

Document: Proposed Rule

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**TITLE 511 INDIANA STATE BOARD OF
EDUCATION**

Proposed Rule
LSA Document #01-212

DIGEST

Amends 511 IAC 6.1 concerning provisions for a transition from the performance-based accreditation system to the system of accountability for school performance and improvement created by IC 20-10.2. Effective 30 days after filing with the secretary of state.

511 IAC 6-2-1	511 IAC 6.1-1-12
511 IAC 6.1-0.5	511 IAC 6.1-1-13
511 IAC 6.1-1-1	511 IAC 6.1-1-13.5
511 IAC 6.1-1-2	511 IAC 6.1-1-14
511 IAC 6.1-1-3	511 IAC 6.1-1-15
511 IAC 6.1-1-4	511 IAC 6.1-2-1
511 IAC 6.1-1-5	511 IAC 6.1-2-6
511 IAC 6.1-1-6	511 IAC 6.1-3-1
511 IAC 6.1-1-7	511 IAC 6.1-4-1
511 IAC 6.1-1-8	511 IAC 6.1-5-7
511 IAC 6.1-1-9	511 IAC 6.1-5-9
511 IAC 6.1-1-11	511 IAC 6.1-5-10
511 IAC 6.1-1-11.5	511 IAC 6.1-7

SECTION 1. 511 IAC 6.1-0.5 IS ADDED TO READ AS FOLLOWS:

ARTICLE 6.1. SCHOOL ACCREDITATION

Rule 0.5. Applicability

511 IAC 6.1-0.5-1 Applicability to schools

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-2

Sec. 1. This article applies only to the following:

(1) Public schools.

(2) Nonpublic schools that voluntarily become accredited.

(Indiana State Board of Education; 511 IAC 6.1-0.5-1)

SECTION 2. 511 IAC 6.1-1-1 IS AMENDED TO READ AS FOLLOWS:

Rule 1. School Accreditation System

511 IAC 6.1-1-1 School accreditation

Authority: IC 20-1-1-6; IC 20-1-1.2-18; IC 20-10.2-1-1

Affected: IC 20-1-1.2; IC 20-5-62; IC 20-5.5; IC 20-10.2-3; IC 20-10.2-5

Sec. 1. In order to be accorded full accreditation status, schools in Indiana must: **(a) A public school must be accredited. A**

nonpublic school may seek accreditation.

(b) A school may be accredited by meeting the following criteria:

(1) Comply with ~~those the~~ legal standards that insure the school has the necessary resources, personnel, programs, and safety standards in order to provide an educational program in a safe environment that is conducive to learning: **in section 4 of this rule.**

(2) **Comply with the school improvement plan requirements of IC 20-10.2-3 by doing one (1) of the following:**

(A) Complete a **continuous and strategic** school improvement **and achievement** plan that serves as a basis for assessment of school effectiveness; a structure for organizing evaluation efforts; and an impetus for mobilizing improvement efforts; and **meets the requirements of IC 20-10.2-3 and 511 IAC 6.2-3.**

(B) **Implement a quality-focused approach to strategic and continuous school improvement, such as the criteria for the Malcolm Baldrige National Quality Award for Education or the criteria for a national or regional accrediting agency approved by the state board.**

(3) Meet expected performance levels in the following areas:

(A) Student attendance rate:

(B) Graduation rate:

(C) ISTEP results:

(D) ~~Reading and mathematics proficiencies: requirements under IC 20-10.2-5.~~

(c) The board shall accredit a nonpublic school that:

(1) becomes a freeway school under IC 20-5-62; and

(2) complies with the terms of the freeway school contract.

(d) The board shall accredit a school that:

(1) becomes a charter school under IC 20-5.5; and

(2) complies with the requirements of IC 20-5.5.

(e) A school holding accreditation under the former performance-based accreditation system shall retain accreditation until the transition to the accreditation system described in this rule is complete. *(Indiana State Board of Education; 511 IAC 6.1-1-1; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1184)*

SECTION 3. 511 IAC 6.1-1-2 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-2 Definitions

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2; IC 20-6.1-8; IC 20-6.1-9; IC 20-10.1-16; IC 20-10.1-17

Sec. 2. (a) The definitions in this section apply throughout this article.

