

Adopted	Rejected
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# COMMITTEE REPORT

YES:	13
NO:	0

## MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1005, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 20-26-13-10, AS AMENDED BY P.L.43-2009,
- 4           SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5           JULY 1, 2013]: Sec. 10. Except as provided in section 11 of this
- 6           chapter, the four (4) year graduation rate for a cohort in a high school
- 7           is the percentage determined under STEP FIVE of the following
- 8           formula:
- 9           STEP ONE: Determine the grade 9 enrollment at the beginning of
- 10          the reporting year three (3) years before the reporting year for
- 11          which the graduation rate is being determined.
- 12          STEP TWO: Add:
- 13           (A) the number determined under STEP ONE; and
- 14           (B) the number of students who:
- 15           (i) have enrolled in the high school after the date on which
- 16           the number determined under STEP ONE was determined;

- 1                   and
- 2                   (ii) have the same expected graduation year as the cohort.
- 3           STEP THREE: Subtract from the sum determined under STEP
- 4           TWO the number of students who have left the cohort for any of
- 5           the following reasons:
- 6                   (A) Transfer to another public or nonpublic school.
- 7                   (B) **Except as provided in IC 20-33-2-28.6**, removal by the
- 8                   student's parents under IC 20-33-2-28 to provide instruction
- 9                   equivalent to that given in the public schools.
- 10                  (C) Withdrawal because of a long term medical condition or
- 11                  death.
- 12                  (D) Detention by a law enforcement agency or the department
- 13                  of correction.
- 14                  (E) Placement by a court order or the department of child
- 15                  services.
- 16                  (F) Enrollment in a virtual school.
- 17                  (G) Leaving school, if the student attended school in Indiana
- 18                  for less than one (1) school year and the location of the student
- 19                  cannot be determined.
- 20                  (H) Leaving school, if the location of the student cannot be
- 21                  determined and the student has been reported to the Indiana
- 22                  clearinghouse for information on missing children and missing
- 23                  endangered adults.
- 24                  (I) Withdrawing from school before graduation, if the student
- 25                  is a high ability student (as defined in IC 20-36-1-3) who is a
- 26                  full-time student at an accredited institution of higher
- 27                  education during the semester in which the cohort graduates.
- 28           STEP FOUR: Determine the total number of students determined
- 29           under STEP TWO who have graduated during the current
- 30           reporting year or a previous reporting year.
- 31           STEP FIVE: Divide:
- 32                   (A) the number determined under STEP FOUR; by
- 33                   (B) the remainder determined under STEP THREE.
- 34           SECTION 2. IC 20-30-4-6, AS AMENDED BY P.L.140-2008,
- 35           SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36           JULY 1, 2013]: Sec. 6. (a) A student's guidance counselor shall, in
- 37           consultation with the student and the student's parent, review annually
- 38           a student's graduation plan that was developed in grade 9 under section

1 2 of this chapter to determine if the student is progressing toward  
2 fulfillment of the graduation plan.

3 (b) If a student is not progressing toward fulfillment of the  
4 graduation plan, the school counselor shall provide counseling services  
5 for the purpose of advising the student of credit recovery options and  
6 services available to help the student progress toward graduation.

7 (c) **If a student is not progressing toward fulfillment of the**  
8 **graduation plan due to not achieving a passing score on the**  
9 **graduation examination, the school counselor shall meet with the:**

10 (1) **teacher of the student in each subject area in which the**  
11 **student has not achieved a passing score on the graduation**  
12 **examination;**

13 (2) **parents of the student; and**

14 (3) **student;**

15 **to discuss available remediation and to plan to meet the**  
16 **requirements under IC 20-32-4-4."**

17 Page 1, delete lines 1 through 15.

18 Delete page 2.

19 Page 3, delete lines 1 through 6.

20 Page 3, delete lines 32 through 39, begin a new line double block  
21 indented and insert:

22 **"(C) Reduce the number of graduation exam waivers**  
23 **granted to graduates."**

