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e-Dition

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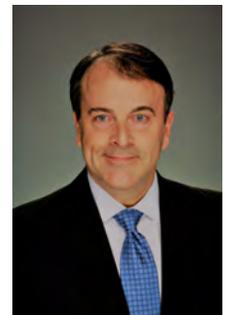
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Hot start to 2023 session for ISBA's Legislative Action Network

By **Terry Spradlin**, Executive Director, tspradlin@isba-ind.org



It is hard to believe we are already in the sixth week of the 2023 budget session of the Indiana General Assembly. January zoomed by!

Hopefully you are monitoring the significant bill activity that has taken place. ISBA provides a number of valuable resources that help school board members stay informed and engaged, including our Weekly Legislative Updates (archived [HERE](#)), real-time bill tracking list (see [HERE](#)), and the weekday morning School News Daily.

We have also issued three call-to-action alerts so far this session on problematic bills pertaining to school board elections (SB 188 and HB 1428) and residential housing TIFs (SB 300 and HB 1081).

These alerts have asked you to take immediate action by calling or emailing committee members and/or your area legislators. We also asked for volunteers to come to the State House to testify in person when these bills were heard in committee.

Even when lawmakers posted notice of committee meetings less than 24 hours in advance, you were willing to step up and lend your voice on behalf of public education.

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A huge thank you to the following school board members who have answered our call and traveled to the State House to testify in committee:

Joe Basham, Silver Creek School Corporation
Elizabeth Bixler, Spencer-Owen Community Schools
Jimmy Cox, Westfield Washington Schools
Katie Ellspermann, Twin Lakes School Corporation
David Finkel, Shelbyville Central Schools
Julie French, M.S.D. of Warren Township
Patty Jo Gibson-King, School City of East Chicago
Laura Haeberle, Community School Corporation of Southern Hancock County
Heather Krebs, DeKalb County Central United School Corporation
Derek Morgan, Spencer-Owen Community Schools
Michael Nance, M.S.D. of Wayne Township
Dale Nowlin, Bartholomew County School Corporation
Ashley Pirani, Monroe County Community School Corporation
Nannett Polk, New Castle Community School Corporation
Joel Rodriguez, School City of East Chicago
Robert Savage, Elwood Community School Corporation
Linda Singer, Western School Corporation

5th Annual ISBA State House Day

Speaking of personal engagement and the power of grassroots advocacy, please mark your calendar for the 5th Annual ISBA State House Day on February 21 at the Indianapolis Downtown Marriott, 350 W. Maryland Street. We ask that the president and legislative liaison for each school board attend. If either person is unavailable, then an alternate representative is welcome. The deadline to register for this complimentary event is Monday, February 13, at 4:30 p.m.. Please RSVP to Casey Conrad at: cconrad@isba-ind.org.

Legislative Liaisons Should Update the Board

We have many new school board members who have been designated as their board's legislative liaison. Legislative liaisons should provide a legislative update report at each board meeting throughout the duration of the legislative session. This will not only help inform fellow board members and the administration of key State House activity on K-12 education bills but will help inform the community members that may be present. An added benefit is that sometimes local media cover school board meetings and they will hear about the importance of legislative matters to your school community which may result in news stories to help inform the broader public.

Consider Hosting A Local Legislative Forum

Legislative liaisons can also work with the full school board, administration, and others to plan a legislative forum open to the public to hear from a panel of area legislators on key K-12 education bills moving in the session. It's not too late to plan an event for March or April, when we will have a better idea of the status of K-12 education legislation.

There is a lot more happening to inform you about, so please keep reading the February issue of e-Dition!

Executive session reminders

By **Lisa Tanselle**, General Counsel, ltanselle@isba-ind.org



While the vast majority of school board meetings are open to the public, the Open Door Law does identify several instances where boards may conduct executive sessions closed to the public. Below are some reminders about the statutory requirements pertaining to executive sessions.