(b) “Academic standards” means the skills and knowledge base expected of students for a particular subject area at a particular grade level.

~~(b)~~ **(c) “Accreditation year” means the year from July 1 to June 30.**

~~(c)~~ **(d) “Attendance center” means one (1) or more buildings where the school’s program serves pupils who reside in an attendance area.**

~~(d)~~ **(e) “Credit” means a minimum of two hundred fifty (250) minutes of instruction per week for one (1) semester, except in the case of basic physical education courses where one (1) school year of instruction is required for one (1) credit.**

~~(e)~~ **(f) “Curriculum” means the planned interaction of pupils with instructional content, materials, resources, and processes for evaluating the attainment of educational objectives.**

~~(f)~~ **(g) “Department” means the Indiana department of education.**

~~(g)~~ **(h) “Dropout” means a student who was enrolled in school during the current school year or the previous summer recess, who**

left the educational system during the current school year or the previous summer recess, who has not graduated from high school, and who does not meet any of the following exclusionary conditions:

- (1) Death.
- (2) Temporary absence due to suspension or a school excused absence.
- (3) Transfer to a public or nonpublic school.

~~(h)~~ (i) “Dropout rate” means the number determined under STEP THREE of the following formula:

STEP ONE: Determine the number of students enrolled on October 1 or the date closest to October 1 that school is in session.
STEP TWO: Determine the number of students who drop out of school during the current school year and the previous summer recess.

STEP THREE: Determine the quotient of:

- (A) the amount determined under STEP TWO; divided by
- (B) the amount determined under STEP ONE.

~~(i)~~ (j) “Fine arts education” means instruction in art, music, and other arts areas that encompass visual, aural, performing, and creative modes of student learning.

~~(j)~~ (k) “Graduation rate” means the number determined under STEP THREE of the following formula:

STEP ONE: Determine the dropout rates for grades 9, 10, 11, and 12.

STEP TWO: Determine the remainder of:

- (A) 1.0; minus
- (B) the amount determined under STEP ONE for each of the above four (4) grades.

STEP THREE: Determine the product of the four (4) amounts determined under STEP TWO.

~~(k)~~ (l) “ISTEP” means Indiana statewide testing for educational progress as established under IC 20-10.1-16, IC 20-10.1-17, **and** 511 IAC 5-2. ~~and 511 IAC 12-4.~~

~~(l)~~ (m) “Laboratory course” means a course in which a minimum of twenty-five percent (25%) of the total instructional time is devoted to laboratory activities. Laboratory activities are those activities in which the pupil personally utilizes appropriate procedures and equipment in accomplishing that learning task.

~~(m)~~ (n) “Legal standards” means those Indiana statutes and state board rules that apply to school accreditation.

~~(n)~~ (o) “Level”, when used in course titles, means a course that lasts one (1) full school year in grades 9 through 12, except that in the highest level of a sequence a course of shorter duration may be offered.

~~(o)~~ (p) “Practical arts education” means instruction in the curriculum areas of:

- (1) agricultural science and business;
- (2) business technology education;
- (3) family and consumer sciences; and
- (4) technology education;

of a nonvocational or prevocational nature, which provides learning experiences in consumer knowledge, family living, creative expression, manual skills, technical skills, leisure time interests, and similar areas of practical application to everyday life.

~~(p)~~ (q) “Principal” means a properly certified person who is assigned as the chief administrative officer of a school.

~~(q)~~ “Proficiencies” means the skills and knowledge base expected of students for a particular subject area at a particular grade level.

(r) “School classification” refers to the following school types:

- (1) An elementary school, which includes:
 - (A) grade 1, 2, or 3;
 - (B) grade 1, 2, or 3 in combination with other grades; or
 - (C) any school that has grade 6 as its highest grade.
- (2) A high school, which includes:
 - (A) grade 10, 11, or 12; or

(B) grade 10, 11, or 12 in combination with other grades.