24 Page 4, line 33, delete "." and insert ".".

25 Page 4, between lines 33 and 34, begin a new paragraph and insert:

26 "SECTION 6. IC 20-32-4-0.3 IS REPEALED [EFFECTIVE JULY  
27 1, 2013]. ~~Sec. 0-3.~~ Notwithstanding the amendments made to section  
28 4 of this chapter by P.L.105-2005, the following apply before July 1,  
29 2010:

30 (1) To be eligible to graduate from high school, each student is  
31 required to meet:

32 (A) the academic standards tested in the graduation  
33 examination; and

34 (B) any additional requirements established by the governing  
35 body.

36 (2) A student who does not meet the academic standards tested in  
37 the graduation examination shall be given the opportunity to be  
38 tested during each semester of each grade following the grade in

- 1 which the student is initially tested until the student achieves a  
 2 passing score.
- 3 (3) A student who does not achieve a passing score on the  
 4 graduation examination may be eligible to graduate if all the  
 5 following occur:
- 6 (A) The principal of the school the student attends certifies  
 7 that the student will within one (1) month of the student's  
 8 scheduled graduation date successfully complete all  
 9 components of the Core 40 curriculum as established by the  
 10 Indiana state board of education under IC 20-30-10.
- 11 (B) The student otherwise satisfies all state and local  
 12 graduation requirements.
- 13 (4) A student who does not achieve a passing score on the  
 14 graduation examination and who does not meet the requirements  
 15 of subdivision (3) may be eligible to graduate if the student does  
 16 all the following:
- 17 (A) Takes the graduation examination in each subject area in  
 18 which the student did not achieve a passing score at least one  
 19 (1) time every school year after the school year in which the  
 20 student first takes the graduation examination.
- 21 (B) Completes remediation opportunities provided to the  
 22 student by the student's school.
- 23 (C) Maintains a school attendance rate of at least ninety-five  
 24 percent (95%) with excused absences not counting against the  
 25 student's attendance.
- 26 (D) Maintains at least a "C" average or the equivalent in the  
 27 courses comprising the credits specifically required for  
 28 graduation by rule of the board.
- 29 (E) Obtains a written recommendation from a teacher of the  
 30 student in each subject area in which the student has not  
 31 achieved a passing score. The recommendation must:
- 32 (i) be concurred in by the principal of the student's school;  
 33 and
- 34 (ii) be supported by documentation that the student has  
 35 attained the academic standard in the subject area based  
 36 upon tests other than the graduation examination or  
 37 classroom work.
- 38 (F) Otherwise satisfies all state and local graduation

- 1 requirements.
- 2 (5) This subdivision applies to a student who is a child with a
- 3 disability (as defined in IC 20-35-1-2). If the student does not
- 4 achieve a passing score on the graduation examination, the
- 5 student's case conference committee may determine that the
- 6 student is eligible to graduate if the case conference committee
- 7 finds the following:
- 8 (A) The student's teacher of record, in consultation with a
- 9 teacher of the student in each subject area in which the student
- 10 has not achieved a passing score, makes a written
- 11 recommendation to the case conference committee. The
- 12 recommendation must:
- 13 (i) be concurred in by the principal of the student's school;
- 14 and
- 15 (ii) be supported by documentation that the student has
- 16 attained the academic standard in the subject area based
- 17 upon tests other than the graduation examination or
- 18 classroom work.
- 19 (B) The student meets all the following requirements:
- 20 (i) Retakes the graduation examination in each subject area
- 21 in which the student did not achieve a passing score as often
- 22 as required by the student's individualized education
- 23 program.
- 24 (ii) Completes remediation opportunities provided to the
- 25 student by the student's school to the extent required by the
- 26 student's individualized education program.
- 27 (iii) Maintains a school attendance rate of at least ninety-five
- 28 percent (95%) to the extent required by the student's
- 29 individualized education program with excused absences not
- 30 counting against the student's attendance.
- 31 (iv) Maintains at least a "C" average or the equivalent in the
- 32 courses comprising the credits specifically required for
- 33 graduation by rule of the board.
- 34 (v) Otherwise satisfies all state and local graduation
- 35 requirements.
- 36 SECTION 7. IC 20-32-4-4, AS AMENDED BY P.L.185-2006,
- 37 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2013]: Sec. 4. Beginning with the 2005-2006 school year, A

