



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1635 be amended to read as follows:

- 1 Page 7, between lines 35 and 36, begin a new paragraph and insert:
- 2 "SECTION 10. IC 20-31-8-3 IS REPEALED [EFFECTIVE JULY
- 3 1, 2023]. Sec. 3: (a) The state board shall establish a number of
- 4 categories, using an "A" through "F" grading scale, to designate school
- 5 performance. In addition, the state board may assign each domain,
- 6 indicator, or measure used to assess school performance a separate and
- 7 distinct category or designation.
- 8 (b) The state board, in consultation with the department, shall define
- 9 "low population schools" and shall determine the criteria for placing
- 10 low population schools in categories established under subsection (a):
- 11 In setting the definition and criteria for low population schools, the
- 12 state board shall not penalize schools based on population. The state
- 13 board's definition and criteria may include the placement of a school
- 14 that fits the state board's definition in a "null" or "no letter grade"
- 15 category:
- 16 (c) In developing metrics for the categories established under
- 17 subsection (a), the state board, in consultation with the department, to
- 18 the extent not inconsistent with federal law, shall consider the severity
- 19 of tested students' disabilities when using statewide assessment scores
- 20 as a means of assessing school performance.
- 21 (d) In developing metrics for the categories established under

1 subsection (a); the state board shall consider the mobility of high
 2 school students who are credit deficient and whether any high school
 3 should be rewarded for enrolling credit deficient students or penalized
 4 for transferring out credit deficient students.

5 SECTION 11. IC 20-31-8-4, AS AMENDED BY P.L.287-2019,
 6 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2023]: Sec. 4. (a) The state board shall place each school in
 8 a category or designation of school performance once annually based
 9 on the department's findings from the assessment of performance and
 10 academic growth under section 2 of this chapter.

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

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

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

18 (c) Based on procedures adopted by the state board, a school
 19 corporation or school that focuses primarily on providing an academic
 20 program for students with developmental, intellectual, or behavioral
 21 challenges may petition the state board for review of the school
 22 corporation's or school's category or designation of school performance
 23 placement based on objective factors that the school corporation or
 24 school considers relevant because the annual assessment data does not
 25 accurately reflect, as applicable, school performance, growth, or
 26 multiple measures. Objective factors include:

27 (1) significant demographic changes in the student population;

28 (2) errors in data; or

29 (3) other significant issues.

30 After considering the petition for review, the state board may direct the
 31 department to revise the category or designation assigned to the school
 32 corporation or school. ~~including assigning a "null" or "no letter grade"~~
 33 ~~category or designation to the school corporation or school. The state~~
 34 ~~board may grant the "null" designation for multiple years.~~

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

42 SECTION 12. IC 20-31-8-10 IS REPEALED [EFFECTIVE JULY
 43 1, 2023]. ~~Sec. 10: (a) Except as otherwise provided in this section, if~~
 44 ~~requested by a school, the department may place the school in a "null"~~
 45 ~~or "no letter grade" category for purposes of this chapter for the first~~
 46 ~~three (3) consecutive years of operation of the school.~~

1 (b) Subject to subsection (c), an innovation network school that
 2 reconfigures an existing school must apply to the state board, in a
 3 manner prescribed by the state board, to request to receive a "null" or
 4 "no letter grade" for the reconfigured school during the school's first
 5 three (3) consecutive years of operation by an innovation network team.

6 (c) In order to qualify for a "null" or "no letter grade" under
 7 subsection (b), an innovation network school must clearly demonstrate:

8 (1) a significant change in educational philosophy from the
 9 existing school and that the reconfiguration of the school is not
 10 being made to avoid accountability; or

11 (2) any other item that the state board finds appropriate.

12 The state board shall adopt rules under IC 4-22-2 to establish criteria
 13 that the state board may consider in determining whether to grant an
 14 innovation network school's request under subsection (b) and this
 15 subsection:

16 (d) Subject to subsection (c), if the department used student growth
 17 as the state board's exclusive means to determine an:

18 (1) innovation network school's category or designation of school
 19 improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019
 20 school year; or

21 (2) innovation network charter school's category or designation of
 22 school improvement under IC 20-25.7-5-2(d)(3) for the
 23 2018-2019 school year;

24 the department shall, beginning with the 2019-2020 school year and
 25 unless an innovation network school or innovation network charter
 26 school requests otherwise, place the innovation network school or the
 27 innovation network charter school, whichever is applicable, in a "null"
 28 or "no letter grade" category for purposes of this chapter for not more
 29 than the number of school years determined for the innovation network
 30 school or innovation network charter school under subsection (c)
 31 consecutively. This subsection expires July 1, 2023.

32 (e) Each innovation network school described in subsection (d)(1)
 33 and each innovation network charter school described in subsection
 34 (d)(2) may not be placed in a "null" or "no letter grade" category under
 35 subsection (d) for more than the number of years that equal the result
 36 of:

37 (1) three (3) school years; minus

38 (2) the number of school years that student growth was used as
 39 the state board's exclusive means to determine the category or
 40 designation of school improvement for the innovation network
 41 school or innovation network charter school.

42 This subsection expires July 1, 2023.

43 (f) The department shall post the proficiency and growth scores of
 44 an innovation network school, an innovation network charter school,
 45 or a school described in subsection (a) on the department's Internet web
 46 site for each year the innovation network school, innovation network

1 charter school; or school receives a "null" or "no letter grade" under
2 this section."

3 Page 10, delete lines 8 through 18, begin a new paragraph and
4 insert:

5 "SECTION 13. [EFFECTIVE JULY 1, 2023] (a) **The legislative**
6 **council is urged to assign to the education interim study committee**
7 **established under IC 2-5-1.3-4(5) the topic of replacing the current**
8 **"A" through "F" grading scale used to designate school**
9 **performance under IC 20-31-8.**

10 **(b) This SECTION expires July 1, 2024.**

11 SECTION 14. [EFFECTIVE JULY 1, 2023]. (a) **The legislative**
12 **services agency shall prepare legislation for introduction in the**
13 **2024 regular session of the general assembly to organize and**
14 **correct statutes affected by this act.**

15 **(b) This SECTION expires January 1, 2025."**

16 Renumber all SECTIONS consecutively.

(Reference is to HB 1635 as printed February 9, 2023.)

Representative DeLaney