

## **IC 20-31-8**

### **Chapter 8. Assessing Improvement**

#### **IC 20-31-8-1**

##### **ISTEP scores and other assessments**

Sec. 1. (a) The performance of a school's students on the ISTEP program test and other assessments recommended by the department of education and approved by the state board are the primary and majority means of assessing a school's improvement.

(b) The department of education shall examine and make recommendations to the state board concerning:

- (1) performance indicators to be used as a secondary means of determining school progress;
- (2) expected progress levels, continuous improvement measures, distributional performance levels, and absolute performance levels for schools; and
- (3) an orderly transition from the performance based accreditation system to the assessment system set forth in this article.

(c) The department of education shall consider methods of measuring improvement and progress used in other states in developing recommendations under this section.

(d) The department of education may consider:

- (1) the likelihood that a student may fail a graduation exam and require a graduation waiver under IC 20-32-4-4 or IC 20-32-4-5; and
- (2) remedial needs of students who are likely to require remedial work while the students attend a postsecondary educational institution or workforce training program;

when making recommendations under this section.

*As added by P.L.1-2005, SEC.15. Amended by P.L.268-2013, SEC.4; P.L.213-2015, SEC.195.*

#### **IC 20-31-8-2**

##### **Secondary means of assessing performance**

Sec. 2. (a) In addition to scores on the ISTEP program test and other assessments, the department shall use the performance indicators developed by the state board and the benchmarks and indicators of performance in each school corporation's annual performance report as a secondary means of assessing the performance of each school and school corporation.

(b) The department shall assess school performance in the following manner:

- (1) Compare the academic performance and growth of the individual students in each school and each school corporation with the prior academic performance and growth of the individual students in the school or school corporation and not to the performance of other schools or school corporations.

(2) Compare the results in the annual report under IC 20-20-8 with the benchmarks and indicators of performance established in the plan for the same school.

(3) Compare the results for a school by comparing each student's results for each grade with the student's prior year results, with an adjustment for student mobility rate.

(4) Compare the results for a school with the state average and the ninety-fifth percentile level for all assessments and performance indicators.

*As added by P.L.1-2005, SEC.15. Amended by P.L.286-2013, SEC.102; P.L.213-2015, SEC.196.*

### **IC 20-31-8-3**

#### **Establishment of categories of performance**

Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.

(b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.

(c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using ISTEP scores as a means of assessing school performance.

*As added by P.L.1-2005, SEC.15. Amended by P.L.286-2013, SEC.103; P.L.239-2015, SEC.12.*

### **IC 20-31-8-4**

#### **Placement of school in category or designation of school performance**

Sec. 4. (a) The state board shall place each school in a category or designation of school performance once annually based on the department's findings from the assessment of performance and academic growth under section 2 of this chapter.

(b) The state board may place a school in a category or designation of school performance only if:

(1) the department has provided each school the opportunity to review, add to, or supplement the data, and to correct any errors

in the data; and

(2) the state board's staff has had an opportunity to review and analyze the school corporation, school, and student level data.

(c) The state board may obtain assistance from another entity or, with the approval of the legislative council, the legislative services agency, to ensure the validity and reliability of the performance category or designation placements calculated by the department under section 2 of this chapter. The department shall provide all the data necessary to complete those calculations to the legislative services agency or to an entity designated by the state board.

*As added by P.L.1-2005, SEC.15. Amended by P.L.286-2013, SEC.104; P.L.213-2015, SEC.197.*

#### **IC 20-31-8-4.5**

##### **Alternative assessment methodology for schools focused exclusively on students with developmental, intellectual, or behavioral challenges**

Sec. 4.5. In addition to other benchmarks, performance indicators, and accountability standards developed under this article, the state board shall develop alternative benchmarks, performance indicators, and accountability standards to be used in the assessment of schools that focus exclusively on providing an academic program for students with developmental, intellectual, or behavioral challenges.

*As added by P.L.205-2013, SEC.255.*

#### **IC 20-31-8-5**

##### **Repealed**

*(As added by P.L.286-2013, SEC.105 and P.L.205-2013, SEC.256. Repealed by P.L.2-2014, SEC.85; P.L.2-2014, SEC.86.)*

#### **IC 20-31-8-5.2**

##### **Alternative accountability system for adult high schools**

Sec. 5.2. (a) The state board shall establish an alternative accountability system to assess the performance of an adult high school. The system shall:

(1) establish rigorous academic outcomes criteria;

(2) measure college and career readiness outcomes for each graduate;

(3) measure student accomplishments and success after graduation for a period of time as determined by the state board; and

(4) require that a substantial majority of graduates who receive waiver diplomas must also be on track to receive or have already received an industry certification that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3.

(b) An adult high school is subject to the alternative accountability system developed by the state board under subsection

(a).

*As added by P.L.2-2014, SEC.87. Amended by P.L.47-2014, SEC.8.*

#### **IC 20-31-8-5.4**

##### **Establishment of categories or designation of school performance; replacement of existing categories or designations; basis for new categories or designations**

Sec. 5.4. (a) Not later than November 15, 2013, the state board shall establish new categories or designations of school performance under the requirements of this chapter to replace 511 IAC 6.2-6. The new standards of assessing school performance:

- (1) must be based on a measurement of individual student academic performance and growth to proficiency; and
- (2) may not be based on a measurement of student performance or growth compared with peers.

511 IAC 6.2-6 is void on the effective date of the emergency or final rules adopted under this section.

(b) After July 1, 2013, the state board:

- (1) shall adopt rules under IC 4-22-2; and
- (2) may adopt emergency rules in the manner provided in IC 4-22-2-37.1;

to implement this chapter.

(c) An emergency rule adopted under subsection (b) expires on the earlier of:

- (1) November 15, 2014; or
- (2) the effective date of a rule that establishes categories or designations of school improvement described in this section and supersedes the emergency rule.

(d) Before beginning the rulemaking process to establish new categories or designations of school improvement, the state board shall report to the general assembly the proposed new categories or designations in an electronic format under IC 5-14-6.

*As added by P.L.2-2014, SEC.88.*

#### **IC 20-31-8-6**

##### **Change in category or designation of school performance; duty of department**

Sec. 6. (a) This section applies to a school that has appealed the school's placement in a category or designation under section 4 of this chapter.

(b) If as a result of an appeal a school's placement in a category or designation under section 4 of this chapter changes, the department shall:

- (1) change the category or designation in the department's records;
- (2) notify the school of the change; and
- (3) disseminate information concerning the change in the school's placement in the same manner as information

concerning the school's original placement was disseminated.  
*As added by P.L.286-2013, SEC.106.*

**IC 20-31-8-7**

**School improvement designation for charter school organizer**

Sec. 7. If the state board adopts a rule to assign a category or designation of school improvement to a school corporation, the state board shall also adopt a rule to assign a category or designation of school improvement to a charter school organizer.

*As added by P.L.35-2014, SEC.4.*