(3) A middle school or junior high school, which includes any grade or combination of grades that is not defined as an elementary school or a high school.

If a school includes grades kindergarten through 12, the school superintendent shall designate the division of the grades within the school into at least two (2) school classifications.

(s) "School corporation" means any public school corporation established by, and under the laws of, the state of Indiana. The term includes, but is not necessarily limited to, any:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) county school corporation;
- (6) metropolitan school ~~corporation~~; **district**;
- (7) township school corporation;
- (8) united school corporation; **or**
- (9) community school corporation.
- ~~(10) area vocational school; or~~
- ~~(11) special joint services school.~~

(t) "Semester" means half of a regular school year.

(u) "State board" means the Indiana state board of education.

(v) "Student attendance rate" means the aggregate number of days of attendance for the regular school year divided by the number of aggregate days of enrollment, as determined under 511 IAC 1-3-1(l).

(w) "Superintendent" means the chief administrative officer of a school corporation (generally referred to as the superintendent of schools, except, in the case of township schools, the term refers to the county superintendent of schools).

(x) "Teacher" means a properly certified, licensed person who is assigned to instruction. (*Indiana State Board of Education; 511 IAC 6.1-1-2; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1184; filed Jul 18, 1989, 5:00 p.m.: 12 IR 2259; filed Nov 8, 1990, 3:05 p.m.: 14 IR 652; filed Oct 6, 1997, 5:20 p.m.: 21 IR 389; filed May 28, 1998, 4:57 p.m.: 21 IR 3824*)

SECTION 4. 511 IAC 6.1-1-3 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-3 Accreditation levels

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-3

Sec. 3. **Subject to the provisions of section 13.5 of this rule**, the state board shall accord each ~~public school and school corporation~~ either full accreditation status, **provisional accreditation status**, or ~~probationary accreditation status~~: **probation**. (*Indiana State Board of Education; 511 IAC 6.1-1-3; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1185*)

SECTION 5. 511 IAC 6.1-1-4 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-4 Accreditation requirements

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-4; IC 20-1-1.2-8; IC 20-1-21-4; IC 20-10.1-16; IC 20-10.1-17; IC 20-10.2-3

Sec. 4. A school must meet the following accreditation requirements to be accorded full accreditation status:

- (1) Compliance with the following legal standards:
 - (A) Health and safety requirements listed under 511 IAC 6.1-2.
 - (B) Minimum time requirements listed under 511 IAC 6.1-3.
 - (C) Staff-student ratio requirements listed under 511 IAC 6.1-4.

- (D) Curriculum offering requirements listed under 511 IAC 6.1-5 and ~~511 IAC 6-5-1~~; **511 IAC 6.1-5.1.**
- (E) Instructional staff requirements listed under 511 IAC 6.1-6.
- (F) ~~School improvement ISTEP participation~~ requirements listed under ~~511 IAC 6.1-7~~; **in accordance with IC 20-10.1-16, IC 20-10.1-17, and 511 IAC 5-2.**
- (G) **Mandatory annual assessment requirements in accordance with 511 IAC 6.2-6.**
- (H) **Accurate and timely submission of all reports required of schools.**
- (I) **Production of an annual performance report that meets the requirements of IC 20-1-21 and in the case of a:**
 - (i) **public school, is published in accordance with IC 20-1-21-4; or**
 - (ii) **nonpublic school, is disseminated to school constituents.**
- (J) **Strategic and continuous school improvement and achievement planning requirements under IC 20-10.2-3 and 511 IAC 6.2-3.**

(2) Performance at its expected level in one (1) of the following areas: school improvement levels under 511 IAC 6.2-6-4:

- (A) Student attendance rate.
- (B) Graduation rate.
- (C) ISTEP results.
- (D) Student proficiency in mathematics and reading.
- (A) **Performance at the category 1 level.**
- (B) **Improvement at the category 3 level or higher.**
- (C) **Improvement at the category 4 level or higher and performance at the category 2 level or category 3 level.**

(Indiana State Board of Education; 511 IAC 6.1-1-4; filed Jan 9, 1989, 11:00 a.m.; 12 IR 1185; filed Nov 8, 1990, 3:05 p.m.; 14 IR 654)

