

Indiana Code and Rules Specific to or with Implications for Students with High Ability

Article 36. High Ability Students

IC 20-36-1

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Domain" includes the following areas of aptitude and talent:

- (1) General intellectual.
- (2) General creative.
- (3) Specific academic.
- (4) Technical and practical arts.
- (5) Visual and performing arts.
- (6) Interpersonal.

Sec. 3. "High ability student" means a student who:

- (1) performs at or shows the potential for performing at an outstanding level of accomplishment in at least one (1) domain when compared with other students of the same age, experience, or environment; and
- (2) is characterized by exceptional gifts, talents, motivation, or interests.

Sec. 4. "Satisfactory score" means a score of 3, 4, or 5 on an advanced placement exam sponsored by the College Board's Advanced Placement Program.

IC 20-36-2

Chapter 2. Programs for High Ability Students

State resources program; grants for high ability programs

Sec. 1. (a) The department shall establish a state resources program using designated state resources that:

- (1) supports school corporations in the development of local programs for high ability students;
- (2) enables educational opportunities that encourage high ability students to reach the highest possible level at every stage of the students' development; and
- (3) provides state integrated services that include the following:
 - (A) Information and materials resource centers.
 - (B) Professional development plan and programs.
 - (C) Research and development services.
 - (D) Technical assistance that includes the following:
 - (i) Student assessment.
 - (ii) Program assessment.
 - (iii) Program development and implementation.
 - (E) Support for educators pursuing professional development leading to endorsement or licensure in high ability education.

(b) In addition to the program established under subsection (a), the department shall use appropriations to provide grants to school corporations for programs for high ability students under section 2 of this chapter in an amount determined by the department that is based upon a set minimum

amount increased by an additional amount for each student in the program. A school corporation's program must align with the strategic and continuous school improvement and achievement plans under IC 20-31-5-4 for the schools within the school corporation. A school that receives a grant under this subsection shall submit an annual report to the department that includes the following:

- (1) The programs for which the grant is used.
- (2) The results of the programs for which the grant is used, including student general assessment results, program effectiveness, or student achievement.

School corporation high ability programs; criteria

Sec. 2. A governing body shall develop and periodically update a local plan to provide appropriate educational experiences to high ability students in the school corporation in kindergarten through grade 12. The plan must include the following components:

- (1) The establishment of a broad based planning committee that meets periodically to review the local education authority's plan for high ability students. The committee must have representatives from diverse groups representing the school and community.
- (2) Student assessments that identify high ability students using multifaceted assessments to ensure that students not identified by traditional assessments because of economic disadvantage, cultural background, underachievement, or disabilities are included. The assessments must identify students with high abilities in the general intellectual domain and specific academic domains. The results of an assessment under this subdivision must be recorded with the student test number assigned to a student.
- (3) Professional development.
- (4) Development and implementation of local services for high ability students, including appropriately differentiated curriculum and instruction in the core academic areas designated by the state board for each grade consistent with federal, state, local, and private funding sources.
- (5) Evaluation of the local program for high ability students.
- (6) Best practices to increase the number of participants in high ability student programs who are from racial and ethnic groups that have been underrepresented in those programs.

IC 20-36-3

Chapter 3. Advanced Placement Courses

Sec. 1. As used in this chapter, "advanced course" refers to an advanced placement course for a particular subject area as authorized under this chapter.

Sec. 2. As used in this chapter, "advanced placement examination" refers to the advanced placement examination sponsored by the College Board of the Advanced Placement Program

Sec. 2.8. As used in this chapter, "preadvanced placement" education refers to set

professional development resources and services that equip all middle school, junior high school, and high school teachers with the strategies and tools they need to engage students in active, high level learning to ensure the students develop skills, habits, and concepts needed to succeed in advanced placement courses.

Sec. 3. As used in this chapter, "program" refers to the advanced placement program established by section 4 of this chapter.

Sec. 3.2. As used in this chapter, "vertical team" refers to a group of teachers from different grade levels in a given discipline who work cooperatively to develop and implement a vertically aligned program aimed at helping students from diverse backgrounds acquire the academic skills necessary for success in advanced placement courses.

