



March 27, 2015

ENGROSSED HOUSE BILL No. 1637

DIGEST OF HB 1637 (Updated March 25, 2015 2:39 pm - DI 116)

Citations Affected: IC 20-30; IC 20-31; IC 20-32; IC 20-33.

Synopsis: Various education issues. Requires higher education representatives with subject matter expertise to be appointed to academic standards committees. Provides that a waiver provision concerning psychomotor skills training for CPR expires July 1, 2015. Makes changes to provisions relating to guidelines or thresholds established by the state board of education (state board) to identify students who are likely to require remedial work at a postsecondary educational institution or workforce training program. Provides that the guidelines and thresholds for remediation established by the state board of education must include criteria and thresholds determined by the commission for higher education in consultation with state educational institutions. Specifies types of advanced course work and qualifying grade that may be considered as part of the determination of whether a student needs remediation. Removes the requirement that PSAT assessment scores are to be included in a student's transcript.

Effective: Upon passage; July 1, 2015.

Behning, Clere, Smith V

(SENATE SPONSORS — MILLER PETE, KRUSE, ROGERS)

January 22, 2015, read first time and referred to Committee on Education.
February 19, 2015, amended, reported — Do Pass.
February 23, 2015, read second time, ordered engrossed. Engrossed.
February 24, 2015, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

March 2, 2015, read first time and referred to Committee on Education & Career Development.
March 26, 2015, amended, reported favorably — Do Pass.

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First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1637

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 20-30-5-20, AS ADDED BY P.L.139-2014,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 20. (a) As used in this section, "psychomotor
4 skills" means skills using hands on practice to support cognitive
5 learning.

6 (b) Except as provided in subsection (e), each school corporation
7 and accredited nonpublic school shall include in the school
8 corporation's or accredited nonpublic school's high school health
9 education curriculum instruction in cardiopulmonary resuscitation and
10 use of an automated external defibrillator for its students. The
11 instruction must incorporate the psychomotor skills necessary to
12 perform cardiopulmonary resuscitation and use an automated external
13 defibrillator and must include either of the following:

14 (1) An instructional program developed by the American Heart
15 Association or the American Red Cross.

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1 (2) An instructional program that is nationally recognized and is
 2 based on the most current national evidence based emergency
 3 cardiovascular care guidelines for cardiopulmonary resuscitation
 4 and the use of an automated external defibrillator.

5 (c) A school corporation or an accredited nonpublic school may
 6 offer the instruction required in subsection (b) or may arrange for the
 7 instruction to be provided by available community based providers.
 8 The instruction is not required to be provided by a teacher. If
 9 instruction is provided by a teacher, the teacher is not required to be a
 10 certified trainer of cardiopulmonary resuscitation.

11 (d) This section shall not be construed to require a student to
 12 become certified in cardiopulmonary resuscitation and the use of an
 13 automated external defibrillator. However, if a school corporation or
 14 accredited nonpublic school chooses to offer a course that results in
 15 certification being earned, the course must be taught by an instructor
 16 authorized to provide the instruction by the American Heart
 17 Association, the American Red Cross, or a similar nationally
 18 recognized association.

19 (e) A school administrator may waive the requirement that a student
 20 receive instruction under subsection (b) if the student has a disability
 21 or is physically unable to perform the psychomotor skill component of
 22 the instruction required under subsection (b).

23 (f) If a school is unable to comply with the psychomotor skill
 24 component of the instruction required under subsection (b), the
 25 governing body may submit a request to the state superintendent to
 26 waive the psychomotor skill component. The state superintendent shall
 27 take action on the waiver request within thirty (30) days of receiving
 28 the request for a waiver. A waiver request must:

- 29 (1) be in writing;
 30 (2) include the reason or reasons that necessitated the waiver
 31 request;
 32 (3) indicate the extent to which the school attempted to comply
 33 with the requirements under subsection (b); and
 34 (4) be submitted each year for the school year the school requests
 35 the waiver.

36 **This subsection expires July 1, 2015.**

37 SECTION 2. IC 20-31-3-4, AS AMENDED BY P.L.286-2013,
 38 SECTION 100, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2015]: Sec. 4. The state superintendent shall
 40 appoint an academic standards committee composed of subject area
 41 teachers, **higher education representatives with subject matter**
 42 **expertise**, and parents during the period when a subject area is