SECTION 6. 511 IAC 6.1-1-5 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-5 Accreditation procedures

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-5; IC 20-1-1.2-6; IC 20-6.1-8; IC 20-6.1-9; IC 20-10.1-16; IC 20-10.1-17

Sec. 5. (a) On or before October 1 of the accreditation year, the department shall inform each school of its expected performance level in the following criteria:

- (1) Student attendance rate.
- (2) For high schools, graduation rate.
- (3) ISTEP results.
- (4) Mathematics proficiencies.
- (5) Language arts proficiencies.

(b) A school's expected performance level in each of the criteria listed under subsection (a) is the amount determined under STEP EIGHT:

STEP ONE: Determine the school's cognitive skills index (CSI) by calculating the average ISTEP cognitive ability score of the school's students.

STEP TWO: Determine the school's socioeconomic status (SES) by calculating the percentage of students not receiving free lunches under the National School Lunch Act under 42 U.S.C. 1761.

STEP THREE: Using the canonical correlation method, weight the CSI as determined under STEP ONE and the SES as determined under STEP TWO according to their influence on the criteria listed under subsection (a).

STEP FOUR: Determine the school's contextual index by adding:

- (1) the weighted CSI as determined under STEP THREE; and
- (2) the weighted SES as determined under STEP THREE.

STEP FIVE: Determine each school's league by ranking all schools of the same classification according to their contextual indices. Each league shall include the twenty-five (25) schools with the next highest contextual indices above the school's contextual index and the twenty-five (25) schools with the next lowest contextual indices below the school's contextual index. (If the school's contextual index falls within the highest twenty-five (25) in the state, the league shall include all schools with contextual indices above the school's contextual index and the twenty-five (25) schools with the next lowest contextual indices. If the school's contextual index falls within the lowest twenty-five (25) in the state, the league shall include the twenty-five (25) schools with the next highest contextual indices and all schools with contextual indices lower than the school's contextual index.)

STEP SIX: Determine each league's average level of performance in each of the criteria listed under subsection (a).

STEP SEVEN: Determine each league's standard deviation in each of the criteria listed under subsection (a):

STEP EIGHT: Determine the level of performance in each of the criteria under subsection (a) that is one (1) standard deviation below the average performance as determined under STEP SIX:

(c) The department shall collect from each school the following information for that school:

(1) Student attendance rate:

(2) For high schools, graduation rate:

(3) ISTEP results:

(4) A report on language arts and mathematics proficiencies, including language arts and mathematics skills of students who are not required to undergo remediation under IC 20-10.1-17 and 511 IAC 12-4:

(5) Documentation of the implementation of professional development programs and evaluation plans for licensed school personnel:

(d) The department shall compare the information collected under subsection (c) with the school's expected performance levels in the criteria listed under subsection (a):

~~(e)~~ (a) Each school and school corporation shall provide to the department shall collect from each school and other appropriate state agencies documentation verifying the school's compliance with the legal standards listed in 511 IAC 6.1-2 through 511 IAC 6.1-7: **511 IAC 6.1-6.**

~~(f)~~ (b) The department, **under procedures approved by the board**, shall review the documentation under subsection ~~(e)~~ (a) to determine if the school has met all legal standards.

(c) The school shall provide to the department a copy of its most recently revised strategic and continuous school improvement and achievement plan. The department shall determine if the plan meets one (1) of the following requirements:

(1) The plan was developed as a part of a quality focused school improvement process, such as the criteria for the Malcolm Baldrige National Quality Award for Education or for a national or regional accreditation agency, that is approved by the state board.

(2) The plan was:

(A) developed as a part of a school improvement process other than a process described in subdivision (1); and

(B) meets the requirements of 511 IAC 6.2-3.

(Indiana State Board of Education; 511 IAC 6.1-1-5; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1185; filed Jul 18, 1989, 5:00 p.m.: 12 IR 2260)

SECTION 7. 511 IAC 6.1-1-6 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-6 Accreditation status, school and school corporation

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-8

Sec. 6. (a) If the department determines that a school meets the accreditation requirements defined in section 4 of this rule, the state board shall **accord the school full accreditation status and** award the school a certificate of full accreditation status.