Permissible Topics for Executive Sessions

There are currently 15 topics listed in [IC 5-14-1.5-6.1\(b\)](#) as permissible for an executive session, but not all apply to school boards. Those that do apply include:

- Discussion of strategy on collective bargaining
- Discussion of school safety and security plans
- Interviews of prospective employees
- Discussion of confidential records
- Discussion of job performance evaluations
- To receive training from an outside consultant on the role of school board members

The Open Door Law allows for a governing body to conduct an executive session when it is “expressly provided by statute.” This means these specific topics cannot be expanded, nor can words be overlooked, when considering whether a topic is appropriate for an executive session. For instance, the executive session provisions do not allow a discussion of all “personnel” matters. The personnel matters that may be discussed are very limited. Also, it is important to remember that the school board may not take “final action” in an executive session. Final action is defined as voting on a motion, proposal, resolution, or order. Final action may only be taken at a meeting that is open to the public.

Notice of Executive Sessions

Although the public does not have the right to attend executive sessions, the school board must give the public at least 48 hours advance notice of all executive session meetings (excluding Saturdays, Sundays, and legal holidays). The Open Door Law requires the public notice to include:

- The date of the executive session
- The time of the executive session
- The location of the executive session
- The subject matter of the executive session

The notice must specifically identify one or more of the topics listed in statute as the purpose of the executive session, and the notice must also include the statutory citation that allows the board to meet in an executive session on the topic(s).

ISBA has prepared a [checklist of permissible executive session topics](#), with statutory citations, to assist school boards in complying with the notice requirement.

Two things to remember: (1) when identifying the topic(s) to be discussed, the board cannot list all the permissible topics “just in case something else comes up” and (2) board members must be careful to limit all discussion to the advertised topics.

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Access to school buildings by school board members

By **Julie Slavens**, Senior Counsel/Director of Policy Services, jslavens@isba-ind.org



When a person is newly elected to a school board, it is often difficult to understand what privileges or authority the school board member has that a patron or other member of the public does not. One of these areas is visiting school buildings. An individual school board member does not have the privilege or authority to enter a school at any time, especially not during the school day. School board members sometimes think they have a free pass to enter school buildings to observe classrooms or speak with employees or students, but Indiana law does not provide them with the authority to do so.

Indiana laws setting out the powers of a school board and school corporation governance do not refer to individual school board members. Given this, it is the school board that delegates authority to an individual school board member to engage in an activity on behalf of the school board. The school board may provide the authority to an individual school board member for a specific task or for a specific time period by action taken at a public meeting. Without this board sanctioned authority, an individual school board member is like any patron or citizen when not in a school board meeting and has no authority to conduct business or make decisions on behalf of the school board.

The board may also provide authority or privileges to individual school board members through board policy. The issue of school board members visiting school buildings is most often addressed within the board's policy on visitors to school building premises. Such policies commonly provide for school board members wanting to visit schools to contact the building principal first to arrange a visit. However, it is also common for board policy to provide no specific visitation privileges to individual school board members, and thus, an individual school board member should follow the same provisions of the board's visitor policy that apply to any patron or citizen. All school board members should first consult board policy when they want to visit school buildings to ensure they are following the proper procedures.

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Minutes of Executive Sessions

The Open Door Law requires the school board to take minutes of all meetings, including executive sessions. Minutes of executive sessions are similar to minutes of open meetings in that the minutes must identify:

- the date of the meeting
- the time of the meeting
- the place of the meeting
- the members who were present or absent

However, the minutes of executive sessions do not have to provide any detail as to statements made in the executive session. Instead the minutes merely have to identify the topic(s) that were discussed, along with the citation to the statute that permits the topic to be discussed in an executive session. Lastly, the minutes must include a statement by the board certifying that no other subject matter was discussed other than the subject matter specified in the notice of the executive session.