- 1 undergoing revision.
- 2 SECTION 3. IC 20-32-9-1, AS ADDED BY P.L.268-2013,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 1. Not later than July 1, 2013, the state board, in
5 consultation with the:
- 6 (1) education roundtable established under IC 20-19-4-2;
 - 7 (2) commission for higher education established under
8 IC 21-18-2-1;
 - 9 (3) department of workforce development established under
10 IC 22-4.1-2-1; and
 - 11 (4) department;
- 12 shall develop guidelines **and thresholds** to assist secondary schools in
13 identifying a student who is likely to require remedial work at a
14 postsecondary educational institution or workforce training program if
15 the student subsequently attends a **an Indiana** postsecondary
16 educational institution or workforce training program upon graduation.
- 17 SECTION 4. IC 20-32-9-2, AS ADDED BY P.L.268-2013,
18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2015]: Sec. 2. The guidelines **and thresholds** established in
20 section 1 of this chapter:
- 21 ~~(1)~~ must include indicators to assist school personnel in
22 determining whether a student may be in need of supplemental
23 instruction or remediation to minimize the student's need for
24 remedial course work at a postsecondary educational institution
25 or workforce training program;
 - 26 ~~(2)~~ **(1)** must provide standards and guidelines for secondary
27 school personnel to determine when a student is required to be
28 assessed under section 3 of this chapter, including guidelines that
29 include:
 - 30 **(A) criteria and thresholds that must be based upon:**
 - 31 **(i) the student's results or score on a state assessment;**
 - 32 **and**
 - 33 **(ii) the student's results or score on a national assessment**
34 **of college and career readiness, with thresholds**
35 **determined by the commission for higher education in**
36 **consultation with the state educational institutions, or**
37 **the student's qualifying grades, which for purposes of**
38 **this section are a "B" or higher, in advanced placement,**
39 **international baccalaureate, or dual credit courses;**
 - 40 ~~(A)~~ **(B)** a description of the school official who may make a
41 determination **based on the criteria** to assess a student under
42 section 3 of this chapter; and



1 ~~(B)~~ **(C)** thresholds for determining whether a student who
 2 takes an examination under section 3 of this chapter requires
 3 additional remediation or additional instruction **that are**
 4 **determined based on a common score for placement into**
 5 **an entry level, transferable course in English or**
 6 **mathematics as determined by the commission for higher**
 7 **education in consultation with the state educational**
 8 **institutions; and**

9 ~~(2)~~ **(2)** may provide best practices and strategies for improving
 10 services and support provided by a school **must provide**
 11 **information on strategies and resources that schools can use**
 12 to assist a student in achieving the level of academic performance
 13 that is appropriate for the student's grade level to:

14 (A) reduce the likelihood that a student will fail a graduation
 15 exam and require a graduation waiver under IC 20-32-4-4 or
 16 IC 20-32-4-5; or

17 (B) minimize the necessity for postsecondary remedial course
 18 work by the student.

19 SECTION 5. IC 20-32-9-3, AS ADDED BY P.L.268-2013,
 20 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 3. (a) If the appropriate secondary school official
 22 determines, using the ~~indicators~~ **criteria and thresholds** established
 23 in section 2 of this chapter, that a student ~~before the spring semester;~~
 24 ~~or the equivalent, in grade 11:~~

25 ~~(1) has failed a graduation exam and may require a graduation~~
 26 ~~waiver under IC 20-32-4-4 or IC 20-32-4-5; or~~

27 ~~(2) will likely require remedial work at a postsecondary~~
 28 ~~educational institution or workforce training program,~~

29 the appropriate secondary school official shall require the student to
 30 take a college and career readiness exam approved by the state board
 31 in consultation with the department, the commission for higher
 32 education established under IC 21-18-2-1, the education roundtable
 33 established under IC 20-19-4-2, and the department of workforce
 34 development under IC 22-4.1-2-1 **at least one (1) time before the**
 35 **student begins the spring semester, or the equivalent, in grade 11.**
 36 The cost of the exam shall be paid by the department.

37 (b) If a student is required to take an exam under subsection (a), the
 38 appropriate school official shall make a determination based on the
 39 guidelines **and thresholds** established in section 2 of this chapter as to
 40 whether the student is in need of additional instruction or remedial
 41 action with respect to a particular subject matter covered in the exam.
 42 If the appropriate school official determines that a student who takes



1 an exam under subsection (a) is in need of remediation or supplemental
 2 instruction to prevent the need for remediation at a postsecondary
 3 educational institution or workforce development program, the
 4 appropriate school official shall inform the student's parent:

5 (1) of the likelihood that the student will require remedial course
 6 work;

7 (2) of the potential financial impact on the student or the parent
 8 for the additional remedial course work described in subdivision
 9 (1), including that the student may not be eligible to receive state

10 scholarships, grants, or assistance administered by the
 11 commission for higher education; and

12 (3) of the additional time that may be required to earn a degree;
 13 while the student attends a postsecondary educational institution or
 14 workforce development program. ~~The appropriate secondary school~~
 15 ~~official may establish a remediation or supplemental instruction plan~~
 16 ~~with the student's parent.~~

17 (c) Before a student determined to need additional instruction or
 18 remedial action under subsection (b) with respect to a particular subject
 19 matter may enroll in a dual credit course under IC 21-43 in the same
 20 subject matter or a related subject matter, the student may receive
 21 additional instruction or remedial course work and must retake the
 22 examination described in subsection (a). If the appropriate school
 23 official determines that the student no longer requires additional
 24 instruction or remedial action under the guidelines established under
 25 section 2 of this chapter after retaking the exam under this section, the
 26 student may enroll in a dual credit course under IC 21-43. The cost of
 27 the administration of the exam under this subsection shall be paid by
 28 the department.

