IC 20-32
   ARTICLE 32. STUDENT STANDARDS, ASSESSMENTS, AND PERFORMANCE

IC 20-32-1
   Chapter 1. Applicability

IC 20-32-1-1
Application of article
   Sec. 1. This article applies only to the following:
       (1) Public schools.
       (2) Nonpublic schools that voluntarily have become accredited under IC 20-19-2-8.

As added by P.L.1-2005, SEC.16.
IC 20-32-2
Chapter 2. Definitions

IC 20-32-2-1
Application of definitions
Sec. 1. The definitions in this chapter apply throughout this article. 
As added by P.L.1-2005, SEC.16.

IC 20-32-2-2
"Academic standards"
Sec. 2. "Academic standards" refers to the statewide academic standards developed under IC 20-31-3 indicating the skills and knowledge base expected of a student at a particular grade level for a particular subject area. 
As added by P.L.1-2005, SEC.16.

IC 20-32-2-2.5
"Satisfactory score"
Sec. 2.5. "Satisfactory score" means a score of 3, 4, or 5 on an advanced placement examination sponsored by the College Board's Advanced Placement Program. 
As added by P.L.91-2010, SEC.1.

IC 20-32-2-3
"Student"
Sec. 3. "Student" means an individual who is enrolled in:
(1) a public school;
(2) an accredited nonpublic school; or
(3) another nonpublic school that has requested and received from the state board specific approval of the school's educational program. 
As added by P.L.1-2005, SEC.16.
IC 20-32-3
Chapter 3. Secondary Certificates of Achievement

IC 20-32-3-1
"Requisite proficiency"
Sec. 1. As used in this chapter, "requisite proficiency" refers to the satisfaction by a student of the standards approved by the state board under section 4(a)(3) of this chapter to receive a secondary level certificate of achievement in an academic field.

IC 20-32-3-2
"Student"
Sec. 2. As used in this chapter, "student" refers to a student who meets the following conditions:
(1) Is enrolled in a public school, an accredited nonpublic school, or a nonpublic school that has requested and received from the state board specific approval for the school's education program.
(2) Is in at least grade 9.
(3) If the student is a child with a disability (as defined in IC 20-35-1-2), would benefit from the participation under this chapter as determined by the individualized education program for the student.
As added by P.L.1-2005, SEC.16.

IC 20-32-3-3
"Subject or skill areas"
Sec. 3. As used in this chapter, "subject or skill areas" refers to specific and identifiable technically related and academically related subjects or skills.
As added by P.L.1-2005, SEC.16.

IC 20-32-3-4
Secondary level certificates of achievement and proficiency demonstrations; standards; implementation; advanced placement programs; rules
Sec. 4. (a) For academic fields of study, the state board shall adopt for statewide implementation the following:
(1) Different subject or skill areas in which students may be given the opportunity to do the following:
   (A) Demonstrate the requisite proficiency.
   (B) Be awarded a secondary level certificate of achievement.
(2) The instrument or assessment by which a student is given the opportunity to demonstrate the requisite proficiency.
(3) The standards required for each subject or skill area necessary to acquire a particular secondary level certificate of achievement.
(b) Regarding the academic field of study, a student may elect to earn academic certificates of achievement in areas designated by the
state board through the advanced placement program (as defined in IC 20-36-3-3) or another appropriate assessment designated by the state board.

(c) The state board may adopt rules to implement this chapter relating to the certificates of achievement for academic fields of study.


IC 20-32-3-5
State board; factors considered
Sec. 5. In making adoptions under section 4 of this chapter, the state board shall consider the following factors:

(1) The overall value of the particular subject or skill area to a broad range of students and the workforce.
(2) The transferability of the particular subject or skill area to other subject or skill areas.
(3) Any other factor that the state board considers significant.


IC 20-32-3-6
Assessment instruments; appropriateness; opportunity provided
Sec. 6. The secondary level certificate of achievement assessment instruments must provide each student with the opportunity to demonstrate the requisite proficiency in the subject or skill area in an applied manner as appropriate.

As added by P.L.1-2005, SEC.16.

IC 20-32-3-7
Student election to pursue certificate of achievement in academic area; assessment; graduation requirement
Sec. 7. (a) Each student participating in the technology preparation curriculum under IC 20-30-12 or the college preparation curriculum under IC 20-30-10 may elect to pursue a certificate of achievement in an academic area. Unless the governing body requires the acquisition of secondary level academic certificates of achievement for graduation, the certificates of achievement are not a requirement for graduation.