(b) The department shall review a fully accredited school no later than ~~five (5)~~ **three (3)** years after the state board's determination of its accreditation status.

(c) When schools enrolling at least ninety-five percent (95%) of the students within a school corporation achieve full accreditation status, the state board shall **accord the school corporation full accreditation status and** award the school corporation a certificate of full accreditation status. *(Indiana State Board of Education; 511 IAC 6.1-1-6; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1186)*

SECTION 8. 511 IAC 6.1-1-7 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-7 Appointment of on-site review panel

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-9

Sec. 7. **(a)** If a school does not meet the accreditation requirements defined in section 4 of this rule, the department shall ~~appoint a review panel to conduct an on-site evaluation of the school.~~ **conduct a preliminary visitation, at which time the school may provide additional information about either of the following:**

- (1) Compliance with legal standards.**
- (2) School improvement and performance.**

(b) If information provided at the preliminary visitation does not confirm that the school meets the accreditation requirements in section 4 of this rule, the department shall appoint a review panel to conduct an on-site evaluation of the school. *(Indiana State Board of Education; 511 IAC 6.1-1-7; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1186; filed Sep 11, 1997, 8:55 a.m.: 21 IR 394)*

SECTION 9. 511 IAC 6.1-1-8 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-8 Composition of the on-site review panel

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-10

Sec. 8. The department shall select the review panel members from a pool of trained individuals. Each review panel shall consist of at least three (3) individuals, **including:**

(1) ~~one~~ ⁽¹⁾ staff member of the department; the chair of the panel, who:

(A) has served as a member of an on-site review panel;

(B) has been trained to serve as chair of the panel; and

(C) may be a staff member of the department;

(2) one (1) classroom teacher; and

(3) one (1) individual who is not a classroom teacher. ~~but who represents the field of education.~~

(Indiana State Board of Education; 511 IAC 6.1-1-8; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1186)

SECTION 10. 511 IAC 6.1-1-9 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-9 Duties of the on-site review panel

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-11; IC 20-10.1-17

Sec. 9. (a) During its on-site evaluation of a school, the review panel shall review:

(1) teaching practices;

(2) administrative instructional leadership;

(3) parental and community involvement;

(4) implementation of the ISTEP remediation program under IC 20-10.1-17 and 511 IAC 12-4;

~~**(5) implementation of the educational opportunity program for at-risk children under IC 20-10.1-18;**~~

~~**(6) (5) the homework policy; and**~~

(6) curricular focus on academic standards and instructional practices that meet the needs of all students;

(7) school climate;

(8) monitoring student progress;

(9) corporation level and governing body support; and

~~**(7) (10) any other policy or practice necessary for the panel to determine whether if the school meets full accreditation status criteria.**~~

(b) The review process must include the following strategies for gathering information about educational programming:

(1) reviewing documents;

(2) observing students in the learning environment; and

(3) interviewing teachers, administrators, parents, students, and community representatives.

~~**(c)**~~ **(c)** The review panel shall verify compliance with the legal standards set out in 511 IAC 6.1-2, 511 IAC 6.1-3, 511 IAC 6.1-4, 511 IAC 6.1-5, and 511 IAC 6.1-6. ~~and 511 IAC 6.1-7.~~ *(Indiana State Board of Education; 511 IAC 6.1-1-9; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1186)*

SECTION 11. 511 IAC 6.1-1-11 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-11 Determination by the state board

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-13

Sec. 11. (a) Upon receipt of the review panel's recommendation, **which must include analysis of strengths and weaknesses and justification for the recommendation**, the state board shall make one (1) of the following determinations as to the accreditation status of the school:

(1) Full accreditation status, with ~~the next review being conducted five (5)~~ **three (3)** years after the state board's determination of full accreditation, **if the school meets requirements for accreditation under section 4 of this rule.**

~~(2) Full accreditation status with the next review being conducted earlier than five (5) years after the state board's determination of full accreditation.~~

~~(3) Probationary accreditation status with the next review being conducted one (1) year after the state board's determination of probationary accreditation.~~

(2) Provisional accreditation status, with review conducted at least annually after the state board's determination of provisional accreditation, if both of the following are determined:

(A) The school meets the requirements for accreditation under section 4(1) of this rule.

