for subject areas in**
- 23 **which the student has not achieved a passing score on an**
- 24 **assessment shall meet to develop a plan.**
- 25 **(b) A meeting under this section is considered an educationally**
- 26 **related activity under IC 20-10.1-2-1(b).**
- 27 **Sec 4. (a) The parent of a student for whom a plan is developed**
- 28 **under section 3 of this chapter may elect to not have the student**
- 29 **participate in the pilot program.**
- 30 **(b) A student's lack of participation in the pilot program may be**
- 31 **used as a reason for retaining the student in the student's current**
- 32 **grade level.**
- 33 **Sec. 5. (a) This section applies to a student who is participating**
- 34 **in the pilot program and who is described in section 2(a)(2) of this**
- 35 **chapter.**
- 36 **(b) Except as provided in subsection (c), a student to whom this**
- 37 **section applies shall be designated by level to receive assistance**
- 38 **based upon the student's performance on an assessment. The levels**
- 39 **are as follows:**
- 40 **(1) Level I: Students whose scores on the assessment fall in a**
- 41 **range between:**
- 42 **(A) achieving a passing score by less than twenty-five**

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- 1 hundredths (0.25) standard deviation; and
- 2 (B) not achieving a passing score by less than twenty-five
- 3 hundredths (0.25) standard deviation;
- 4 from the passing score for the assessment.
- 5 (2) Level II: Students whose scores on the assessment fall in a
- 6 range between:
- 7 (A) not achieving a passing score by greater than
- 8 twenty-five hundredths (0.25) standard deviation; and
- 9 (B) not achieving a passing score by less than one (1)
- 10 standard deviation;
- 11 from the passing score for the assessment.
- 12 (3) Level III: Students who do not achieve a passing score on
- 13 the assessment by a score that is greater than one (1) standard
- 14 deviation from the passing score for the assessment.
- 15 (c) A student may be assigned to a level that is not indicated by
- 16 the student's score on the assessment if, in the professional
- 17 judgment of the student's principal and teacher for the subject
- 18 area tested, an assignment to a different level would be appropriate
- 19 for the student.
- 20 Sec. 6. The plan developed for a student under section 3 of this
- 21 chapter, in addition to other activities, may include the following:
- 22 (1) Additional homework.
- 23 (2) Tutoring in the following amounts:
- 24 (A) For a level I student, two (2) hours per week in each
- 25 affected subject area for eight (8) weeks.
- 26 (B) For a level II student, four (4) hours per week in each
- 27 affected subject area for sixteen (16) weeks.
- 28 (C) For a level III student, four (4) hours per week in each
- 29 affected subject area for sixteen (16) weeks, and two (2)
- 30 hours per day in each affected subject area for twenty (20)
- 31 days during summer school.
- 32 (3) For a student in grade 9, 10, 11, or 12, activities that will
- 33 assist the student in:
- 34 (A) carrying out the student's career plan under
- 35 IC 20-10.1-4.5; and
- 36 (B) completing the courses necessary to complete the core
- 37 40 curriculum, the college preparation curriculum, the
- 38 technology preparation curriculum, or the academic
- 39 honors diploma curriculum.
- 40 Sec. 7. The following apply to tutoring and instruction under
- 41 plans developed under section 3 of this chapter:
- 42 (1) A student may not be excused or released from a regular