29 **(d) A student who takes an exam under subsection (a) and is**
 30 **identified as being in need of remediation or supplemental**
 31 **instruction shall retake the college and career readiness exam**
 32 **during grade 12 if a remediation or supplemental instruction plan**
 33 **under subsection (b) was completed.**

34 **(e) Before November 1, 2015, the state board shall make**
 35 **recommendations to the general assembly in an electronic format**
 36 **under IC 5-14-6 as to the feasibility of requiring the department to**
 37 **pay costs relating to the administration of the exam under**
 38 **subsection (d). This subsection expires January 1, 2016.**

39 SECTION 6. IC 20-33-2-13, AS AMENDED BY P.L.43-2014,
 40 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 13. (a) A school corporation shall record or
 42 include the following information in the official high school transcript



- 1 for a student in high school:
- 2 (1) Attendance records.
- 3 (2) The student's latest ISTEP program test results under
- 4 IC 20-32-5.
- 5 (3) Any secondary level and postsecondary level certificates of
- 6 achievement earned by the student.
- 7 (4) Immunization information from the immunization record the
- 8 student's school keeps under IC 20-34-4-1.
- 9 (5) Any dual credit courses taken that are included in the core
- 10 transfer library under IC 21-42-5-4.
- 11 ~~(6) The student's latest PSAT program test results.~~
- 12 (b) A school corporation may include information on a student's
- 13 high school transcript that is in addition to the requirements of
- 14 subsection (a).
- 15 **SECTION 7. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1637, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1637 as introduced.)

BEHNING

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1637, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-30-5-20, AS ADDED BY P.L.139-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) As used in this section, "psychomotor skills" means skills using hands on practice to support cognitive learning.

(b) Except as provided in subsection (e), each school corporation and accredited nonpublic school shall include in the school corporation's or accredited nonpublic school's high school health education curriculum instruction in cardiopulmonary resuscitation and use of an automated external defibrillator for its students. The instruction must incorporate the psychomotor skills necessary to perform cardiopulmonary resuscitation and use an automated external defibrillator and must include either of the following:

- (1) An instructional program developed by the American Heart

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Association or the American Red Cross.

(2) An instructional program that is nationally recognized and is based on the most current national evidence based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator.

(c) A school corporation or an accredited nonpublic school may offer the instruction required in subsection (b) or may arrange for the instruction to be provided by available community based providers. The instruction is not required to be provided by a teacher. If instruction is provided by a teacher, the teacher is not required to be a certified trainer of cardiopulmonary resuscitation.

(d) This section shall not be construed to require a student to become certified in cardiopulmonary resuscitation and the use of an automated external defibrillator. However, if a school corporation or accredited nonpublic school chooses to offer a course that results in certification being earned, the course must be taught by an instructor authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(e) A school administrator may waive the requirement that a student receive instruction under subsection (b) if the student has a disability or is physically unable to perform the psychomotor skill component of the instruction required under subsection (b).

(f) If a school is unable to comply with the psychomotor skill component of the instruction required under subsection (b), the governing body may submit a request to the state superintendent to waive the psychomotor skill component. The state superintendent shall take action on the waiver request within thirty (30) days of receiving the request for a waiver. A waiver request must:

- (1) be in writing;
- (2) include the reason or reasons that necessitated the waiver request;
- (3) indicate the extent to which the school attempted to comply with the requirements under subsection (b); and
- (4) be submitted each year for the school year the school requests the waiver.

This subsection expires July 1, 2015.

SECTION 2. IC 20-31-3-4, AS AMENDED BY P.L.286-2013, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. The state superintendent shall appoint an academic standards committee composed of subject area teachers, **higher education representatives with subject matter**

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expertise, and parents during the period when a subject area is undergoing revision."

Page 2, line 14, after "criteria" insert "**and thresholds**".

Page 2, line 14, delete "may" and insert "**must**".

Page 2, line 14, delete ", but are not limited to:" and insert ":".

Page 2, line 15, after "assessment;" insert "**and**".

Page 2, line 17, delete ";" and insert "**, with thresholds determined by the commission for higher education in consultation with the state educational institutions,**".

Page 2, line 18, delete "(iii)".

Page 2, line 18, delete "results or scores on" and insert "**qualifying grades, which for purposes of this section are a "B" or higher, in**".

Page 2, line 18, delete "course" and insert "**placement, international baccalaureate, or dual credit courses;**".

Page 2, run in lines 17 through 18.

Page 2, delete line 19.

Page 2, line 25, delete ". Thresholds" and insert "**that are**".

Page 2, line 26, delete "must be".

Page 2, line 29, delete ";" and insert "**in consultation with the state educational institutions;**".

Page 3, line 1, after "criteria" insert "**and thresholds**".

Page 4, line 10, delete "may" and insert "**shall**".

Page 4, line 15, delete "or" and insert "**of**".

Page 4, after line 35, begin a new paragraph and insert:
"SECTION 6. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1637 as printed February 20, 2015.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 1.