(b) For every secondary level technical education program for which an appropriate secondary level technical certificate of achievement is available, each student is required to undergo the appropriate technical certificate of achievement assessment. Unless the governing body requires the acquisition of the secondary level technical certificate of achievement for graduation, the certificates of achievement are not a requirement for graduation.

As added by P.L.1-2005, SEC.16.

IC 20-32-3-8
Official high school transcript
Sec. 8. Any secondary level certificates of achievement that a student earns shall be recorded in the student's official high school
IC 20-32-3-9
Postsecondary level academic credit
Sec. 9. A student who:
(1) receives a secondary level certificate of achievement in a particular subject or skill area; and
(2) satisfies the standards for receipt of academic credit as determined by a state educational institution;
may receive postsecondary level academic credit at the state educational institution for the secondary level certificate of achievement as set forth in IC 21-43-2.

IC 20-32-3-10
Advanced placement examination; certificate of achievement; postsecondary academic credit
Sec. 10. A student who undergoes an advanced placement examination under IC 20-36-3 and receives a satisfactory score on the advanced placement examination is entitled to receive:
(1) a certificate of achievement; and
(2) postsecondary level academic credit at a state educational institution that counts toward meeting the student's degree requirements, if elective credit is part of the student's degree requirement. The state educational institution may require a score higher than 3 on an advanced placement test if the credit is to be used for meeting a course requirement for a particular major at the state educational institution.

IC 20-32-3-11
Construction of chapter; opportunities; subject and skill areas not offered
Sec. 11. This chapter does not require a school corporation to offer opportunities for secondary level or postsecondary level certificates of achievement in subject and skill areas in which the school corporation does not offer a program.
As added by P.L.1-2005, SEC.16.

IC 20-32-3-12
Duties of state board
Sec. 12. The state board shall do the following:
(1) Make the academically related secondary level certificate of achievement assessment instruments available to the department of workforce development for the department of workforce development's use in offering adult learners the opportunity to demonstrate the requisite proficiency in the particular subject and skill areas.
(2) Authorize the department of workforce development to award the particular certificates of achievement to those individuals who demonstrate the requisite proficiency.

As added by P.L.1-2005, SEC.16.

**IC 20-32-3-13**  
**State board adoption of rules**  
Sec. 13. The state board shall, in cooperation with the Indiana commission for career and technical education within the department of workforce development, adopt rules under IC 4-22-2 to implement this chapter, including rules concerning the administration of the secondary level certificates of achievement by the department of workforce development.

IC 20-32-4
Chapter 4. Graduation Requirements

IC 20-32-4-0.3
Repealed
(Repealed by P.L.268-2013, SEC.5.)

IC 20-32-4-1
Graduation requirements; graduation examination; Core 40 curriculum
Sec. 1. (a) Except as provided in subsection (b), a student must meet:
(1) the academic standards tested in the graduation examination; and
(2) any additional requirements established by the governing body of the student's school corporation;

(b) Except as provided in sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2010-2011 school year, each student is required to meet:
(1) the academic standards tested in the graduation examination; (2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and
(3) any additional requirements established by the governing body;

to be eligible to graduate.

IC 20-32-4-2
Additional examinations
Sec. 2. A student who does not meet the academic standards tested in the graduation examination shall be given the opportunity to be tested during each semester of each grade following the grade in which the student is initially tested until the student achieves a passing score.
As added by P.L.1-2005, SEC.16.

IC 20-32-4-3
Repealed
(Repealed by P.L.105-2005, SEC.10.)

IC 20-32-4-4
Graduation eligibility requirements for students not passing graduation examination
Sec. 4. A student who does not achieve a passing score on the graduation examination and who does not meet the requirements of section 1 of this chapter may be eligible to graduate if the student does all the following:
(1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1)
time every school year after the school year in which the student first takes the graduation examination.
(2) Completes remediation opportunities provided to the student by the student's school.
(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.
(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.
(5) Otherwise satisfies all state and local graduation requirements.
(6) Either:
   (A) completes:
       (i) the course and credit requirements for a general diploma, including the career academic sequence;
       (ii) a workforce readiness assessment; and
       (iii) at least one (1) industry certification that appears on the state board's approved industry certification list, which must be updated annually with recommendations from the department of workforce development established by IC 22-4.1-2-1; or
   (B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be aligned with the governing body's relevant policy and must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based on:
       (i) tests other than the graduation examination; or
       (ii) classroom work.