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- 1 class in a subject area tested under IC 20-10.1-16 to
 2 participate in plan activities.
- 3 (2) A student with a plan may not be grouped for regular
 4 instruction in a subject area tested under IC 20-10.1-16 with
 5 only other students who have plans.
- 6 (3) Tutoring may occur during the regular instructional day,
 7 before or after school, or on days on which school is not in
 8 session.
- 9 (4) Tutoring may not replace regular classes in a subject area
 10 tested under IC 20-10.1-16.
- 11 (5) Tutoring in reading must be provided by a teacher
 12 certified in reading.
- 13 (6) Tutoring in a subject area tested under IC 20-10.1-16 must
 14 be provided by a teacher certified in the subject area.
- 15 (7) Summer school classes in a subject area tested under
 16 IC 20-10.1-16 must be provided by a teacher certified in the
 17 subject matter.
- 18 **Sec. 8. (a)** A student may be released from the pilot program if
 19 the student demonstrates proficiency in the subject areas for which
 20 a plan was developed for the student.
- 21 (b) Upon the determination of a student's teacher in a subject
 22 area tested under IC 20-10.1-16 for which the student is
 23 participating in the pilot program, the student may be reassessed
 24 in the subject areas in which the student did not demonstrate
 25 proficiency.
- 26 (c) The department shall establish an electronic assessment
 27 bank. The electronic assessment bank must include assessment
 28 items that:
- 29 (1) are aligned with academic standards;
 30 (2) assess basic and applied skills under IC 20-10.1-16-5(b);
 31 and
 32 (3) may be used to reassess student proficiencies under this
 33 section.
- 34 (d) To the greatest extent feasible, a reassessment under this
 35 section must be graded electronically.
- 36 (e) A reassessment under this section is subject to IC 20-6.1-9-3.
- 37 **Sec. 9.** If a student attends a pilot school, the decision to promote
 38 the student to the next grade level or a transition grade or to retain
 39 the student in the student's current grade level must be based on
 40 the following:
- 41 (1) The student's performance on assessments or
 42 reassessments.

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- 1 (2) The student's performance on other tests.
- 2 (3) The student's grades, classwork, and homework.
- 3 (4) The student's participation in the pilot program, if
- 4 applicable.
- 5 (5) Any other factors considered relevant to the student's
- 6 academic performance by the student's teacher.

7 **Chapter 4. The Academic Progress Assistance Plan**

8 **Sec. 1. An academic progress assistance plan must be**
9 **implemented for each pilot school.**

10 **Sec. 2. To implement an academic progress assistance plan, a**
11 **pilot school's committee must:**

- 12 (1) revise the pilot school's strategic and continuous school
- 13 improvement and achievement plan under this chapter;
- 14 (2) specify that it is a goal of the pilot school to become a
- 15 commendable school under rules adopted by the board; and
- 16 (3) make an application to the department.

17 **Sec. 3. For a pilot school that includes kindergarten and grades**
18 **1 and 2, the pilot school's strategic and continuous school**
19 **improvement plan must be revised to include the following:**

- 20 (1) A prekindergarten program for students who are at least
- 21 four (4) years of age on August 1 that:
- 22 (A) may be conducted in partnership with or by
- 23 incorporating a Head Start program;
- 24 (B) complies with standards adopted by the board for
- 25 child/teacher ratios, curriculum, instruction, and facilities;
- 26 and
- 27 (C) is taught by teachers certified under standards adopted
- 28 by the professional standards board.
- 29 (2) An optional full-day kindergarten program for students
- 30 who are at least five (5) years of age on August 1.
- 31 (3) A transition grade program of not more than one (1)
- 32 school year between kindergarten and grade 1.
- 33 (4) A supplemental reading and writing program that includes
- 34 the following:
- 35 (A) For every twenty-five (25) level II and level III students
- 36 in the pilot school, one (1) reading instructional specialist
- 37 who:
- 38 (i) is a teacher certified in reading instruction for the
- 39 ages and grade levels included in the pilot school; and
- 40 (ii) provides supplemental instruction that includes the
- 41 explicit teaching of word identification skills, including
- 42 phonics and phonemic awareness, and a wide range of