(B) The school shows:

(i) improvement at the category 4 level; and

(ii) performance at the category 4 level or category 5 level; under 511 IAC 6.2-6-4.

(3) Provisional accreditation status, with review conducted at least annually after the state board's determination of provisional accreditation status, if both of the following are determined:

(A) The school meets the requirements for accreditation under section 4(1) of this rule.

(B) The school is in the first or second year after initial placement at the category 5 level of school improvement under 511 IAC 6.2-6-4.

(4) Probation, with review conducted at least annually after the state board's determination of probationary status, if, in the third year or subsequent year after initial placement at the category 5 level of school improvement under 511 IAC 6.2-6-4, the school remains at the category 5 level of school improvement.

(b) The state board shall not accord full accreditation status to a school that does not comply with the legal standards described in ~~511 IAC 6.1-2; 511 IAC 6.1-3; 511 IAC 6.1-4; 511 IAC 6.1-5; 511 IAC 6.1-6; and 511 IAC 6.1-7;~~ **section 4(1) of this rule. If a school is accorded provisional accreditation status or probation for failure to comply with legal standards, the state board and department shall note that the status was accorded for a reason other than school performance.** (*Indiana State Board of Education; 511 IAC 6.1-1-11; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1186*)

SECTION 12. 511 IAC 6.1-1-11.5 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-11.5 Review of fully accredited school

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2

Sec. 11.5. (a) The department shall appoint a review panel to conduct an evaluation of a school that has been awarded full accreditation status if the department verifies, prior to the school's next review date, that

~~(1) the school is not in substantial compliance with the legal standards for accreditation under section 4(1) of this rule. or~~

~~(2) the school has, for two (2) consecutive years, failed to meet its expected performance levels under section 4(2) of this rule.~~

(b) Sections 8 7 through 11 of this rule apply to an on-site evaluation under this section. (*Indiana State Board of Education; 511 IAC 6.1-1-11.5; filed Sep 11, 1997, 8:55 a.m.: 21 IR 395*)

SECTION 13. 511 IAC 6.1-1-13 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-13 Action by the state board

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-15

Sec. 13. The state board shall accord ~~probationary accreditation status~~ **probation** to a school corporation with one (1) or more probationary schools that fail:

- (1) to make progress; ~~in any of the three (3) years the school(s) is on probationary accreditation status;~~ or
- (2) to achieve full accreditation status at the end of three (3) years.

(Indiana State Board of Education; 511 IAC 6.1-1-13; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1187)

SECTION 14. 511 IAC 6.1-1-13.5 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-13.5 Action by state board on nonpublic school or charter school

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1-6; IC 20-5.5

Sec. 13.5. (a) The state board shall revoke the accreditation status of a nonpublic school ~~accorded probationary accreditation status that fails to:~~

- (1) ~~make progress in any of the three (3) years the school is on probationary status; or~~
- (2) ~~achieve full accreditation status at the end of three (3) years.~~

or a charter school under IC 20-5.5 if, in the fifth year after initial placement at the category 5 level of school improvement under 511 IAC 6.2-6-4, the school remains at the category 5 level of school improvement.

(b) If the accreditation status of a nonpublic school is revoked under subsection (a), the school may not seek accreditation until the school year in which the school normally would have been reviewed had the school been accorded full accreditation status rather than ~~probationary accreditation status: probation.~~ *(Indiana State Board of Education; 511 IAC 6.1-1-13.5; filed Sep 11, 1997, 8:55 a.m.: 21 IR 395)*

SECTION 15. 511 IAC 6.1-1-14 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-14 Recommendations to the general assembly