IC 20-32-4-5
Children with disabilities; eligibility to graduate
Sec. 5. (a) This section applies to a student who is a child with a disability (as defined in IC 20-35-1-2).
   (b) If the student does not achieve a passing score on the graduation examination, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:
      (1) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:
          (A) be aligned with the governing body's relevant policy;
          (B) be concurred in by the principal of the student's school;
and
(C) be supported by documentation that the student has attained the academic standard in the subject area based on:
   (i) tests other than the graduation examination; or
   (ii) classroom work.
(2) The student meets all the following requirements:
   (A) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program.
   (B) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.
   (C) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's individualized education program with excused absences not counting against the student's attendance.
   (D) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.
   (E) Otherwise satisfies all state and local graduation requirements.


IC 20-32-4-6
Students with disabilities
   Sec. 6. A decision with regard to whether a student who is a child with a disability (as defined in IC 20-35-1-2) is subject to the requirements of section 1(b)(2) of this chapter shall be made in accordance with the student's individualized education program and federal law.
As added by P.L.105-2005, SEC.5.

IC 20-32-4-7
Parent's request to exempt student from Core 40 requirement
   Sec. 7. Upon the request of a student's parent, the student may be exempted from the Core 40 curriculum requirement set forth in section 1 of this chapter and be required to complete the general curriculum to be eligible to graduate. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:
   (1) continuing the general curriculum; or
   (2) completing the Core 40 curriculum.

IC 20-32-4-8
Student not passing at least three Core 40 courses
Sec. 8. This section applies to a student who does not pass at least three (3) courses required under the Core 40 curriculum. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

(1) continuing in the Core 40 curriculum; or
(2) completing the general curriculum.

As added by P.L.105-2005, SEC.7.

IC 20-32-4-9
Students scoring within twenty-fifth percentile or lower on graduation examination

Sec. 9. This section applies to a student who receives a score on the graduation examination that is in the twenty-fifth percentile or lower when the student takes the graduation examination for the first time. Except as provided in section 10 of this chapter, the student's parent and the student's counselor (or another staff member who assists students in course selection) shall meet to discuss the student's progress. Following the meeting, the student's parent shall determine whether the student will achieve greater educational benefits by:

(1) continuing in the Core 40 curriculum; or
(2) completing the general curriculum.

As added by P.L.105-2005, SEC.8.

IC 20-32-4-10
Student whose parent does not attend meeting with student and counselor

Sec. 10. This section applies if the parent of a student to whom section 8 or 9 of this chapter applies does not attend a meeting with the student and the student's counselor after receiving two (2) written requests to attend a meeting. If the student's parent does not attend a meeting described in section 8 or 9 of this chapter, the student and the student's counselor shall meet and:

(1) the student's counselor shall make a recommendation to the student as to whether the student will achieve greater educational benefits by:
   (A) continuing in the Core 40 curriculum; or
   (B) completing the general curriculum; and
(2) the student shall determine which curriculum the student will complete.

IC 20-32-5
Chapter 5. Indiana Statewide Testing for Educational Progress

IC 20-32-5-1
Purposes of ISTEP
Sec. 1. The purposes of the ISTEP program developed under this chapter are as follows:
   (1) To assess the strengths and weaknesses of school performance.
   (2) To assess the effects of state and local educational programs.
   (3) To compare achievement of Indiana students to achievement of students on a national basis.
   (4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:
      (A) The overall academic progress of students.
      (B) The need for new or revised educational programs.
      (C) The need to terminate existing educational programs.
      (D) Student readiness for postsecondary school experiences.
      (E) Overall curriculum development and revision activities.
      (F) Identifying students who may need remediation under IC 20-32-8.
      (G) Diagnosing individual student needs.
      (H) Teacher education and staff development activities.


IC 20-32-5-2
Subject areas
Sec. 2. ISTEP program testing shall be administered in the following subject areas:
   (1) English/language arts.
   (2) Mathematics.
   (3) Science, in grade levels determined by the state board.
   (4) Social studies, in grade levels determined by the state board.

As added by P.L.1-2005, SEC.16.

