



Dear ISBA Members,

*Here is your Week #8 ISBA Legislative Update...Less than two weeks left in the 2020 session. **What an intense week this has been with amendments flying “fast and furious” in an attempt by legislators and special-interest groups to resurrect bills that previously died in the bill process – or to even insert new language that hasn’t been discussed all session!***

Unfortunately, this is when some adversarial proposals surface. Your ISBA lobby team has been in the halls for hours daily fighting for passage of sound K-12 education policy and were able to help achieve favorable amendments this week on SB 398 and HB 1222, and have second reading amendments pending on HB 1065 and SB 409 that will be offered on Monday. These bills will be discussed in more detail below.

### **Session Status**

Bills had to be voted out of the committee in the second chamber by yesterday to remain eligible for final passage this session. The second reading deadline for bills in the second chamber is Monday and the third reading deadline is Tuesday of next week, with conference committee activity to follow. The targeted conclusion of the session remains March 11. The ISBA Bill Tracking List is down to about 33 bills from the 163 that we started with at the beginning

of session. You can view the latest ISBA Tracking List [HERE](#). This update will address a number of different bills of most importance to K-12 public education and school governance.

### **Key Bills Update**

[House Bill 1002](#), **Teacher Evaluations** (Reps. Cook and McNamara). This bill will eliminate a statutory requirement that state summative assessment scores, i.e., ILEARN, must be used for teacher evaluations and allows local governing bodies to decide whether and to what extent these scores should be used in this manner. This bill passed out of the Senate Education & Career Development Committee, without amendment, by an 8-0 vote on Wednesday. This local control bill appears on its way to passage next week without a single vote in opposition.

[HB 1003](#), **Education Matters** (Rep. Jordan). This bill is a bill focused on local control and waiver flexibility. In particular, it provides that the State Board of Education shall determine the timing, frequency, and method of certain teacher training requirements, including whether the training should be required for purposes of obtaining or renewing a license or as part of the completion requirements for a teacher preparation program. The bill further provides that the State Board may grant an application by a school or group of schools that requests waiving compliance with certain statutes or rules. The Senate Education and Career Development Committee amended this bill to require the proposed waiver plan of a school corporation be reviewed and approved by the school board before its submission to the State Board.

**HB 1003 was amended yesterday to add the contents of SB 263 on specialized weapons training for school personnel.** You might recall that SB 263 stipulated that, before an employee or any other staff member of a school corporation, charter school, or nonpublic school may carry a firearm in or on school property as authorized by a school board of the school corporation, charter school, or nonpublic school, the employee or staff member shall do the following: (1) successfully complete certain specialized weapons

training or other firearm training; (2) provide proof to the school board that the employee or other staff member has successfully completed the training; and, (3) complete the Minnesota multiphasic personality inventory 2 (MMPI-II) and provide the results from the inventory to the school board of the school corporation, charter school, or nonpublic school. The bill establishes requirements for specialized weapons training and requires an employee or any other staff member of a school corporation, charter school, or nonpublic school to successfully complete 16 hours of weapons training each year that the employee or staff member is authorized and intends to carry a firearm in or on school property. This bill will now be on second reading on Monday and may be amended further.

[HB 1065](#), **Various Tax Matters** (Rep. Thompson). This bill has not been a high-priority bill on the ISBA Bill Tracking List until this week due to an amendment to the bill by the Senate Tax and Fiscal Policy Committee on Tuesday. The amendment approved by this committee amends Public Law 235-2019 that established the residential housing development TIF program. The amendment modifies P.L. 235 to expand the type of housing that qualifies for the program to include condominiums and townhomes. Currently the program only includes single-family homes. This amendment was especially troublesome because it removed the requirement for school board approval of these special TIFs, if the housing development was designated under an economic development target area defined by IC 6-1.1-12.1-7. Similar language was also amended into SB 408 on Wednesday in the Ways & Means Committee. ISBA has worked with IASBO to get appropriate amendments filed for second reading on Monday that will include restoration of school board approval for any residential housing development TIF programs, including housing projects within an economic development target area. We thank Senators Raatz and Holdman for filing Amendments #2 and #3 to be offered on Monday.

[HB 1066](#), **Various Education Matters** (Rep. Thompson). This bill is appropriately titled as there are many Title 20 clean-up provisions in this bill,

but none that were major policy changes that required highlighting this session in prior updates. HB 1066 is now escalated in importance because of an amendment to the bill by the Senate Appropriations Committee yesterday. The committee amended in some provisions of [HB 1204](#) **Education matters** authored by Rep. Cherry. As you may recall HB 1204 would have ensured school corporations are not penalized for funding purposes for seniors who graduate mid-year. The bill also removed the cap on the amount of Career and Technical Education enrollment grants that may be distributed per state fiscal year. Finally, the bill included increased oversight of virtual charter schools. As amended, HB 1066, does not include the early graduation February ADM count provision and the bill modifies the proposed virtual charter school oversight provisions that will continue to be debated until the final hours of session.

