



January 28, 2020

ENGROSSED SENATE BILL No. 2

DIGEST OF SB 2 (Updated January 28, 2020 9:41 am - DI 135)

Citations Affected: Noncode.

Synopsis: School 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 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 2019-2020 school year is the higher of the school's or school corporation performance for the 2017-2018 school year and the 2018-2019 school year.
(Continued next page)

Effective: July 1, 2018 (retroactive).

**Raatz, Bray, Kruse, Rogers, Melton,
Doriot**

(HOUSE SPONSOR — DEVON)

January 6, 2020, read first time and referred to Committee on Education and Career Development.

January 7, 2020, amended, reported favorably — Do Pass.

January 9, 2020, read second time, ordered engrossed. Engrossed.

January 13, 2020, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

January 27, 2020, read first time and referred to Committee on Education.

January 28, 2020, reported — Do Pass.

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Digest Continued

corporation's: (1) category or designation of school or school corporation performance assigned for the 2018-2019 school year; or (2) category or designation of school or school corporation performance for the 2019-2020 school year. Provides that consequences for school improvement do not apply for the 2018-2019 or 2019-2020 school years. Provides that ILEARN program test scores or a school's category or designation of school improvement for the 2018-2019 or 2019-2020 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 a school's category or designation of school improvement would improve the particular certificated employee's annual performance rating.



January 28, 2020

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

ENGROSSED SENATE BILL No. 2

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 for the 2018-2019 school year**
10 **may not be lower than the school's or school corporation's**
11 **category or designation of school or school corporation**
12 **performance for the 2017-2018 school year.**
13 **(c) Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, a school's**
14 **or school corporation's category or designation of school or school**
15 **corporation performance assigned by the state board under**
16 **IC 20-31-8-4 for the 2019-2020 school year shall be calculated in**
17 **the manner provided in 511 IAC 6.2-10, with the exception that a**
18 **school's or school corporation's category or designation of school**

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1 or school corporation performance for the 2019-2020 school year
2 is the higher of a school's or school corporation's category or
3 designation of school or school corporation performance:

4 (1) determined under subsection (b); or

5 (2) for the 2019-2020 school year as determined under
6 IC 20-31-8.

7 (d) Notwithstanding IC 20-31-9, and except as otherwise
8 provided in this subsection, a school's category or designation of
9 school performance assigned by the state board under subsection
10 (b) or (c) may not be used in the determination of consequences
11 under IC 20-31-9. The school's category or designation of school
12 performance for the 2020-2021 school year shall be considered the
13 category or designation for the school year immediately following
14 the 2017-2018 school year for purposes of applying consequences
15 under IC 20-31-9 for a school that has been placed in the lowest
16 category or designation of school performance under subsections
17 (b) and (c). However, a school may petition the state board, and the
18 state board shall grant the school's petition to use the grade
19 assigned to the school under subsection (b) or (c) for purposes of
20 applying IC 20-31-9.

21 (e) Notwithstanding IC 20-51-4-9, and except as otherwise
22 provided in this subsection, an eligible school's (as defined in
23 IC 20-51-1-4.7) category or designation of school performance
24 under subsection (b) or (c) may not be used in the determination of
25 consequences under IC 20-51-4-9 if the eligible school is placed in
26 either of the two (2) lowest categories or designations of school
27 performance under subsection (b) or (c). The eligible school's
28 category or designation of school performance for the 2020-2021
29 school year shall be considered the category or designation for the
30 school year immediately following the 2017-2018 school year for
31 purposes of applying consequences under IC 20-51-4-9 for an
32 eligible school that has been placed in the two (2) lowest categories
33 or designations of school performance under subsections (b) and
34 (c). However, an eligible school may petition the state board, and
35 the state board shall grant the eligible school's petition to use the
36 eligible school's category or designation of school performance
37 assigned under subsection (b) or (c) for purposes of applying
38 IC 20-51-4-9.

39 (f) Notwithstanding IC 20-24-2.2-2, a charter school's category
40 or designation of school performance for the 2020-2021 school year
41 shall be considered the category or designation for the school year
42 immediately following the 2017-2018 school year for purposes of



1 applying IC 20-24-2.2-2(a) for a charter school that has been
2 placed in the lowest category or designation of school performance
3 under subsection (b) or (c). However, a charter school may petition
4 the state board, and the state board shall grant the charter school's
5 petition to use the charter school's category or designation of
6 school performance assigned under subsection (b) or (c) for
7 purposes of applying IC 20-24-2.2-2(a).

8 (g) This SECTION expires January 1, 2023.

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

11 (b) Notwithstanding IC 20-28-11.5-4 or 511 IAC 10-6-4,
12 ILEARN program test scores or a school's category or designation
13 of school improvement under IC 20-31-8 for the 2018-2019 or
14 2019-2020 school year, based on Indiana's Learning Evaluation
15 Assessment Readiness Network (ILEARN) program test under
16 IC 20-32-5.1 taken in the spring of 2019 and 2020, may not be used
17 by a school corporation as part of an annual performance
18 evaluation of a particular certificated employee under a
19 performance plan developed under IC 20-28-11.5-4 unless the use
20 of the ILEARN program test scores or a school's category or
21 designation of school improvement under IC 20-31-8 for the
22 2018-2019 or 2019-2020 school year would improve the particular
23 certificated employee's annual performance rating. If ILEARN
24 program test scores or a school's category or designation of school
25 improvement are not used in a particular certificated employee's
26 annual performance evaluation, the weight of all other measures
27 used in the certificated employee's annual performance evaluation
28 must be proportionately increased to replace measures based on
29 the ILEARN program test or the school's category or designation
30 of school improvement.

31 (c) This SECTION expires July 1, 2023.

32 SECTION 3. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 2, 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 3, line 3, delete "(b)." and insert "**(b) or (c).**".

and when so amended that said bill do pass.

(Reference is to SB 2 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 12, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 2, 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 2 as printed January 8, 2020.)

BEHNING

Committee Vote: Yeas 11, Nays 0