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-16

Sec. 14. If a school corporation accorded ~~probationary accreditation status~~ **probation** does not raise the level of accreditation of each of its schools that are on ~~probationary accreditation status~~ **probation** to full accreditation status within one (1) year, the department shall submit recommendations to the general assembly concerning the operation and administration of the school corporation and the schools within that school corporation. *(Indiana State Board of Education; 511 IAC 6.1-1-14; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1187)*

SECTION 16. 511 IAC 6.1-1-15 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-1-15 Right of appeal

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-7; IC 20-1-1.2-17

Sec. 15. ~~(a)~~ If a school ~~or school corporation~~ is accorded ~~probationary accreditation status~~ **probation** under section 11 ~~or 13~~ of this rule, the governing body ~~of the school corporation~~ may appeal that determination to the state board.

~~(b) If a school or school corporation is accorded probationary accreditation status; the department shall provide assistance to that school or school corporation to achieve full accreditation status.~~

~~(c) If a school is accorded probationary accreditation status; the completion of the school improvement plan under IC 20-1-1.2-7(a)(2)(G) and section 12 of this rule must involve parents; administrators; teachers; and other members of the community. (Indiana State Board of Education; 511 IAC 6.1-1-15; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1187)~~

SECTION 17. 511 IAC 6.1-2-1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-2-1 General requirements

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1

Sec. 1. Each school shall comply with the rules of:

- (1) ~~the state board under 511 IAC 2;~~
- (2) (1) the fire prevention and building safety commission;
- (3) (2) the state ~~board~~ **department** of health; and
- (4) (3) the Indiana occupational safety and health administration.

(Indiana State Board of Education; 511 IAC 6.1-2-1; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1187)

SECTION 18. 511 IAC 6.1-2-6 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-2-6 Student services

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1

Sec. 6. Each school shall provide ~~pupil personnel~~ **student** services under ~~511 IAC 4-1;~~ **511 IAC 4-1.5.** *(Indiana State Board of Education; 511 IAC 6.1-2-6; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1188)*

SECTION 19. 511 IAC 6.1-3-1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-3-1 Student instructional day

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1; IC 20-10.1-2-1

Sec. 1. (a) Each school corporation shall conduct at least one hundred eighty (180) student instructional days for all students grades 1 through 12.

(b) A student instructional day consists of a minimum of five (5) hours of instructional time in grades 1 through 6 and six (6) hours of instructional time in grades 7 through 12.

(c) Instead of conducting a full student instructional day, a school corporation may provide the equivalent amount of instructional time by conducting partial student instructional days.

(d) Instructional time is time in which students are participating in an approved course, curriculum or educationally related activity under the direction of a teacher. Instructional time includes a reasonable amount of passing time between classes within a single school building or on a single school campus. Instructional time does not include lunch or recess.

(e) An educationally related activity is a non-classroom activity, such as a field trip or convocation that meets all of the following:

- (1) Is consistent with and promotes the educational philosophy and goals of the school corporation and the state board.
- (2) Facilitates the attainment of specific educational objectives.
- (3) Is a part of the goals and objectives of an approved course or curriculum.
- (4) Represents a unique educational opportunity.
- (5) Has been approved in writing by the local superintendent or the superintendent's designee.
- (6) Cannot reasonably occur without interrupting the school day.

Each school corporation shall maintain a record of educationally related activities. The record is open to public inspection and must contain a description of the activity and a statement of the educational objectives of the activity.

(f) If a school corporation's calendar includes at least nine hundred ten (910) hours of instructional time for students in grades 1 through 6, the school corporation may dismiss students in grades 1 through 6 for no more than ten (10) hours during the school year for the purpose of conducting parent-teacher conferences. Students may not be dismissed for a full day for the purpose of conducting parent-teacher conferences.

(g) If a school corporation's calendar includes at least one thousand ninety-two (1,092) hours of instructional time for students in

grades 7 through 12, the school corporation may dismiss students in grades 7 through 12 for no more than twelve (12) hours during the school year for the purpose of conducting teacher conferences with the parents of those students. Students may not be dismissed for a full day for the purpose of conducting parent-teacher conferences.