1 student who does not achieve a passing score on the graduation  
 2 examination and who does not meet the requirements of section 1 of  
 3 this chapter may be eligible to graduate if the student does all the  
 4 following:

5 (1) Takes the graduation examination in each subject area in  
 6 which the student did not achieve a passing score at least one (1)  
 7 time every school year after the school year in which the student  
 8 first takes the graduation examination.

9 (2) Completes remediation opportunities provided to the student  
 10 by the student's school.

11 (3) Maintains a school attendance rate of at least ninety-five  
 12 percent (95%) with excused absences not counting against the  
 13 student's attendance.

14 (4) Maintains at least a "C" average or the equivalent in the  
 15 courses comprising the credits specifically required for graduation  
 16 by rule of the state board.

17 (5) Otherwise satisfies all state and local graduation requirements.

18 (6) Either:

19 (A) completes:

20 (i) the course and credit requirements for a general diploma,  
 21 including the career academic sequence;

22 (ii) a workforce readiness assessment; and

23 (iii) at least one (1) ~~career exploration internship;~~  
 24 ~~cooperative education;~~ **industry certification** or workforce  
 25 credential recommended by the student's school; or

26 (B) obtains a written recommendation from a teacher of the  
 27 student in each subject area in which the student has not  
 28 achieved a passing score on the graduation examination. The  
 29 written recommendation must **be aligned with the governing**  
 30 **body's relevant policy and must** be concurred in by the  
 31 principal of the student's school and be supported by  
 32 documentation that the student has attained the academic  
 33 standard in the subject area based on:

34 (i) tests other than the graduation examination; or

35 (ii) classroom work.

36 SECTION 8. IC 20-32-4-5, AS ADDED BY P.L.1-2005, SECTION  
 37 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 38 2013]: Sec. 5. (a) This section applies to a student who is a child with

- 1 a disability (as defined in IC 20-35-1-2).
- 2 (b) If the student does not achieve a passing score on the graduation
- 3 examination, the student's case conference committee may determine
- 4 that the student is eligible to graduate if the case conference committee
- 5 finds the following:
- 6 (1) The student's teacher of record, in consultation with a teacher
- 7 of the student in each subject area in which the student has not
- 8 achieved a passing score, makes a written recommendation to the
- 9 case conference committee. The recommendation must:
- 10 **(A) be aligned with the governing body's relevant policy;**
- 11 ~~(A)~~ **(B)** be concurred in by the principal of the student's
- 12 school; and
- 13 ~~(B)~~ **(C)** be supported by documentation that the student has
- 14 attained the academic standard in the subject area based on:
- 15 (i) tests other than the graduation examination; or
- 16 (ii) classroom work.
- 17 (2) The student meets all the following requirements:
- 18 (A) Retakes the graduation examination in each subject area
- 19 in which the student did not achieve a passing score as often
- 20 as required by the student's individualized education program.
- 21 (B) Completes remediation opportunities provided to the
- 22 student by the student's school to the extent required by the
- 23 student's individualized education program.
- 24 (C) Maintains a school attendance rate of at least ninety-five
- 25 percent (95%) to the extent required by the student's
- 26 individualized education program with excused absences not
- 27 counting against the student's attendance.
- 28 (D) Maintains at least a "C" average or the equivalent in the
- 29 courses comprising the credits specifically required for
- 30 graduation by rule of the state board.
- 31 (E) Otherwise satisfies all state and local graduation
- 32 requirements."
- 33 Page 5, line 23, delete "and".
- 34 Page 5, line 25, after "IC 22-4.1-2-1;" insert "**and**".
- 35 Page 5, between lines 25 and 26, begin a new line block indented
- 36 and insert:
- 37 "**(4) department;**".
- 38 Page 6, line 24, after "with" insert "**the department,**".