IC 20-32-5-3
Content of tests
Sec. 3. To carry out the purposes described in section 1 of this chapter, each English/language arts and mathematics test developed for use under the ISTEP program test must include the following:
   (1) A method of testing basic skills appropriate for the designated grade level, including multiple choice questions.
   (2) A method of testing applied skills appropriate for the designated grade level, including short answer or essay questions and the solving of arithmetic or mathematical problems.
   (3) A method of testing and grading that will allow comparison
with national and international academic standards.

*As added by P.L.1-2005, SEC.16.*

**IC 20-32-5-4**

Duties of board, state superintendent, and department

Sec. 4. (a) The state board shall:

1. authorize the development and implementation of the ISTEP program; and
2. determine the date on which the statewide testing is administered in each school corporation.

(b) The state superintendent is responsible for the overall development, implementation, and monitoring of the ISTEP program.

(c) The department shall prepare detailed design specifications for the ISTEP program that must do the following:

1. Take into account the academic standards adopted under IC 20-31-3.
2. Include testing of students' higher level cognitive thinking in each subject area tested.

*As added by P.L.1-2005, SEC.16.*

**IC 20-32-5-5**

General language arts essay questions; scoring rubric; anchor paper

Sec. 5. The department shall make general language arts essay scoring rubrics available to the public at least four (4) months before the administration of a test. An essay question, a scoring rubric, or an anchor paper used in the ISTEP program must not seek or compile information about a student's:

1. personal attitudes;
2. political views;
3. religious beliefs;
4. family relationships; or
5. other matters listed in IC 20-30-5-17(b).

The ISTEP program citizens' review committee shall determine whether an essay question or a scoring rubric complies with this section.


**IC 20-32-5-6**

Scoring of student responses

Sec. 6. The scoring of student responses under an ISTEP program test:

1. must measure student achievement relative to the academic standards established by the state board;
2. must adhere to scoring rubrics and anchor papers; and
3. may not reflect the scorer's judgment of the values expressed by a student in the student's responses.

*As added by P.L.1-2005, SEC.16.*

**IC 20-32-5-7**
Reports of scores in mathematics and English/language arts
Sec. 7. This subsection applies to reports of scores in mathematics and English/language arts. Reports must:
(1) provide scores indicating student performance relative to each of the academic standards:
   (A) established by the state board; and
   (B) assessed by the test;
(2) be related to passing scores established by the state board; and
(3) contain the information listed in subdivisions (1) and (2) for the following levels:
   (A) Individual student.
   (B) Classroom.
   (C) School.
   (D) School corporation.
   (E) Indiana.
As added by P.L.1-2005, SEC.16.

IC 20-32-5-8
Reports; guide for interpreting scores
Sec. 8. Reports of student scores must be:
(1) returned to the school corporation that administered the test; and
(2) accompanied by a guide for interpreting scores.
As added by P.L.1-2005, SEC.16.

IC 20-32-5-9
Test scores; inspection; rescoring
Sec. 9. (a) As used in this section, "ISTEP program test" includes any statewide assessment that a student is required to complete.
(b) After reports of student scores are returned to a school corporation, the school corporation shall promptly do the following:
   (1) Give each student and the student's parent the student's ISTEP program test scores.
   (2) Make available for inspection to each student and the student's parent the following:
       (A) A copy of all questions that are not multiple choice or true and false and prompts used in assessing the student.
       (B) A copy of the student's scored responses.
       (C) A copy of the anchor papers and scoring rubrics used to score the student's responses.
A student's parent may request a rescoring of a student's responses to an ISTEP program test, including a student's essay.
   (c) A student's ISTEP program test scores may not be disclosed to the public.

IC 20-32-5-10
Parent/teacher conferences
Sec. 10. After a school receives score reports, the school shall schedule a parent/teacher conference with the following:

1) A parent of a student who requests a parent/teacher conference on the scores of the student.
2) The parent of each student who does not receive a passing score on the test. The conference must include a discussion of:
   A) the student's test scores, including subscores on academic standards; and
   B) the proposed remediation plan for the student.

As added by P.L.1-2005, SEC.16.

IC 20-32-5-11
School corporation compilation of results
Sec. 11. Each school corporation shall compile the total results of the ISTEP program tests in a manner that will permit evaluation of learning progress within the school corporation. The school corporation shall make the compilation of test results available for public inspection and shall provide that compilation to the parent of each student tested under the ISTEP program.
As added by P.L.1-2005, SEC.16.