(h) If a school corporation has valid educational reasons, such as scheduling final examinations, for permitting students in grade 12 to attend school for fewer than one hundred eighty (180) days during the school year, the corporation may submit its proposed schedule for those students to the department of education for review and approval.

(i) This section applies to every accredited school as well as to every school corporation.

(j) **For accreditation purposes**, the department may grant a waiver of the ~~penalty imposed by IC 20-10.1-2-1(d) requirements of this section~~ for a particular number of student instructional days if:

- (1) a school corporation applies to the department for a waiver ~~of the penalty imposed under IC 20-10.1-2-1(d)~~ for a specific number of cancelled student instructional days; and
- (2) each of the particular number of instructional days requested to be waived was cancelled due to extraordinary circumstances.

(k) The department shall consider the following factors in determining if extraordinary circumstances justify granting a waiver under subsection (i):

- (1) The reason(s) for not making up the cancelled instructional days.
- (2) The length and amount of instructional time in the school calendar.
- (3) The reason(s) the days were cancelled.
- (4) The date the cancelled days occurred.
- (5) The number of cancelled days.
- (6) The number of schools affected.
- ~~(7) The existence of a current collective bargaining agreement which was in effect prior to the applicability of P.L. 390-1987 and which prohibits the school corporation from making up cancelled student instructional days.~~

(l) A decision of the department under this section may be appealed to the state board. (*Indiana State Board of Education; 511 IAC 6.1-3-1; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1188*)

SECTION 20. 511 IAC 6.1-4-1 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-4-1 Pupil/teacher ratio

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1

Sec. 1. The average pupil/teacher ratio for a single school shall ~~be in accordance with 511 IAC 6-2-1(b)(2)~~ **not exceed 30/1. Pupil/teacher ratios shall be figured on a full time equivalency basis only on regular classroom teachers assigned to instruction.** (*Indiana State Board of Education; 511 IAC 6.1-4-1; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1190*)

SECTION 21. 511 IAC 6.1-5-7 IS AMENDED TO READ AS FOLLOWS:

511 IAC 6.1-5-7 Special education

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1; IC 20-1-6

Sec. 7. Each school corporation shall provide special education to ~~handicapped~~ **students with disabilities** in accordance with ~~511 IAC 7-1-1; 511 IAC 7.~~ (*Indiana State Board of Education; 511 IAC 6.1-5-7; filed Jan 9, 1989, 11:00 a.m.: 12 IR 1192*)

SECTION 22. 511 IAC 6.1-5-9 IS ADDED TO READ AS FOLLOWS:

511 IAC 6.1-5-9 Homework policy required

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1

Sec. 9. Each school and school corporation shall adopt, implement, and communicate to teachers, parents, and students a written homework policy to reinforce the concept that homework is an out-of-school assignment that contributes to the educational process of the student. Homework shall be viewed as an extension of class work and related to the objectives of the curriculum. (Indiana State Board of Education; 511 IAC 6.1-5-9)

SECTION 23. 511 IAC 6.1-5-10 IS ADDED TO READ AS FOLLOWS:

511 IAC 6.1-5-10 Retaining student for athletic purposes prohibited

Authority: IC 20-1-1-6; IC 20-1-1.2-18

Affected: IC 20-1-1.2-1

Sec. 10. Each school and school corporation shall adopt and enforce a written policy that prohibits retaining a student in a grade level for the sole purpose of improving the student's ability to participate in extracurricular athletic programs. (Indiana State Board of Education; 511 IAC 6.1-5-10)

SECTION 24. THE FOLLOWING ARE REPEALED: 511 IAC 6-2-1; 511 IAC 6.1-1-12; 511 IAC 6.1-7.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on September 6, 2001 at 9:00 a.m., at the Department of Education, 151 West Ohio Street, James Whitcomb Riley Conference Room, Indianapolis, Indiana the Indiana State Board of Education will hold a public hearing on proposed new rules concerning provisions for a transition from the performance-based accreditation system to the system of accountability for school performance and improvement created by IC 20-10.2. Copies of these rules are now on file at 229 State House and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Suellen Reed
Superintendent of Public Instruction
Indiana State Board of Education