



## Public Law 221 Overview

Public Law 221 (P.L. 221) is Indiana’s comprehensive accountability system for K-12 education. Passed by the Indiana General Assembly in 1999 (prior to the federal No Child Left Behind Act of 2001), the law, codified at Indiana Code 20-31, aimed to establish major educational reform and accountability statewide.

To measure progress, P.L. 221 places Indiana schools into one of five categories based upon student performance and improvement data from the state’s ISTEP+ assessments in Grades 3 – 8 and End of Course Assessments in Algebra I and English 10. The five categories include:

- A (Exemplary Progress)
- B (Commendable Progress)
- C (Academic Progress)
- D (Academic Watch—Priority)
- F (Academic Probation—High Priority)

Please note: Schools will not begin receiving letter grades until accountability determinations are made in Summer 2011.

## Public Law 221 Category Placements

The Indiana State Board of Education first adopted category placements for the state’s public and accredited non-public schools beginning with the 2005-06 school year.

Category placements are based on three factors:

1. **Performance** – Percentage of all students who pass the English/language arts and math portions of the ISTEP+ (averaged across subjects and grade levels).
2. **Improvement** – Improvement in the passing percentage of students passing English/language arts and math portions of the ISTEP+ from one year to the next, averaged over a three-year period.
3. **Adequate Yearly Progress status** – Schools that do not make Adequate Yearly Progress (AYP) under the federal No Child Left Behind Act (NCLB) for two consecutive years can place no higher than the “Academic Progress” category. Such schools remain “capped” at Academic Progress until they make AYP for two consecutive years.

PERFORMANCE (% passing ISTEP+ or ECA)	IMPROVEMENT (Average passing percentage improvement over three years)				
	A (Exemplary Progress)	B (Commendable Progress)	C (Academic Progress)	D (Academic Watch – Priority)	F (Academic Probation – High Priority)
≥90%					
≥80%	≥1%	<1%			
≥70%	≥3%	≥2%	≥1%	<1%	
≥60%	≥4%	≥3%	≥2%	<2%	<0%
≥50%	≥5%	≥4%	≥3%	<3%	<1%
<50%		≥5%	≥4%	≥3%	<3%

**NOTE:** *Improvement* and *performance* both are valued under the P.L. 221 category design. Schools with lower performance but higher improvement may be placed in the same category as schools with higher performance and lower improvement.

## Public Law 221 and No Child Left Behind

Two laws set the standard for school accountability in Indiana: 1) Public Law 221 at the state level and 2) the No Child Left Behind Act at the federal level. Although Indiana's accountability law preceded the No Child Left Behind Act by two years, states were required to incorporate the federal law into their existing accountability systems. This is why Indiana schools that do not make AYP under NCLB for two consecutive years cannot place higher than the "Academic Progress" category under P.L. 221.

Other differences between P.L. 221 and AYP include the following:

- AYP only measures the percentage of students passing ISTEP+ and End of Course Assessments; P.L. 221 incorporates improvement as well as performance.
- AYP uses year-to-year comparisons of the same grade level(s); P.L. 221 tracks student cohort groups (classes) from year-to-year.
- AYP is unaffected by P.L. 221; P.L. 221 category placements are capped at Academic Progress for those schools where the same student subgroup fails to make AYP for two consecutive years.
- AYP disaggregates data by student demographic subgroups; P.L. 221 does not use disaggregated data but instead factors in AYP determinations as part of category placements.
- AYP consequences (improvement status) apply only to Title I schools; P.L. 221 consequences apply to both Title I and non-Title I schools. Public charter schools and nonpublic schools are exempt from P.L. 221 consequences.
- AYP bases accountability on students enrolled in the school 162 days in the year of testing; P.L. 221 uses 126 days as the improvement measure. The performance measure in P.L. 221 includes all students tested.

## Consequences under Public Law 221

Schools in the lowest P.L. 221 category (Academic Probation) face a series of interventions that are designed to provide the additional support needed to improve student achievement. These consequences become more serious the longer schools remain in the bottom category.

Charter schools and accredited non-public schools are placed into categories but are exempt from consequences under the law.

See the following page for a complete list of consequences under P.L. 221.

## Public Law 221 Consequences for Schools on “Academic Probation”

<b>Year 1</b>	
<b>Local Response</b>	Local school board notifies public and conducts hearing.* School improvement committee revises improvement plan which may include shifting resources and changing personnel.
<b>State Assistance</b>	The local school board may request the State Board of Education appoint an outside team to assist the school in revising its school improvement plan and recommend changes in the school that will promote improvement, including the allocation of resources and requests for technical assistance. If this happens, the state will consider the school to be in Year 4 under P.L. 221. (See section on Years 4 and 5).
<b>Accreditation</b>	Provisional
<b>Years 2 and 3</b>	
<b>Local Response</b>	School implements revised school improvement plan.
<b>State Assistance</b>	A state-appointed expert team assists the school in revising its school improvement plan and recommending changes in the school that will promote improvement, including the allocation of resources and requests for technical assistance. The expert team must include representatives from the community or region that the school serves, and may include school superintendents, members of governing bodies, teachers from school corporations that are in high categories or designations; and special consultants or advisers.
<b>Accreditation</b>	Provisional
<b>Years 4 and 5</b>	
<b>Local Response</b>	School implements revised school improvement plan.
<b>State Assistance</b>	A state-appointed expert team assists the school in revising its school improvement plan and recommending changes in the school that will promote improvement, including the allocation of resources and requests for technical assistance. The expert team must include representatives from the community or region that the school serves, and may include school superintendents, members of governing bodies, teachers from school corporations that are in high categories or designations; and special consultants or advisers.
<b>Accreditation</b>	Probationary
<b>Year 6</b>	
<b>Local Response</b>	Implement action as determined by the State Board of Education.
<b>State Assistance</b>	State Board of Education will conduct at least one hearing to solicit testimony on several possible options for the school, including merging the school with another school; assigning a special management team to operate all, or part of, the school; Department recommendations; other options expressed at hearing; and revising the improvement plan in any way (including changes in procedures or operations, professional development, and interventions for teachers or administrators). If the State Board determines that intervention will improve the school, the school must implement at least one of the options listed above.
<b>Accreditation</b>	Probationary. School corporation placed on probation. Legislative recommendation made after one additional year in category.

\* Though the statutory requirement for a public hearing under P.L. 221 technically may apply only during the first year a school is placed on “Academic Probation,” the Indiana Department of Education recommends that school corporations conduct public hearings each subsequent year a school remains on probation. These hearings continue the necessary community dialogue, gather valuable feedback, and garner public support to further school improvement efforts aimed at addressing areas of concern.