Thoughts and themes from the road

By **Steve Horton**, Director of Board Services, shorton@isba-ind.org



Throughout my work with school boards and superintendents, I am well aware that the first half of the year following the new board member election in November is going to be busy. This year has been no exception. With a larger group of new incoming board members than we have had in the past, and a legislative session that includes many public school bills as well as the budget, my schedule has been full.

I put plenty of miles on my Kia in January and February as I traversed the crossroads of our state to meet with school leadership teams and educate new school board members. My travels have confirmed that Indiana has many passionate, committed, and talented school leaders, and it has been a rewarding experience to meet them in person. New school board members have big shoes to fill and a steep learning curve to climb.

Nearly everywhere I go, I hear from school leaders who are wrestling with how to remain competitive in the job market for an increasingly scarce number of available employees. I recently talked to one administrator who expressed concern over the number of young teachers leaving the profession after only a few years in the classroom, putting added pressure on the diminishing pipeline of incoming candidates. The shortage of human resources is reaching a crisis, and as the legislature debates the new budget, the need for more funding for our school corporations is clear.

Another common theme I continue to hear is how political polarization is dividing school communities. Many school corporation leaders are frustrated that pressure from outside political groups is undermining their ability to bring people together to provide the best possible opportunities for children.

School Board Members Want to Build Trust

I have not heard that board members and superintendents don't want to hear from their communities. On the contrary, they crave a strong connection with the community and better trust between the schools and stakeholders. I tell board members they need to be strategic about getting their message out. The community needs to see the good work being done in the schools – and the great people doing it.

I am a firm believer that the size of the corporation should not be the determining factor in the need for a strong communications director. Unfortunately, when budget crunches happen, the communications person is one of the first cuts. That is not a place to look to save money. Expecting others who already have full-time commitments to pick up the slack is not a successful strategy.

For all the challenges and needs facing public education, there is a common denominator for success that cannot be overlooked. If we are going to navigate human resource shortages, financial uncertainty, and political divides, it is going to be done by working together. It will require the ability to listen critically to what others are saying. The more our school leaders listen for understanding, the better the opportunity for collaboration and consensus. The bottom line is that we will rarely find 100% of what we want in any solution. After all, how can we be sure that what we want is really what's best for our children? The answer may lie in the experience, expertise, and wisdom gained from a diverse team.

Survey shows parents approve of their child's school

By **Adam VanOsdol**, Communications Specialist/Content Strategist,
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Narratives claiming that a groundswell of parents are increasingly fed up with how their children are taught and treated in school are contradicted by statewide [survey results](#) released earlier this month.

The Indiana Department of Education contracted with Gallup to interview a representative sample of K-12 parents. Gallup surveyed 3,042 Indiana parents of school-aged children from August-September 2022, creating “a statistically accurate picture of the opinions of Indiana parents.”

The results of the IDOE-Gallup survey indicate that a large majority of Indiana parents rate their child's school positively on indicators of parental engagement, communication, curriculum, and academic quality.

Overall, 88% of Indiana parents said they are satisfied with the quality of their child's school.

Rural and small-town parents were overwhelmingly positive, with 96% expressing satisfaction with the quality of their child's school, compared to 87% of their micropolitan and metropolitan peers. Parents in households with average or above average earnings were more satisfied than parents in households earning less than the average (90% vs. 84%). Satisfaction did not differ significantly by race.

Parents Express Positive Opinion of School Communications

A majority of parents are pleased with their school's communications. Among elementary parents, 82% have a positive opinion of the communications they receive about their child's academic performance and 74% have a positive opinion of the communications on their child's wellbeing. The percentage of middle and high school parents who rated the quality of school communications as excellent or good was 73% for academics and 58% for wellbeing.

The Gallup survey also showed widespread satisfaction with school efforts to involve and engage parents. Only 10% of parents believe their child's school is not responsive to parental concerns, and just 9% of parents disagree that their child's school provides a variety of ways for parents to become involved.

