

# HOUSE BILL No. 1356

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** Noncode.

**Synopsis:** Student assessment and accountability. Provides that a school's or school corporation's category or designation of school or school corporation performance assigned by the state board of education for the 2018-2019 school year may not be lower than the school's or school corporation's category or designation of school or school corporation performance for the 2017-2018 school year. Provides that additional consequences for school improvement may not be applied for the 2018-2019 school year. Provides that ILEARN program test scores or a school's category or designation of school improvement for the 2018-2019 school year may not be used by a school corporation as part of an annual performance evaluation of a particular certificated employee unless the use of the ILEARN program test scores or the school's category or designation of school improvement would improve the particular certificated employee's annual performance rating.

**Effective:** July 1, 2018 (retroactive).

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## Hatcher

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January 15, 2020, read first time and referred to Committee on Education.

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Second Regular Session of the 121st General Assembly (2020)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

# HOUSE BILL No. 1356

A BILL FOR AN ACT concerning education.

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

1 SECTION 1. [EFFECTIVE JULY 1, 2018 (RETROACTIVE)] (a)  
2 **The definitions in IC 20 apply throughout this SECTION.**  
3 (b) **Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, a school's**  
4 **or school corporation's category or designation of school or school**  
5 **corporation performance assigned by the state board under**  
6 **IC 20-31-8-4 for the 2018-2019 school year shall be calculated in**  
7 **the manner provided in 511 IAC 6.2-10, with the exception that a**  
8 **school's or school corporation's category or designation of school**  
9 **or school corporation performance may not be lower than the**  
10 **school's or school corporation's category or designation of school**  
11 **or school corporation performance for the 2017-2018 school year.**  
12 (c) **Notwithstanding IC 20-31-9, and except as otherwise**  
13 **provided in this subsection, a school's category or designation of**  
14 **school performance assigned by the state board under subsection**  
15 **(b) may not be used in the determination of consequences under**  
16 **IC 20-31-9. The school's category or designation of school**  
17 **performance for the 2019-2020 school year shall be considered the**  
18 **category or designation for the school year immediately following**



1 the 2017-2018 school year for purposes of applying consequences  
 2 under IC 20-31-9 for a school that has been placed in the lowest  
 3 category or designation of school performance under subsection  
 4 (b). However, a school may petition the state board, and the state  
 5 board shall grant the school's petition to use the grade assigned to  
 6 the school under subsection (b) for purposes of applying  
 7 IC 20-31-9.

8 (d) Notwithstanding IC 20-51-4-9, and except as otherwise  
 9 provided in this subsection, an eligible school's (as defined in  
 10 IC 20-51-1-4.7) category or designation of school performance  
 11 under subsection (b) may not be used in the determination of  
 12 consequences under IC 20-51-4-9 if the eligible school is placed in  
 13 either of the two (2) lowest categories or designations of school  
 14 performance under subsection (b). The eligible school's category  
 15 or designation of school performance for the 2019-2020 school year  
 16 shall be considered the category or designation for the school year  
 17 immediately following the 2017-2018 school year for purposes of  
 18 applying consequences under IC 20-51-4-9 for an eligible school  
 19 that has been placed in the two (2) lowest categories or  
 20 designations of school performance under subsection (b). However,  
 21 an eligible school may petition the state board, and the state board  
 22 shall grant the eligible school's petition to use the eligible school's  
 23 category or designation of school performance assigned under  
 24 subsection (b) for purposes of applying IC 20-51-4-9.

25 (e) Notwithstanding IC 20-24-2.2-2, a charter school's category  
 26 or designation of school performance for the 2019-2020 school year  
 27 shall be considered the category or designation for the school year  
 28 immediately following the 2017-2018 school year for purposes of  
 29 applying IC 20-24-2.2-2(a) for a charter school that has been  
 30 placed in the lowest category or designation of school performance  
 31 under subsection (b).

32 (e) This SECTION expires January 1, 2022.

33 SECTION 2. [EFFECTIVE JULY 1, 2018 (RETROACTIVE)] (a)  
 34 The definitions in IC 20 apply throughout this SECTION.

35 (b) Notwithstanding IC 20-28-11.5-4 or 511 IAC 10-6-4,  
 36 Indiana's Learning Evaluation Assessment Readiness Network  
 37 (ILEARN) program test scores or a school's category or  
 38 designation of school improvement under IC 20-31-8 for the  
 39 2018-2019 school year, based on the ILEARN program test under  
 40 IC 20-32-5.1 taken in the spring of 2019, may not be used by a  
 41 school corporation as part of an annual performance evaluation of  
 42 a particular certificated employee under a performance plan



1       developed under IC 20-28-11.5-4 unless the use of the ILEARN  
2       program test scores or a school's category or designation of school  
3       improvement under IC 20-31-8 for the 2018-2019 school year  
4       would improve the particular certificated employee's annual  
5       performance rating. If ILEARN program test scores or a school's  
6       category or designation of school improvement is not used in a  
7       particular certificated employee's annual performance evaluation,  
8       the weight of all other measures used in the certificated employee's  
9       annual performance evaluation must be proportionately increased  
10      to replace measures based on the ILEARN program test or the  
11      school's category or designation of school improvement.  
12      (c) This SECTION expires July 1, 2022.  
13      SECTION 3. An emergency is declared for this act.