IC 20-32-5-12
Annual school corporation performance report
Sec. 12. The department shall develop a format for the publication by school corporations in an annual performance report required by statute of appropriate academic information required by the department, including ISTEP program test scores and information required to be disaggregated by the department under section 13.5 of this chapter, in a manner that a reasonable person can easily read and understand.

IC 20-32-5-13
School results
Sec. 13. The school corporation shall provide the ISTEP program test results on a school by school basis to the department upon request.
As added by P.L.1-2005, SEC.16.

IC 20-32-5-13.5
Test results; high ability students
Sec. 13.5. The department shall disaggregate from the total results of the ISTEP program test results for a school corporation the percentage of students in each school and each grade in the school corporation that are identified as high ability students (as defined by IC 20-36-1-3) by the school corporation who also achieved a score in the highest performance level designated for the ISTEP test. However, this disaggregation is not required in a case in which the results would reveal personally identifiable information about an individual student under the federal Family Education Rights and
IC 20-32-5-14  
**Student results; consent**  
Sec. 14. Upon request by the commission for higher education, the department shall provide ISTEP program test results to the commission for those students for whom the commission under 20 U.S.C. 1232g has obtained consent.  
*As added by P.L.1-2005, SEC.16.*

IC 20-32-5-15  
**Testing schedule**  
Sec. 15. (a) The state superintendent shall develop an ISTEP program testing schedule in which:  
(1) each student in grades 3, 6, 8, and 10 must be tested; and  
(2) each student in grade 10 or grade 11 must take a graduation examination.  
(b) The state board shall adopt rules to establish when a student is considered to be in grade 10 for purposes of initially taking the graduation examination.  

IC 20-32-5-16  
**Children with disabilities**  
Sec. 16. (a) A student who is a child with a disability (as defined in IC 20-35-1-2) shall be tested under this chapter with appropriate accommodations in testing materials and procedures unless the individuals who develop the child's individualized education program determine that testing or a part of the testing under this chapter is not appropriate for the student and that an alternate assessment will be used to test the student's achievement.  
(b) Any decision concerning a student who is a child with a disability (as defined in IC 20-35-1-2) regarding the student's:  
(1) participation in testing under this chapter;  
(2) receiving accommodations in testing materials and procedures;  
(3) participation in remediation under IC 20-32-8; or  
(4) retention at the same grade level for consecutive school years;  
shall be made in accordance with the student's individualized education program in compliance with the ISTEP program manual and federal law.  
*As added by P.L.1-2005, SEC.16.*

IC 20-32-5-17  
**Nonpublic schools**  
Sec. 17. (a) If a nonpublic school seeks accreditation as authorized under IC 20-19-2-8(a)(5), the governing body of the nonpublic
school is entitled to acquire at no charge from the department:
   (1) the ISTEP program test; and
   (2) the scoring reports used by the department.
(b) The nonpublic school seeking accreditation must:
   (1) administer the ISTEP program test to its students at the same
time that school corporations administer the test; and
   (2) make available to the department the results of the ISTEP
program testing.

As added by P.L.1-2005, SEC.16.

IC 20-32-5-18
Repealed
(Repealed by P.L.286-2013, SEC.109.)

IC 20-32-5-19
Use of state funds
Sec. 19. If state funds appropriated for remediation are available
under IC 20-32-8 at the end of a state fiscal year, the funds:
   (1) do not revert to the state general fund; and
   (2) must be transferred to the 4R's technology program for use

As added by P.L.1-2005, SEC.16.

IC 20-32-5-20
Repealed
(Repealed by P.L.179-2006, SEC.1.)

IC 20-32-5-21
National or international assessments
Sec. 21. (a) The state board may require schools to participate in
national or international assessments.
   (b) The state board may establish an assessment to be administered
at the conclusion of each Core 40 course in English/language arts,
mathematics, social studies, and science. However, participation in
a Core 40 assessment established under this subsection must be
voluntary on the part of a school corporation.
   (c) The state board may establish a diagnostic reading assessment
for use in grades 1 and 2 to promote grade level reading competency
by grade 3. However, participation in a reading assessment
established under this subsection must be voluntary on the part of a
school corporation.
   (d) The state board may establish assessments to supplement
ISTEP assessments for secondary school students.