Sec. 4. (a) The advanced placement program is established to encourage students to pursue advanced courses, particularly in math and science. The program shall be administered by the department.

(b) Unexpended money appropriated to the department to implement the program at the end of a state fiscal year does not revert to the state general fund.

Sec. 5. (a) Each school year:

(1) each school corporation may provide the College Board's science and math advanced placement courses; and

(2) each school corporation may provide additional College Board advanced placement courses; in secondary schools for students who qualify to take the advanced placement courses.

(b) Each school corporation shall provide the College Board's science and math advanced placement courses in secondary schools for students who qualify to take the advanced placement courses.

(c) In addition to the College Board's math and science advanced placement tests, the state board may approve advanced placement courses offered by a state educational institution in collaboration with a school corporation if the state educational institution and the collaborating school corporation demonstrate to the state board that the particular advanced placement course satisfies the objectives of this chapter.

Sec. 6. (a) Each student who enrolls in an advanced course may take the advanced placement examination to receive high school credit for the advanced course.

(b) Any rule adopted by the department concerning an academic honors diploma must provide that a successfully completed mathematics or science advanced course is credited toward fulfilling the requirements of an academic honors diploma.

(c) If a student who takes an advanced placement examination receives a satisfactory score on the examination, the student 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.

Sec. 7. (a) Teachers who are assigned to teach an advanced course may participate in summer training institutes offered by the College Board.

(b) For a teacher to be eligible for a stipend under section 8 of this chapter, the training in subsection (a) must do the following:

- (1) Provide teachers of advanced placement and teachers who instruct preadvanced placement courses with the necessary content knowledge and instructional skills to prepare students for success in advanced placement courses and examinations and other advanced courses.
- (2) Provide administrators, including principals and counselors, with professional development that enables them to create strong and effective advanced placement programs in their respective schools.
- (3) Provide middle school, junior high school, and high school teachers with advanced placement vertical team training and other preadvanced placement professional development that prepares students for success in advanced placement.
- (4) Support the implementation of an instructional program for students in grades 6 through 12 that provides an integrated set of instructional materials, diagnostic assessments, and teacher professional development in reading, writing, and mathematics that prepares all students for enrollment and success in advanced placement courses and in college.

Sec. 8. (a) Money appropriated to the department to implement the program shall be distributed for purposes listed in the following order:

- (1) To pay the fees for each math or science advanced placement examination that is taken by a student who is:
 - (A) enrolled in a public secondary school; and
 - (B) a resident of Indiana.

Priority shall be given to paying the fees for each math or science advanced placement examination that is taken by a student in grade 11 or 12.

- (2) To pay stipends for teachers assigned to teach a math or science advanced course to attend the institutes under section 7 of this chapter.
- (3) To pay school corporations for instructional materials needed for the math or science advanced course.
- (4) To pay for or rent equipment that a school corporation may need to develop a math or science advanced course.
- (5) To pay the fees for the costs incurred in implementing the advanced placement program for the subjects other than math and science as authorized under section 5 of this chapter.