1 Page 6, line 32, after "action" delete "." and insert **"with respect to**  
 2 **a particular subject matter covered in the exam."**

3 Page 7, line 9, after "(b)" insert **"with respect to a particular**  
 4 **subject matter"**.

5 Page 7, line 10, after "IC 21-43" delete "," and insert **"in the same**  
 6 **subject matter or a related subject matter,"**.

7 Page 7, between lines 18 and 19, begin a new paragraph and insert:  
 8 "SECTION 7. IC 20-33-2-28.6 IS ADDED TO THE INDIANA  
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2013]: **Sec. 28.6. (a) This section applies to a**  
 11 **high school student who is transferring to a nonaccredited**  
 12 **nonpublic school.**

13 **(b) Before a student withdraws from a public school, the**  
 14 **principal of the student's school shall provide to the student and to**  
 15 **the student's parent information on a form developed by the**  
 16 **department and approved by the state board that explains the legal**  
 17 **requirements of attending a nonaccredited nonpublic school**  
 18 **located in Indiana. The principal and a parent of the student shall**  
 19 **both sign the form to acknowledge that the parent understands the**  
 20 **content of the form.**

21 **(c) If the parent of the student refuses to sign the form provided**  
 22 **by the principal under subsection (b), the student is considered a**  
 23 **dropout and the principal shall report the student to the bureau of**  
 24 **motor vehicles for action under section 28.5(g) of this chapter. The**  
 25 **student is considered a dropout for purposes of calculating a high**  
 26 **school's graduation rate under IC 20-26-13-10."**

27 Page 7, delete lines 19 through 34, begin a new paragraph and  
 28 insert:

29 "SECTION 7. IC 21-18.5-4-8.5 IS ADDED TO THE INDIANA  
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2013]: **Sec. 8.5. (a) This section does not**  
 32 **apply to a student who:**

33 **(1) receives a graduation waiver under IC 20-32-4-4; and**  
 34 **(2) receives a general diploma by satisfying the conditions set**  
 35 **forth in IC 20-32-4-4, including, with respect to**  
 36 **IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B);**  
 37 **if the student has an individualized education program under**  
 38 **IC 20-35-7.**



1           **(b) Except as provided in subsection (a), this section applies to**  
2 **a student who receives a graduation waiver under IC 20-32-4-4**  
3 **after June 30, 2014.**

4           **(c) Notwithstanding any other law, a student who:**  
5               **(1) receives a graduation waiver under IC 20-32-4-4; and**  
6               **(2) receives a general diploma by satisfying the conditions set**  
7 **forth in IC 20-32-4-4, including, with respect to**  
8 **IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B);**  
9 **is disqualified from receiving state scholarships, grants, or**  
10 **assistance administered by the commission unless the student**  
11 **passes a college and career readiness exam described in**  
12 **IC 20-32-9-3.**

13           **(d) The college and career readiness exam taken by a student**  
14 **under subsection (c) shall be administered by the secondary school**  
15 **that granted the student the graduation waiver. The cost of the**  
16 **exam shall be paid by the department."**

- 17           Page 8, line 35, delete "and".
- 18           Page 8, line 37, after "IC 22-4.1-2-1;" insert "**and**".
- 19           Page 8, between lines 37 and 38, begin a new line block indented
- 20 and insert:
- 21               **"(4) department;"**.
- 22           Page 8, line 39, after "act" insert ",".
- 23           Renumber all SECTIONS consecutively.
- (Reference is to HB 1005 as introduced.)

**and when so amended that said bill do pass.**

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Representative Behning