As added by P.L.1-2005, SEC.16. Amended by P.L.286-2013,
SEC.110.

IC 20-32-5-22
Rules
Sec. 22. The state board shall adopt rules under IC 4-22-2 to
implement this chapter.
As added by P.L.1-2005, SEC.16.
IC 20-32-7
Chapter 7. Local Student Diagnostic Assessment and Student Portfolios

IC 20-32-7-1
Children with disabilities; student diagnostic assessment
Sec. 1. A decision requiring a student who is a child with a disability (as defined in IC 20-35-1-2) to undergo a student diagnostic assessment under this chapter or be retained at a particular grade level shall be made in accordance with the student's individualized education program and federal law.

IC 20-32-7-2
Authorization to administer assessments
Sec. 2. Each school may authorize the school's teachers to administer student diagnostic assessments to allow the teachers to make detailed individual assessments of the educational progress of students in grade levels designated by the state board.
As added by P.L.1-2005, SEC.16.

IC 20-32-7-3
Optional student diagnostic tools
Sec. 3. The department shall make available to schools optional student diagnostic tools such as actual assessment instruments or computer banks containing appropriate essential skills items to assist schools in implementing the diagnostic assessments.
As added by P.L.1-2005, SEC.16.

IC 20-32-7-4
Portfolio program
Sec. 4. After a governing body holds a public hearing on a proposed portfolio program, the governing body may establish a portfolio program to maintain a portfolio of a student's work at grade levels designated by the governing body.
As added by P.L.1-2005, SEC.16.

IC 20-32-7-5
Guidelines for portfolio program
Sec. 5. The governing body shall develop guidelines for the portfolio program, including guidelines governing the appropriate contents of the portfolios.
As added by P.L.1-2005, SEC.16.

IC 20-32-7-6
Portfolio disclosure to prospective employer; consent
Sec. 6. Upon the written consent of:
(1) the student; or
(2) if the student is not emancipated, the student's parent;
the contents of the student's portfolio may be disclosed to a student's prospective employer.

As added by P.L.1-2005, SEC.16.
IC 20-32-8
Chapter 8. Remediation

IC 20-32-8-1
"Grant"
Sec. 1. As used in this chapter, "grant" refers to a grant under the remediation grant program established under this chapter.
As added by P.L.1-2005, SEC.16.

IC 20-32-8-2
"Program"
Sec. 2. As used in this chapter, "program" refers to the remediation grant program established under this chapter.
As added by P.L.1-2005, SEC.16.

IC 20-32-8-3
"Student"
Sec. 3. As used in this chapter, "student" means any individual who is enrolled in a school corporation.
As added by P.L.1-2005, SEC.16.

IC 20-32-8-4
Remediation grant program
Sec. 4. The remediation grant program is established to provide grants to school corporations for the following:
(1) Remediation of students who score below academic standards.
(2) Preventive remediation for students who are at risk of falling below academic standards.
(3) For students in a freeway school or freeway school corporation who are assessed under a locally adopted assessment program under IC 20-26-15-6(7):
   (A) remediation of students who score below academic standards under the locally adopted assessment program; and
   (B) preventive remediation for students who are at risk of falling below academic standards under the locally adopted assessment program.
(4) Targeted instruction of students to:
   (A) reduce 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; or
   (B) minimize the necessity of remedial work of students while the students attend postsecondary educational institutions or workforce training programs.

IC 20-32-8-5
Department duties
Sec. 5. The department shall do the following:
(1) Subject to section 6 of this chapter, develop a formula to be
approved by the state board, reviewed by the budget committee, and approved by the budget agency for the distribution of grants to school corporations.

(2) Distribute grant funds according to the formula.

(3) Determine standards for remediation programs to be funded under the program.

(4) Administer the program.

As added by P.L.1-2005, SEC.16.

IC 20-32-8-6

Formula for distribution of grants

Sec. 6. The formula the department develops under this chapter must provide the following:

(1) Each school corporation must be able to qualify for a grant.

(2) A maximum grant amount must be determined for each school corporation.

(3) The amount that a school corporation may receive per student must be related to:

   (A) the percentage of students scoring below state achievement standards; or
   (B) for a freeway school or freeway school corporation having a locally adopted assessment program, the percentage of students falling below achievement standards under the locally adopted assessment program.

The school corporation having the highest percentage of students scoring below state achievement standards must be entitled to the highest grant amount per student.