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- 1 comprehension competencies.
- 2 (B) A schoolwide reading and writing program that
- 3 provides instruction and support for all students to develop
- 4 the skills, knowledge, and abilities to:
- 5 (i) understand how phonemes are connected to words;
- 6 (ii) decode words;
- 7 (iii) spell correctly;
- 8 (iv) acquire a broad vocabulary;
- 9 (v) read fluently;
- 10 (vi) construct meaning from text;
- 11 (vii) comprehend text; and
- 12 (viii) write proficiently.
- 13 (C) A family literacy program in which the parents of
- 14 students in the pilot school receive information and
- 15 support about literacy activities that can be practiced at
- 16 home to support the development of reading skills.
- 17 (D) Following an instructional time audit, the
- 18 reorganization of instructional time to prioritize reading
- 19 and writing instruction, if necessary.
- 20 (E) Making books and other printed materials available in
- 21 classrooms and media centers that address a broad range
- 22 of students' abilities and interests.
- 23 (5) The implementation of the primetime plus program for
- 24 kindergarten and grades 1 and 2, in which:
- 25 (A) there is an actual ratio of students to certified teacher
- 26 in subject areas tested under IC 20-10.1-16 of fifteen to one
- 27 (15:1); and
- 28 (B) instruction is provided by the certified teacher.
- 29 (6) A curriculum audit to determine whether the curriculum:
- 30 (A) is aligned with Indiana academic standards;
- 31 (B) uses regular and continuous assessments consistent
- 32 with IC 20-10.1-16-5(b); and
- 33 (C) provides for the acquisition of basic skills in addition
- 34 to higher order thinking skills.
- 35 (7) Subject to both IC 20-5-2 and IC 20-7.5, an increase in
- 36 minimum instructional time of thirty percent (30%) to
- 37 provide supplemental instructional time during the school
- 38 year, including additional partial or full school days.
- 39 (8) A latch key program under IC 20-5-2-1.5.
- 40 (9) School based health, wellness, and nutrition services,
- 41 which may be delivered through a collaboration with public
- 42 and private providers.

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(10) A home to school technology connection with the following components:

(A) Each teacher in the pilot school must be provided a computer that is equipped to send and receive electronic mail for the teacher's use at home.

(B) Each teacher in the pilot school must be provided an electronic mail address.

(C) Each student in the pilot school who is eligible to receive a free or reduced price lunch must be provided a computer for use in the student's home that is equipped:

- (i) to send and receive electronic mail; and**
- (ii) with child protection software.**

(D) Upon request, each parent of a student in the pilot school must be provided an electronic mail address.

(11) Professional development activities under IC 20-1-1-6.5 that provide the following:

(A) The equivalent of ten (10) instructional days for all teachers in the pilot school that focus on the specific curriculum and instructional strategies implemented by the pilot school. Activities conducted under this clause must provide for the school's certificated employees to continuously review and improve the school's curriculum and instruction.

(B) The equivalent of twenty (20) instructional days each school year for thirty-three percent (33%) of the teachers who teach in subject areas tested under IC 20-10.1-16. Activities conducted under this clause must enable the teachers to serve as curriculum and instructional specialists and coaches for the pilot school.

Sec. 4. For a pilot school that includes grades 3 through 8, or any combination of the grades, the pilot school's strategic and continuous school improvement plan must be revised to include the following:

(1) A supplemental reading and writing program that includes the following:

(A) For every twenty-five (25) level II and level III students in the pilot school, one (1) reading instructional specialist who:

- (i) is a teacher certified in reading instruction for the ages and grade levels included in the pilot school; and**
- (ii) provides supplemental instruction that includes the explicit teaching of word identification skills, including**

