

Adjunct teachers: Another tool to use to address shortage areas

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The 2022 Indiana General Assembly passed legislation giving school boards a new option for staffing classrooms beginning July 1 – adjunct teachers. The law allows the use of adjuncts on a full- or part-time basis to fill vacant teaching positions, offer a new program or class, or supplement a current program. This column reviews the statutory parameters found at [IC 20-28-5-27](#) for the employment of adjunct teachers.

School boards may issue an adjunct teacher permit to a person who meets the minimum statutory requirements, i.e., the person must have at least four years of experience in the content area the person will teach and must not have a felony conviction for a crime listed in [IC 20-28-5-8](#). School boards may establish stricter requirements than required by the law. An adjunct teacher is prohibited from providing special education instruction.

The statutory requirements with respect to employment of an adjunct teacher are:

- Discuss the use of adjunct teachers with the exclusive representative of the teachers.
- Post adjunct teacher position vacancies on the IDOE online portal for adjunct teachers.
- Announce adjunct teacher position vacancies at school board meetings.
- Conduct an expanded criminal history check and an expanded child protection index check.
- Assign a teacher mentor.
- Provide training within 90 days of employment on bullying, child abuse and neglect, youth suicide and prevention, and human trafficking.
- Report to the IDOE the number of adjunct teacher permit holders by grade level, the subject area taught, and other related information.

An adjunct teacher may be placed on an employment agreement (contract) but not on a regular teacher's contract. The law requires the following if a school board uses an employment agreement or contract to employ an adjunct teacher:

- o Be in writing.
- o Contain the salary and other compensation to be paid to the adjunct teacher.
- o The method and frequency of payments.
- o The number of classes the adjunct teacher will teach.
- o The classes and/or subject matter the adjunct teacher will be teaching.
- o An expiration date of the contract that is no later than the last day of the school year.

An adjunct teacher is specifically excluded from the definition of "school employee" in the collective bargaining law, and thus is not subject to the collective bargaining agreement. In addition, an adjunct teacher is not subject to the salary compensation plan statute. This gives the school board flexibility to set the compensation of the adjunct teacher outside of the statutory and bargaining agreement restrictions for licensed teachers.

In the near future, ISBA will provide additional information and resources relating to this law, including a sample adjunct teaching permit and employment agreement/contract.