(4) The actual grant to a school corporation must be the lesser of:

   (A) two hundred percent (200%) of the amount appropriated by the governing body of the school corporation under section 7 of this chapter; or
   (B) the maximum grant amount determined for the school corporation under subdivision (2).

(5) The amount distributed to school corporations under the program may not exceed the appropriation by the general assembly for the remediation grant program.

As added by P.L.1-2005, SEC.16.

IC 20-32-8-7

Qualifications to receive grant

Sec. 7. A school corporation qualifies to receive a grant when the governing body of the school corporation appropriates money from the general fund of the school corporation for a:

(1) remediation program; or

(2) preventive remediation program;

that meets the state board's standards for funding under the program, and, if the program is a preventive remediation program, that has been approved by the state board.

As added by P.L.1-2005, SEC.16.
IC 20-32-8-8  
Remediation programs or preventive remediation programs  
Sec. 8. The governing body of a school corporation may establish a remediation program or a preventive remediation program under this chapter for all students who fall below the academic standards adopted under IC 20-31-3. The governing body shall spend money under this chapter for direct remediation or direct preventative remediation services for students.  
As added by P.L.1-2005, SEC.16.

IC 20-32-8-9  
Remediation programs; guidelines  
Sec. 9. If the governing body decides to establish a remediation program or preventive remediation program under this chapter, the governing body must:

(1) give priority in the allocation of resources to students who are deficient in reading skills in grades 1 through grade 3;
(2) subject to section 10 of this chapter, determine the type of program that best fits the needs of the students of the school corporation; and
(3) adopt guidelines for:
   (A) procedures for determining student eligibility for a program; and
   (B) implementation of the program.  

IC 20-32-8-10  
Reading recovery program  
Sec. 10. If the governing body decides to offer a preventive remediation program, the governing body shall consider including a reading recovery program.  
As added by P.L.1-2005, SEC.16.

IC 20-32-8-11  
Children with disabilities  
Sec. 11. Notwithstanding the requirements of this chapter, any decisions made with regard to:

(1) attendance in a remediation program;
(2) ISTEP program testing; and
(3) the grade level placement;
for a student who is a child with a disability (as defined in IC 20-35-1-2) shall be made in accordance with the individualized education program, state law, and federal law.  
As added by P.L.1-2005, SEC.16.

IC 20-32-8-12  
Curriculum guidelines  
Sec. 12. The department shall develop curriculum guidelines for use by each school corporation in developing its remediation program under this chapter.
Sec. 13. The state board shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.1-2005, SEC.16.
IC 20-32-8.5
Chapter 8.5. Reading Deficiency Remediation Plan

IC 20-32-8.5-1
Development of plan by state superintendent
Sec. 1. The state superintendent, in conjunction with the state board, shall develop a plan to improve reading skills of students and implement appropriate remediation techniques for students.
As added by P.L.109-2010, SEC.3.

IC 20-32-8.5-2
Plan requirements
Sec. 2. (a) Except as provided in subsection (b) or (c), the plan required by this chapter must include the following:
(1) Reading skill standards for grade 1 through grade 3.
(2) An emphasis on a method for making determinant evaluations by grade 3 that might require remedial action for the student, including retention as a last resort, after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.
(3) The fiscal impact of each component of the plan, if any. In determining whether a component has a fiscal impact, consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.
(b) For a charter school, as defined in IC 20-24-1-4, a plan may include only the following:
(1) A method for making determinant evaluations of reading skills by grade 3.
(2) Retention as a last resort for students reading below grade level as measured by the evaluation or assessment.
(c) This subsection applies to a public school that is not a charter school. A school corporation may receive a waiver of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative reading plan provided by the school corporation.

IC 20-32-8.5-3
Report to general assembly
Sec. 3. (a) For any component of the plan that has a fiscal impact, the state superintendent shall present those components of the plan to the general assembly:
(1) for consideration of the plan; and
(2) to determine the amount of any appropriation in the state budget for the state fiscal years beginning in 2011 and 2012 that is necessary to carry out the plan.
(b) To the extent a component of the plan does not have a fiscal
impact, that component of the plan may be implemented after the state board holds a public hearing at which there is full public discussion and review by the state board.

As added by P.L.109-2010, SEC.3.

IC 20-32-8.5-4
Adoption of rules
Sec. 4. The state board may adopt rules under IC 4-22-2 to carry out this chapter.

