



March 23, 2023

ENGROSSED SENATE BILL No. 168

DIGEST OF SB 168 (Updated March 22, 2023 11:53 am - DI 140)

Citations Affected: IC 20-32.

Synopsis: Statewide assessment results. Requires (rather than permits) the department of education to include in a contract with a statewide assessment vendor entered into or renewed after June 30, 2023, a requirement that the vendor provide a summary of a student's statewide assessment results. Makes a conforming change and a technical correction.

Effective: July 1, 2023.

Leising, Rogers, Randolph Lonnie M
(HOUSE SPONSORS — BEHNING, CARBAUGH, SMITH V, KLINKER)

January 9, 2023, read first time and referred to Committee on Education and Career Development.

January 26, 2023, reported favorably — Do Pass.

January 30, 2023, read second time, ordered engrossed. Engrossed.

January 31, 2023, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 28, 2023, read first time and referred to Committee on Education.

March 23, 2023, reported — Do Pass.

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March 23, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 168

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 20-32-5.1-13, AS AMENDED BY P.L.139-2022,
2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 13. (a) The proficiency of students under a
4 statewide assessment must be reported to the state board not later than:
5 (1) for the 2018-2019 school year, August 15, 2019; and
6 (2) for each school year beginning after June 30, 2019, July 1 of
7 the year in which the statewide assessment is administered.
8 (b) Reports of student scores on the statewide assessment must be:
9 (1) returned to the school corporation, charter school, state
10 accredited nonpublic school, or eligible school (as defined in
11 IC 20-51-1-4.7) that administered the test; and
12 (2) accompanied by a guide for interpreting scores.
13 (c) Subject to approval by the state board, reports of student results
14 on computer scored items under a statewide assessment may be
15 returned to schools regardless of whether the hand scored items are
16 returned.
17 (d) After reports of final student scores on the statewide assessment

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1 are returned to a school corporation, charter school, state accredited
 2 nonpublic school, or eligible school (as defined in IC 20-51-1-4.7), the
 3 school corporation or school shall promptly do the following:

4 (1) Give each student and the student's parent the student's
 5 statewide assessment test scores, including (if applicable) the
 6 summary described in section 14.5 of this chapter.

7 (2) Make available for inspection to each student and the student's
 8 parent the following:

9 (A) A copy of the student's scored responses.

10 (B) A copy of the anchor papers and scoring rubrics used to
 11 score the student's responses.

12 A student's parent or the student's principal may request a rescoring of
 13 a student's responses to a statewide assessment, including a student's
 14 essay. A student's final score on a rescored statewide assessment must
 15 reflect the student's actual score on the rescored statewide assessment
 16 regardless of whether the student's score decreased or improved on the
 17 rescored assessment.

18 (e) The department shall develop criteria to provide a student's
 19 parent the opportunity to inspect questions in a manner that will not
 20 compromise the validity or integrity of a statewide assessment.

21 (f) A student's statewide assessment scores may not be disclosed to
 22 the public.

23 (g) The department may not release less than ten (10) items per
 24 subject matter per grade level. The state board and department shall:

25 (1) post:

26 (A) the questions; and

27 (B) with the permission of each student's parent, student
 28 answers that are exemplary responses to the released
 29 questions;

30 on the ~~Internet web sites~~ **websites** of the state board and
 31 department; and

32 (2) publicize the availability of the questions and answers to
 33 schools, educators, and the public.

34 A student answer posted under this subsection may not identify the
 35 student who provided the answer.

36 SECTION 2. IC 20-32-5.1-14.5, AS ADDED BY P.L.139-2022,
 37 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2023]: Sec. 14.5. For a contract entered into or renewed after
 39 ~~June 30, 2022~~, **June 30, 2023**, with a vendor to conduct the statewide
 40 assessment, the department ~~may~~ **shall** include in the contract a
 41 requirement that the vendor provide a summary of a student's statewide
 42 assessment results that:

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- 1 (1) is in an easy to read, understandable format for parents; and
- 2 (2) includes information regarding how the student's statewide
- 3 assessment results compare to statewide assessment results of
- 4 other students in the same grade level in Indiana.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 168, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 168 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 168, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 168 as printed January 27, 2023.)

BEHNING

Committee Vote: Yeas 12, Nays 0

