



Dear ISBA Members:

Here is your Week #10 ISBA Legislative Update for the 2022 short session of the Indiana General Assembly. It is over! The session adjourned sine die in the early hours of Wednesday, March 9.

### **Bill Tracking List**

You can view the ISBA Bill Tracking List [HERE](#). This list will continue to be updated as Governor Holcomb signs (or vetoes) the legislation and as public law numbers are assigned. ISBA began the session tracking 140 bills related to K-12 education, school board governance, and child-related legislation. The final tracking list has 35 bills that were enacted.

While the capstone legislation passed by the legislature was a tax cut package (HEA 1002) with a reduction in the individual income tax to benefit Hoosiers, this session will be better remembered by the K-12 education community for what did not pass. The list of controversial proposals that died includes mandatory referendum revenue sharing with charter schools; divisive concepts and curriculum transparency mandates; distribution of harmful materials and removal of legal protections; partisan school board elections; and, the reduction

or repeal of the business personal property tax (a significant revenue source for local governments).

Here is a summary of some of the key K-12 education bills that were enacted this week with action or amendments via the conference committee process. (Note: SEA is an abbreviation for Senate Enrolled Act and HEA is an abbreviation for House Enrolled Act.)

[SEA 83](#) **School Board Meetings** (Author: Senator Leising). The conference committee amended the language on public comment to require a school board to take public comment on a topic before the board takes final action on the topic. The committee also amended the language that allows virtual meetings during a public health emergency to limit virtual meetings to situations where physical presence would present an imminent risk to the health or safety of the members of the public and the school board and one or more schools within the school corporation are closed due to the public health emergency. The House and Senate adopted the conference committee report and the bill is awaiting the governor's signature.

[SEA 290](#) **Various Education Matters** (Author: Senator Raatz). This law, in brief, includes: (1) requires the Department of Education to establish a career coaching pilot program and to create a report on high school graduation waiver rates and graduation pathways; (2) allows the State Board of Education to designate another day for determining school enrollment if certain conditions exist; and (3) requires the State Board to assign a "null" or "no letter grade" to a school or school corporation for the 2021-2022 school year. However, as anticipated, **the conference committee removed** provisions that would: (1) require the attorney who represents a school board to provide information on the role of the board and the role of the superintendent; (2) require the school board to hold two public meetings on a proposed contract with a superintendent; (3) limit an increase in the total compensation of the superintendent to the percentage increase for the average total compensation paid to teachers; and (4) allow classroom doors to be locked against unwanted entry in certain circumstances.

**SEA 331 Education Matters** (Authors: Senator Raatz, Buchanan, and Crane).

Provides that, for purposes of determining the funding floor for teachers of a school corporation, the amount a school corporation expends for full-time teacher salaries shall include the amount the school corporation expends for participating in a special education cooperative or a career and technical education cooperative that is directly attributable to the salaries of full-time teachers employed by the cooperative, as determined by the Indiana Department of Education. Requires the Department to annually report to the Legislative Council and the State Budget Committee on certain matters regarding full-time teacher salaries and benefits and the issuance of waivers of the requirement that a school corporation expend a specified percentage of tuition support for full-time teacher salaries. ISBA joined with IASBO, IAPSS, and other K-12 education management associations to advocate for these provisions. The bill also authorizes the Treasurer of State to deduct up to 10% of funds made available for the Indiana Education Scholarship Account Program to cover costs of administering the program in the first year and up to 5% of funds made available in each year thereafter. Requires any amounts deducted by the Treasurer for administration costs to be deposited in the Indiana Education Scholarship Account Administration Fund. This removes a requirement for certain participating entities in the program to post a surety bond.

**SEA 356 Education Matters** (Author: Senator Rogers). The conference committee removed language in the bill regarding transformation zones. The bill, as adopted by the House and Senate, allows an individual to complete an alternative certification program to obtain an initial practitioner license in special education. The bill also allows school boards to provide supplemental payments to any teacher (not just those teachers with certain degrees and/or teachers who teach in certain subject areas). The bill is awaiting the governor's signature.

**HEA 1093 Education Matters** (Author: Representative Behning). The most significant change in the conference committee to this bill was the addition of the virtual student instructional day provisions previously included in SB 123.

Please note, that if your school corporation offers virtual instruction that meets the requirement of at least 50 percent synchronous instruction, there are no limit on the number of these days that count toward the 180-day requirement. Overall, this law amends the membership and duties of the state's Early Learning Advisory Committee. Makes changes to the definition of "school resource officer." Provides that, after June 30, 2023, if a school corporation or charter school enters into a contract for a school resource officer, certain school corporations or charter schools must enter into a memorandum of understanding with the law enforcement agency that employs or appointed the law enforcement officer who will perform the duties of a school resource officer. Provides that certain parties are prohibited from incentivizing the enrollment, reenrollment, or continued attendance of a student or prospective student by offering or giving an item that has monetary value. Establishes: (1) a definition for "virtual student instructional day"; and (2) requirements for virtual student instructional days. Provides that a public school may conduct not more than three virtual student instructional days that do not meet the established requirements. Provides that a public school that does not comply with these provisions may not count a student instructional day toward the 180-day student instructional day requirement. Allows the department to waive these requirements. Provides that the tuition support distribution formula accounts for certain schools and grades within a school corporation if fewer than all the schools fail to conduct the minimum number of student instructional days. Provides that, after a school receives statewide assessment score reports, a teacher of a student shall discuss the student's statewide assessment results with a parent at the next parent/teacher conference or, if the school does not hold parent/teacher conferences, send a notice to a parent of the student offering to meet with the parent to discuss the results. Provides that the state board of education shall assign to a school or school corporation (including adult high schools) a "null" or "no letter grade" for the 2021-2022 school year. This law includes other provisions not summarized here.

[HEA 1251](#) **Various Education Matters** (Author: Representative Behning). The conference committee made some changes to the provisions on adjunct teacher permits and added language establishing the Indiana student

enrichment grant. The bill, as adopted by the House and Senate, also includes language requiring the Department of Education to: (1) apply to the federal government for assessment flexibility; (2) prepare a report with recommendations on establishing and implementing parent-teacher compacts in Indiana; and (3) conduct a research study on academic standards. The bill is awaiting the governor's signature.

### **Spring Regional Meetings**

ISBA will be providing a 2022 Digest of New Laws to attendees at the Spring Regional Meetings that begin on April 18. To see the schedule of the Spring Regional Meetings and to register to attend click [HERE](#).

A few notes of gratitude to share in closing. First, thank you to Lisa Tanselle who did an excellent job helping lobby on behalf of ISBA and was a contributor to the Weekly Legislative Updates. Second, thank you to you, our members, for your participation in the ISBA Legislative Action Network and lending your voice in the grassroots advocacy process. Overall, this turned out to be a good session for us!

Sincerely,



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