As added by P.L.109-2010, SEC.3.
IC 20-32-9
Chapter 9. Postsecondary and Workforce Training Program
Remediation Reduction

IC 20-32-9-1
Development of guidelines
Sec. 1. Not later than July 1, 2013, the state board, in consultation with the:
(1) education roundtable established under IC 20-19-4-2;
(2) commission for higher education established under IC 21-18-2-1;
(3) department of workforce development established under IC 22-4.1-2-1; and
(4) department;
shall develop guidelines to assist secondary schools in identifying a student who is likely to require remedial work at a postsecondary educational institution or workforce training program if the student subsequently attends a postsecondary educational institution or workforce training program upon graduation.
As added by P.L.268-2013, SEC.9.

IC 20-32-9-2
Content of guidelines
Sec. 2. The guidelines established in section 1 of this chapter:
(1) must include indicators to assist school personnel in determining whether a student may be in need of supplemental instruction or remediation to minimize the student's need for remedial course work at a postsecondary educational institution or workforce training program;
(2) must provide standards and guidelines for secondary school personnel to determine when a student is required to be assessed under section 3 of this chapter, including guidelines that include:
(A) a description of the school official who may make a determination to assess a student under section 3 of this chapter; and
(B) thresholds for determining whether a student who takes an examination under section 3 of this chapter requires additional remediation or additional instruction; and
(3) may provide best practices and strategies for improving services and support provided by a school to assist a student in achieving the level of academic performance that is appropriate for the student's grade level to:
(A) reduce the likelihood that a student will fail a graduation exam and require a graduation waiver under IC 20-32-4-4 or IC 20-32-4-5; or
(B) minimize the necessity for postsecondary remedial course work by the student.
As added by P.L.268-2013, SEC.9.
IC 20-32-9-3
College and career readiness examination; requirements; remediation; enrollment in dual credit course

Sec. 3. (a) If the appropriate secondary school official determines, using the indicators established in section 2 of this chapter, that a student before the spring semester, or the equivalent, in grade 11:

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

(2) will likely require remedial work at a postsecondary educational institution or workforce training program;

the appropriate secondary school official shall require the student to take a college and career readiness exam approved by the state board in consultation with the department, the commission for higher education established under IC 21-18-2-1, the education roundtable established under IC 20-19-4-2, and the department of workforce development under IC 22-4.1-2-1. The cost of the exam shall be paid by the department.

(b) If a student is required to take an exam under subsection (a), the appropriate school official shall make a determination based on the guidelines established in section 2 of this chapter as to whether the student is in need of additional instruction or remedial action with respect to a particular subject matter covered in the exam. If the appropriate school official determines that a student who takes an exam under subsection (a) is in need of remediation or supplemental instruction to prevent the need for remediation at a postsecondary educational institution or workforce development program, the appropriate school official shall inform the student's parent:

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

(2) of the potential financial impact on the student or the parent for the additional remedial course work described in subdivision (1), including that the student may not be eligible to receive state scholarships, grants, or assistance administered by the commission for higher education; and

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

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

As added by P.L.268-2013, SEC.9.

IC 20-32-9-4
Remediation; schools with high graduation waiver rates

Sec. 4. (a) The state board, in consultation with the department, shall develop criteria to be used by the department to identify secondary schools with the highest graduation waiver rate percentages in Indiana that may require the establishment of a school wide remediation plan.

(b) Beginning in the 2013-2014 school year, the department shall identify schools that must be placed on notice under subsections (c) and (d) using the criteria established under subsection (a).

(c) This subsection applies the first year a school is identified under subsection (b). The state board shall place the school and the school corporation on notice that the school has exceeded the percentage of graduation waivers determined under subsection (a). Upon receiving notice that the school exceeded the percentage of graduation waivers, the school shall develop a school wide remediation plan developed by the school corporation and submit the plan to the department.

(d) This subsection applies if, in the second or a subsequent year after the initial identification under subsection (b), a school continues to be identified under subsection (b). The state board shall place the school and the school corporation on notice that the school has exceeded the percentage of graduation waivers determined by the criteria established in subsection (a). Upon receiving notice that the school exceeded the percentage of graduation waivers, the school shall collaborate with the department to develop and implement a revised school wide remediation plan.

As added by P.L.268-2013, SEC.9.