



Public Law 221 Fact Sheet

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 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:

- Exemplary Progress
- Commendable Progress
- Academic Progress
- Academic Watch (priority)
- Academic Probation (high priority)

Public Law 221 Category Placements

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

Category placements are based on three factors:

1. **Performance** – Percentage of all students who pass the state’s English and math ISTEP+ tests (averaged across subjects and grade levels).
2. **Improvement** – Improvement in the passing percentage of students passing ISTEP+ 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 for two consecutive years can place no higher than the “Academic Progress” category.

PERFORMANCE (% passing ISTEP+)	IMPROVEMENT (Average passing percentage improvement over three years)				
	Exemplary Progress	Commendable Progress	Academic Progress	Academic Watch (Priority)	Academic Probation (High Priority)
≥ 90%					
≥ 80%	≥ 1%	< 1%			
≥ 70%	≥ 3%	≥ 2%	≥ 1%	< 1%	
≥ 60%	≥ 4%	≥ 3%	≥ 2%	< 2%	
≥ 50%	≥ 5%	≥ 4%	≥ 3%	< 3%	< 0%
≥ 40%	≥ 6%	≥ 5%	≥ 4%	≥ 1%	< 1%
< 40%		≥ 6%	≥ 5%	≥ 3%	< 3%

NOTE: *Improvement* and *performance* are valued equally under the P.L. 221 category design. As such, schools with lower performance but strong 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. Though 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 Adequate Yearly Progress (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+; 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 preceding testing; P.L. 221 uses 126 days in the improvement measure (mobility is not used for the performance measure in P.L. 221).

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, but schools do not lose funding under P.L. 221.

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

Year 1	
Local Response	Local school board notifies public and conducts hearing.* School improvement committee revises improvement plan, may include shifting resources and changing personnel.
State Assistance	Eligible. The local school board can request that the State Board of Education appoint an outside team to manage the school or assist in the development of a new school improvement plan. 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.)
Accreditation	Provisional
Years 2 and 3	
Local Response	School implements revised school improvement plan.
State Assistance	Eligible. The local school board can request that the State Board of Education appoint an outside team to assist in the development of a new plan. If this happens, the state will consider the school to be in Year 4 under P.L. 221.
Accreditation	Provisional
Years 4 and 5	
Local Response	School considers recommendations of outside team. School corporation develops an improvement plan. School must show annual progress and move to full accreditation status within three years after the school is placed in probationary status.
State Assistance	Eligible. The State Board of Education will 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. 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.
Accreditation	Probationary
Year 6	
Local Response	Implement action as determined by the State Board of Education.
State Assistance	Eligible. 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.
Accreditation	Probationary. School corporation placed on probation. Corporation has one year to move the school to full accreditation status. Legislative recommendation made after one additional year in category.

* Though the statutory requirement for a public hearing under P.L. 221 technically applies 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.

For more information on Public Law 221, visit www.doe.in.gov/pl221.