- (b) The department shall establish guidelines concerning the distribution of funds under this chapter, including guidelines to ensure that money distributed under this chapter is distributed as evenly as possible throughout Indiana. In establishing these distribution guidelines, the department shall consider the following factors:
 - (1) The number of students and teachers participating in the program.
 - (2) Even geographic representation.
 - (3) Financial need of students participating in the program.
 - (4) Any other factor affecting the distribution of money under this chapter.
 - (c) The department may seek funding to carry out the purposes of this chapter through the following federal programs:
 - (1) The Advanced Placement Incentive Program.
 - (2) The Math-Science Partnership Program.
 - (d) The department may give priority in the distribution of funds to a school that serves a high concentration of low income students.
- Sec. 9. (a) The department shall develop and provide each public middle school, junior high school, and secondary school with curriculum guidelines designed to satisfy the requirements of this chapter.
- (b) The guidelines developed under subsection (a) shall include a plan for increasing the:
- (1) availability of advanced placement program in schools with a high concentration of low income students; and
 - (2) participation of low income students in advanced placement programs; through information dissemination through print, electronic, and broadcast media that informs parents and students of the importance of advanced placement and preadvanced placement courses to a student's ability to gain access to and to succeed in postsecondary education.
- Sec. 10. The department shall prepare an annual report concerning the implementation of the program and shall submit the report to the board before December 1 of each year. The report must include the pertinent details of the program, including the following:
- (1) The number of students participating in the program.
 - (2) The number of teachers attending a summer institute offered by the College Board.
 - (3) Recent trends in the field of advanced placement.
 - (4) The distribution of money under this program.
 - (5) Gender and minority participation.
 - (6) Other pertinent matters.
- Sec. 11. The department and the commission for higher education shall work with each state educational institution on implementing and communicating the state educational institution's policy for awarding advanced placement credits under IC 20-32-3-10 and section 6 of this chapter. The plan to implement each policy must be developed by March 1, 2011.
- Sec. 12. The state board shall adopt rules under IC 4-22-2 to implement this chapter.

IC 20-24.2-4-3

Statutory provisions that do not apply to qualified districts and qualified high schools

Sec. 3. (a) Except as specifically provided in this article and section 4 of this chapter, the following provisions of this title and a rule or guideline adopted by the state board under one (1) of the following provisions of this title do not apply to a qualified district or qualified high school:

- (1) Provisions that do not apply to school corporations in general.
- (2) IC 20-20 (programs administered by the state), except for IC 20-20-1 (educational service centers) and IC 20-20-8 (school corporation annual performance report).
- (3) IC 20-28 (school teachers), except for IC 20-28-3-4 (teacher continuing education), IC 20-28-4-8 (hiring of transition to teaching participants; restrictions), IC 20-28-4-11 (transition to teaching participants; school corporation or subject area; transition to teaching permit), IC 20-28-5-8 (conviction of certain felonies; notice and hearing; permanent revocation of license; data base of school employees who have been reported), IC 20-28-6 (teacher contracts), IC 20-28-7.5 (cancellation of teacher contracts), IC 20-28-8 (contracts with school administrators), IC 20-28-9 (teacher salary and related payments), IC 20-28-10 (conditions of employment), and IC 20-28-11.5 (staff performance evaluations).
- (4) IC 20-30 (curriculum), except for IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances), IC 20-30-5-13 (human sexuality instructional requirements), IC 20-30-5-17 (access to materials relating to personal analysis, evaluation, or survey of students; consent for participation), and IC 20-30-5-19 (personal financial responsibility instruction).
- (5) IC 20-32 (student standards, assessments, and performance), except for IC 20-32-4 (graduation requirements), IC 20-32-5 (Indiana statewide testing for educational progress), and IC 20-32-8 (remediation).
- (6) IC 20-36 (high ability students).
- (7) IC 20-37 (career and technical education).

(b) Notwithstanding any other law, a school corporation may not receive a decrease in state funding based upon the school corporation's status as a qualified district or the status of a high school within the school corporation as a qualified high school, or because of the implementation of a waiver of a statute or rule that is allowed to be waived by a qualified district or qualified high school.

As added by P.L.201-2013, SEC.1.

IC 20-24.2-4-4

Statutes that apply to qualified districts and qualified high schools

Sec. 4. The following provisions of this title and rules and guidelines adopted under the following provisions of this title apply to a qualified district or qualified high school:

- IC 20-20-1 (educational service centers).
- IC 20-20-8 (school corporation annual performance report).
- IC 20-23 (organization of school corporations).
- IC 20-26 (school corporation general administrative provisions).
- IC 20-27 (school transportation).
- IC 20-28-3-4 (teacher continuing education).
- IC 20-28-4-8 (hiring of transition to teaching participants; restrictions).
- IC 20-28-4-11 (transition to teaching participants; school corporation or subject area; transition to teaching permit).
- IC 20-28-5-8 (conviction of certain felonies; notice and hearing; permanent revocation of license; data base of school employees who have been reported).

IC 20-28-6 (teacher contracts).