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- 1 **phonics and phonemic awareness, and a wide range of**
 2 **comprehension competencies.**
 3 **(B) A schoolwide reading and writing program that**
 4 **provides instruction and support for all students to develop**
 5 **the skills, knowledge, and abilities to:**
 6 **(i) understand how phonemes are connected to words;**
 7 **(ii) decode words;**
 8 **(iii) spell correctly;**
 9 **(iv) acquire a broad vocabulary;**
 10 **(v) read fluently;**
 11 **(vi) construct meaning from text;**
 12 **(vii) comprehend text; and**
 13 **(viii) write proficiently.**
 14 **(C) A family literacy program in which the parents of**
 15 **students in the pilot school receive information and**
 16 **support about literacy activities that can be practiced at**
 17 **home to support the development of reading skills.**
 18 **(D) Making books and other printed materials available in**
 19 **classrooms and media centers that address a broad range**
 20 **of students' abilities and interests.**
 21 **(2) The implementation of the primetime II program in**
 22 **which:**
 23 **(A) there is an actual ratio of students to certified teachers**
 24 **in subject areas tested under IC 20-10.1-16 of twenty to**
 25 **one (20:1) in grades 3 and 4 and instruction is provided by**
 26 **the certified teacher; and**
 27 **(B) there is an actual ratio of students to certified teachers**
 28 **in subject areas tested under IC 20-10.1-16 of twenty-four**
 29 **to one (24:1) in grades 5, 6, 7, and 8, and instruction is**
 30 **provided by the certified teacher.**
 31 **(3) A curriculum audit to determine whether the curriculum:**
 32 **(A) is aligned with Indiana academic standards;**
 33 **(B) uses regular and continuous assessments consistent**
 34 **with IC 20-10.1-16-5(b); and**
 35 **(C) provides for the acquisition of basic skills in addition**
 36 **to higher order thinking skills.**
 37 **(4) Subject to both IC 20-5-2 and IC 20-7.5, an increase in**
 38 **minimum instructional time of at least twenty-five percent**
 39 **(25%) but not more than thirty percent (30%) to provide**
 40 **supplemental instructional time during the school year,**
 41 **including additional partial or full school days.**
 42 **(5) A latch key program under IC 20-5-2-1.5.**

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(6) A student-family service program conducted by certified counselors and social workers to:

(A) facilitate and assure parental involvement in a student's education; and

(B) coordinate services for a student with social service and criminal justice programs, if necessary.

(7) School based health, wellness, and nutrition services, which may be delivered through a collaboration with public and private providers.

(8) An alternative education program established under IC 20-10.1-4.6, which may include an educational program for students who are suspended or expelled. Subjects areas that are:

(A) tested under IC 20-10.1-16; and

(B) included in the alternative education program; must be taught by a teacher certified in the subject areas.

(9) A home to school technology connection with the following components:

(A) Each teacher in the pilot school must be provided a computer that is equipped to send and receive electronic mail for the teacher's use at home.

(B) Each teacher in the pilot school must be provided an electronic mail address.

(C) Each student in the pilot school who is eligible to receive a free or reduced price lunch must be provided a computer for use in the student's home that is equipped:

(i) to send and receive electronic mail; and

(ii) with child protection software.

(D) Upon request, each parent of a student in the pilot school must be provided an electronic mail address.

(10) Professional development activities under IC 20-1-1-6.5 that provide the following:

(A) The equivalent of ten (10) instructional days for all teachers in the pilot school that focus on the specific curriculum and instructional strategies implemented by the pilot school. Activities conducted under this clause must provide for the pilot school's certificated employees to continuously review and improve the pilot school's curriculum and instruction.

(B) The equivalent of twenty (20) instructional days each school year for thirty-three percent (33%) of the teachers who teach in subject areas tested under IC 20-10.1-16.

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Activities conducted under this clause must enable the teachers to serve as curriculum and instructional specialists and coaches for the pilot school.