[HB 1222](#), **Miscellaneous Election Law Matters** (Rep. Wesco). As was shared last week, House Bill 1222 was recently amended in the Senate Elections Committee to impose several restrictions on when school corporations may pose a local public question, i.e., hold a referendum, to only a general election or municipal general election (only if the school corporation proposing the referendum is contained entirely within a municipality). Only 27 school corporations are contained “entirely within a municipality,” **so a vast majority of school corporations would be left with only a general election option once every two years.** ISBA worked for the past several days with IASBO, ISTA, IAPSS, IUSA, and ISRSA to oppose the bill and to restore flexibility on local control of election cycles for which to conduct a referendum. Conversations this week with the bill sponsor and Senate leadership led to proposed [Amendment #13](#) that was adopted by voice vote yesterday. This is a compromise that restores primary and municipal elections as an option for a referendum, but eliminates the option for a special election in off-election years such as 2021 (and reoccurring once every four years). Any school corporation with a referendum tax levy in place now that will expire in an off-election year such as 2021 will be “grandfathered” to be able to propose a referendum renewal one time in a special election. We thank the many senators who stood with our coalition and to support our efforts. **Particular Senate champions to**

**assist us defend our position were Senators Ron Alting, Vaneta Becker, Travis Holdman, and Liz Brown. We also thank Senators Walker and Messmer for their help with the compromise amendment. Please join us in thanking these people if they are your area senator.**

[SB 295](#), **Various Education Matters** (Sen. Raatz). This bill contains several provisions affecting school corporations, including (1) removing the requirement for school buses to have black reflective tape mounted on the sides and bumpers; (2) requiring the Department of Workforce Development to implement a career exploration program beginning July 1, 2021; (3) granting effective and highly effective teachers who lose their jobs due to a reorganization of a school corporation priority status in being hired by a new school corporation created as the result of the reorganization, and allowing those teachers to maintain certain rights and privileges held at the original school corporation; (4) **prohibiting a school board from entering into a contract with a superintendent after a school board election until the date that the members assume office if the election results in new members taking office**; (5) and requiring schools to give credit to students who are suspended from school and complete assignments given during the period of the suspension. This bill is eligible for a third reading before the House next week.

[SB 398](#), **Various Education Matters** (Sen. Raatz). This bill (1) requires schools to allow representatives of youth patriotic organizations (which includes Boy Scouts, Girl Scouts, Boys and Girls Club) to meet with students at least once a year to provide information about the organization; (2) allows school corporations to place a durable poster or framed picture of the national motto, the U.S. flag, and the state flag in every school library and classroom; and (3) establishes a high school equivalency pilot program for the MSD of Warren Township and the MSD of Washington Township. This bill is eligible for a third reading before the House next week.

[SB 409](#), **Employment of Minors** (Sen. Messmer) – Last year, a bill was introduced that would have abolished Indiana’s child labor laws. That bill was

defeated. This year's bill establishes hours of employment for 14- and 15-year old minors that are consistent with federal law and increases the hours of employment for 16- and 17-year old minors. Additionally, effective July 1, 2021, the bill removes the requirement for a minor to secure a work permit from his/her school corporation and instead creates a registry, to be maintained by the Department of Labor, in which employers who employ minors must register and provide certain information to the Department about the minors in their employment. A data base with some of this information must be accessible to the public. These changes effectively remove the authority of school officials to issue and/or revoke work permits. ISBA believes the author's intent in this bill is to "modernize" Indiana's current system and to address some frustrations expressed by employers about the difficulties they have encountered with the current laws when employing minors, especially during the summer months. ISBA is working with the author to add language to the bill that would at least give school officials access to information maintained by the Department with regard to minor students who are currently employed. This bill is eligible for a second reading before the House next week.

[SB 425](#), **School Corporation Disannexation** (Sen. Bohacek). This bill would establish a two-year pilot program whereby Greene Township, in St. Joseph County, may initiate a process to disannex from an existing (relinquishing) school corporation (South Bend Community Schools) and annex to another existing (receiving) school corporation (John Glenn School Corporation).

I hope you find this information helpful and timely to keep you informed on the latest developments pertaining to K-12 education policy being discussed at the State House. Please continue to speak up and communicate with your area legislators on these important matters!