

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.

## SENATE ENROLLED ACT No. 168

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AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-32-5.1-13, AS AMENDED BY P.L.139-2022, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) The proficiency of students under a statewide assessment must be reported to the state board not later than:

- (1) for the 2018-2019 school year, August 15, 2019; and
- (2) for each school year beginning after June 30, 2019, July 1 of the year in which the statewide assessment is administered.

(b) Reports of student scores on the statewide assessment must be:

- (1) returned to the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) that administered the test; and
- (2) accompanied by a guide for interpreting scores.

(c) Subject to approval by the state board, reports of student results on computer scored items under a statewide assessment may be returned to schools regardless of whether the hand scored items are returned.

(d) After reports of final student scores on the statewide assessment are returned to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7), the school corporation or school shall promptly do the following:

- (1) Give each student and the student's parent the student's statewide assessment test scores, including (~~if applicable~~) the

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summary described in section 14.5 of this chapter.

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

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

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

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

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

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

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

(1) post:

(A) the questions; and

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

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

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

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

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

(1) is in an easy to read, understandable format for parents; and

(2) includes information regarding how the student's statewide assessment results compare to statewide assessment results of other students in the same grade level in Indiana.



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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