



# INDIANA STATE BOARD OF EDUCATION

**To:** Indiana State Board of Education  
**From:** Timothy Schultz, General Counsel  
**Date:** July 12, 2017  
**RE:** Rule Readoptions

---

**OVERVIEW:** When the Indiana State Board of Education (“Board”) adopts rules pursuant to the regular rulemaking process, they are effective for seven (7) years unless the Board submits a request to the Legislative Services Agency to readopt the rules for another seven (7) years. The rule readoption process includes:

- Each year the Legislative Services Agency sends Board staff a list of Board rules set to expire the following year;
- Board staff then review the rules set to expire to determine if they should be readopted or let to expire, and provides a recommendation to the Board;
- The Board votes to approve a list of those rules it wants to readopt and staff publishes this list;
- A 35 day waiting period is triggered for public comment;
- The rules come back to the Board for final approval, after considering public comments (comments are rare).
- Board staff files a Final Notice of Readoption with LSA and the rules are readopted.

The list of rules set to expire this coming January and staff recommendations are as follows:

## **Title 511: Indiana State Board of Education**

- 511 IAC 1-2.5: School Technology Advancement Account
  - Section 1—Administration
- 511 IAC 1-3: Determining and Reporting Attendance and Membership for State Support
  - Section 1—Definitions
  - Section 2—Attendance and membership reporting requirements
- 511 IAC 1-6: Transfers and Transfer/Tuition
  - Section 1—Definitions
  - Section 2—Transfer at Request of Parents or Student
  - Section 3—Determination of Better Accommodation
  - Section 4—Relation to State Board Rule on Special Education
  - Section 5—Payment of Transfer Tuition; Interest; Due Date; Determination of Penalty, Interest

- 511 IAC 1-8: PRIME TIME Program
  - Section 2—Definitions
  - Section 7—Approval of use of instructional aides in computation for funding
  - Section 11—Application for funding; computation of amount; appeal
  
- 511 IAC 5-1: Achievement on tests of General Educational Development
  - Section 6—Retesting
  
- 511 IAC 5-2: Indiana Statewide Testing for Educational Progress (ISTEP) Program
  - Section 3—Applicability
  - Section 4—Accommodations
  - Section 4.5—Alternate assessment based on alternate achievement standards in lieu of ISTEP+
  
- 511 IAC 5-3: Graduation Examination
  - Section 2—Completion of Core 40
  
- 511 IAC 6-7: Graduation Requirements
  - Section 1—Definitions
  - Section 6—Required and elective credits
  - Section 6.1—Required and elective credits
  - Section 6.5—Academic honors diploma; additional course requirements
  - Section 2—Minimum standards
  - Section 8—Correspondence courses; credit
  - Section 9—Military experience
  
- 511 IAC 6-8: Nonstandard Courses and Curriculum Programs
  - Section 1—Definitions
  
- 511 IAC 6-9.1: Waiver of Curriculum and Graduation Rules for Programs for High Ability Students
  - Section 1—Definitions
  - Section 2—Program Requirements
  - Section 3—Rule Waivers
  
- 511 IAC 6.2-2.5: Graduation Rate Determination
  - Section 4—"Graduation" defined
  - Section 9—Calculation of graduation rate

- 511 IAC 6.2-3.1: Reading Plan
  - Section 1—Definitions
  - Section 5—Reading plan; intervention
  
- 511 IAC 6.2-8: Consequences; Quality Review
  - Section 1—Applicability
  - Section 2—Quality Review
  - Section 3—Memorandum of Agreement
  
- 511 IAC 6.2-9: Consequences; State Board Action
  - Section 1—Applicability
  - Section 2—Hearing
  - Section 3—Options for Improvement
  - Section 4—Funding
  - Section 5—Special Management Team
  - Section 6—Special Management Team; Debt Service; Transportation; Food Service; Capital Projects; Other Services
  - Section 7—Special Management Team; Employment; Employee Benefits
  - Section 8—Actions Adverse to Special Management Team; Real and Personal Property; Failure to Fulfill Requirements of Rule
  - Section 9—Special Management Team; Redistricting; Assignment of Students
  - Section 10—Special Management Team; Open Meeting; Public Records; State Board of Accounts
  
- 511 IAC 8-1: Requirements for Vocational Program Approval
  - Section 1—Approval of vocational programs
  
- 511 IAC 11-5: Awarding Credits
  - Section 2—Credit
  
- 511 IAC 11-6: Adult Secondary Credit Graduation Requirements
  - Section 1—Applicability
  - Section 4—Minimum number of credits

Board staff recommends readopting all of the above rules set to expire on January 1, 2018.

The full text of these rules can be found at [http://www.in.gov/legislative/iac/iac\\_title?iact=511](http://www.in.gov/legislative/iac/iac_title?iact=511)