More than four out of five parents (81%) are familiar with the subjects and topics taught to their child, and 78% approve of those subjects and topics. Of the 7% of parents who disapprove of the subjects/topics taught to their child, about two-thirds admit they don't know or are unsure of what those subjects/topics are. A small minority of Indiana parents (2%) indicate they are both knowledgeable of the subjects/topics taught and disapprove of those subjects/topics.

Most parents (78%) feel their child was on track or getting ahead with their learning during the 2021-2022 school year.

Additionally, parents hold positive opinions about school employees, with 79% agreeing that the leadership at their child's school always treats them with respect, and nearly three out of four parents (74%) confirming that the teachers at their child's school are deeply committed to student success.

School Board Member Updates

- The Yorktown Community Schools appointed **Jason Brooks**, owner of a landscape business, to the school board to fill the vacancy caused by the resignation of **Ted Johnson**.
- The Mill Creek Community School Corporation appointed **Tim Warran**, vice president of sales at MiTek, to the school board. He replaced **Robert Kehrein**.
- Dr. **Katherine Garringer**, an optometrist, was appointed to the Shelbyville Central Schools Board of Trustees after **John C. DePrez** resigned to become the school corporation's attorney.
- The Cloverdale School Board appointed **Missy Carrell**, co-owner of a construction company, to the school board to replace **Arvel Hinton**.
- The South Montgomery Community Schools selected **David Reeves**, a certified crop advisor, to fill a vacant seat on the school board.
- The Seymour Community School Corporation Board of Trustees approved **Ryan Chandler** to fill the seat vacated by **Jeff Joray**, who resigned after winning election as township trustee.
- The Orleans Community Schools Board appointed **Courtney Crocker**, project manager at Baxter Pharmaceuticals, and **Jon Stalker**, owner of Infrastructure Systems, Inc., to the school board following the resignations of **Carl Anderson** and **David Henderson**.
- The Lake Ridge School Corporation appointed **Sam Roberts** to a vacant school board seat.
- The M.S.D. of Steuben County appointed **Tom Caswell**, who works in customer service for UPS, to the school board to replace **Brad Gardner**.
- The Greater Clark County Schools appointed **Tammy Mustain**, owner of an insurance company, to the school board to replace the seat vacated by **Janelle Fitzpatrick**.
- The Union School Corporation appointed **David Schmucker Jr.** to the school board to fill a vacancy.
- The Eastern Pulaski Community School Corporation Board of Trustees appointed **Taylor White** to the school board to replace **Rob Zeider**, who resigned.
- **Kay Walton** resigned from the Lafayette School Corporation Board of Trustees after 18 years.
- **Jim Hauguel** was appointed to a vacancy on the Fremont Community Schools Board of Education.



ISBA Director of Board Services **Steve Horton** leads a session of the New Board Member Academy on January 21 at the Central Indiana Education Service Center. More than two-thirds of all new school boards members are enrolled in the Academy.

RECOMMENDED READINGS

- » [Indiana bill would force school districts to close underutilized buildings](#) - Chalkbeat
- » [Education bills seeking to overhaul school curriculum advance](#) - Indiana Capital Chronicle
- » [Electric school buses in South Bend bring number statewide to 15](#) - School Transportation News
- » [Vigo School Board selects ISBA to assist with superintendent search](#) - Terre Haute Tribune-Star
- » [Indiana lawmakers move bill to allow partisan school board races](#) - Indianapolis Star

Calendar of Upcoming ISBA Events

February 21	5th Annual ISBA Statehouse Day
March 6	ISBA/IAPSS School Safety/Cybersecurity Seminar
May 1-16	Spring Regional Meetings
June 1	School Law Seminar
June 13	ISBA/IAPSS/IASBO Budget/Finance Seminar
August 18	ISBA/IAPSS Collective Bargaining Seminar
September 25-26	Annual Fall Conference

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 Region 6 — Wade Beatty, Charles A. Beard Memorial School Corporation
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