Sec. 5. For a pilot school that includes grades 9 through 12, the school's strategic and continuous school improvement plan must be revised to include the following:

- (1) Provisions for tutoring and additional courses in subject areas tested under IC 20-10.1-16 to assist students in achieving a passing score on the graduation examination under IC 20-10.1-16-13.**
- (2) An accelerated learning program in which a student who achieves a passing score on the graduation examination under IC 20-10.1-16-13 may participate in the postsecondary enrollment program under IC 20-10.1-15.**
- (3) An extended learning program in which a student may remain enrolled in the pilot school for an additional year to complete the requirements for a core 40 or academic honors diploma.**
- (4) A supplemental staffing program to ensure the pilot school has enough staff to offer the necessary courses, taught by teachers certified in the subject matter, for students to complete the core 40 curriculum, the college preparation curriculum, the technology preparation curriculum, and the academic honors diploma curriculum. A program under this subdivision may include provisions for cooperative programs with other schools and distance learning.**
- (5) School based health, wellness, and nutrition services, which may be delivered through a collaboration with public and private providers.**
- (6) An alternative education program established under IC 20-10.1-4.6, which may include an educational program for students who are suspended or expelled, and in which students may participate until the school year in which the student becomes nineteen (19) years of age. Subjects areas that are:**
 - (A) tested under IC 20-10.1-16; and**
 - (B) included in the alternative education program;****must be taught by a teacher certified in the subject areas.**
- (7) Professional development activities under IC 20-1-1-6.5 that provide the following:**
 - (A) The equivalent of ten (10) instructional days for all teachers in the pilot school that focus on the specific curriculum and instructional strategies implemented by**

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1 the pilot school. Activities conducted under this clause
 2 must provide for the pilot school's certificated employees
 3 to continuously review and improve the pilot school's
 4 curriculum and instruction.

5 (B) The equivalent of twenty (20) instructional days each
 6 school year for thirty-three percent (33%) of the teachers
 7 who teach in subject areas tested under IC 20-10.1-16.
 8 Activities conducted under this clause must enable the
 9 teachers to serve as curriculum and instructional
 10 specialists and coaches for the pilot school.

11 **Chapter 5. Funding**

12 **Sec. 1. The state shall pay for the following:**

13 (1) Costs attributable to:

14 (A) additional programs and staff; and

15 (B) increases in:

16 (i) salaries;

17 (ii) wages; and

18 (iii) facility maintenance and utilities;

19 under an academic progress assistance plan implemented for
 20 a pilot school under IC 20-10.3-4.

21 (2) Costs for latch key programs required under IC 20-10.3-4
 22 that are attributable to children whose total household income
 23 is less than two hundred percent (200%) of the federal income
 24 poverty level.

25 **Sec. 2. The school corporation of a pilot school shall pay the**
 26 **following:**

27 (1) Through a transportation fund levy under
 28 IC 21-2-11.5-2(a), additional transportation costs arising from
 29 increasing minimal instructional time under IC 20-10.3-4.

30 (2) Through capital projects fund excess levy, expanded or
 31 improved instructional facilities to implement programs and
 32 services under IC 20-10.3-4.

33 **Sec. 3. The school corporation of a pilot school may use money**
 34 **from the capital projects fund to assist the parent of a student who**
 35 **is not entitled to receive a computer for home use under**
 36 **IC 20-10.3-4 in the acquisition of a computer for home use and the**
 37 **acquisition of an electronic mail address.**

38 **Sec. 4. A pilot school shall continue to receive state funding for**
 39 **the programs and services set forth in section 1 of this chapter for**
 40 **five (5) years after improving the pilot school's performance to the**
 41 **level at which fifty percent (50%) of the students:**

42 (1) demonstrate mastery of school readiness, early literacy, or

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1 reading standards under IC 20-10.3-2-1; or
2 (2) achieve passing scores on assessments under
3 IC 20-10.3-2-2.
4 **Chapter 6. Miscellaneous Provisions**
5 **Sec. 1. The school corporation of a pilot school shall participate**
6 **in a coordinated community plan to provide health, nutrition, and**
7 **early learning services for children from birth to three (3) years of**
8 **age and their families.**
9 **Sec. 2. The department shall contract with school corporations**
10 **of a pilot schools or other providers to implement English language**
11 **learning programs for students and their families who have not**
12 **achieved fluency in English.**
13 **Sec. 3. This article expires July 1, 2010.**

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