



Dear ISBA Members:

The activity of the 2021 legislative session reached a frenzied pace this week with less than two weeks to go for bills to get out of committee in the house of origin. Look for HB 1001, the state biennial budget bill, to emerge soon and to be amended to reflect the spending priorities of the House Republican Caucus (note: introduced version of HB 1001 was the governor's budget proposal). Here is the **Week #5 ISBA Legislative Update** with all you need to know regarding key K-12 education matters.

ISBA Bill Tracking List

There are presently 179 bills on the ISBA Bill Tracking List [HERE](#). If there is a bill of interest to you not spotlighted in the update below, please access the tracking list for current bill status details.

State House Day on Tuesday – LAST CHANCE TO REGISTER!

ISBA is bringing you direct access to the House and Senate leaders and education committee decisionmakers. This is your last chance to register in Zoom by clicking this link:

https://us02web.zoom.us/webinar/register/WN_qSpulxpgS16DNvRR79X73g. Please contact Brooke Orner at: borner@isba-ind.org if you need any assistance with registration. See the ISBA Weekly Event Update (sent Wednesday by Brooke Orner) for further details.

Key K-12 Education Bill Activity

Senate Bill 54 FAFSA Requirement, Author: Senator Leising. Once again, the General Assembly is considering legislation that would require high school seniors to complete and submit a FAFSA (Free Application for Federal Student Aid), unless: (1) their parent (or emancipated student) signs a waiver certifying that the student understands what FAFSA is and declines to complete it; or, (2) the principal

wavers the requirement due to extenuating circumstances. **ISBA testified in opposition to the bill**, citing current law that requires schools to give seniors and their parents notice of the benefits of FAFSA and concerns about the burden these requirements would place on school counselors/administrators. The bill passed out of the Senate Education Committee on Wednesday by a vote of 9-4. The bill moves to the Senate floor for a second reading.

Senate Bill 124 First Day of School, Author: Senator Kruse. As introduced, this bill imposed a mandatory start date of the school year to begin no earlier than the Tuesday after Labor Day (starting in the 2022-23 school year). **This bill was amended on Wednesday** in the Senate Education Committee to urge the Legislative Council to assign to an appropriate study committee the task of studying requirements regarding the first day of school dates and school calendars. **We thank Senator Ford for offering the amendment and Senators Kruse and Raatz for agreeing to the amendment** to eliminate this state mandate to establish the start of the school year. **Thanks to all ISBA members and school officials who emailed or called their area legislators to urge a “NO” vote on this bill. It worked – congratulations!**

Senate Bill 333 Education Matters, Author: Senator Raatz. This bill amends the membership of the State Board of Education (SBOE) to provide for legislative appointments to the board while reducing the number of gubernatorial appointments by an equal number. **Requires the SBOE to establish a maximum per diem rate for meetings of members of governing bodies of school corporations, including Indianapolis Public Schools. Removes a provision that provides that, if the members of a governing body is totally comprised of appointed members, the appointive authority must approve the per diem rate before the governing body may make payments to the members.** The second part of this bill regarding school board member per diem is language proposed by ISBA. We thank Senator Raatz for his work with ISBA on this language and moving the bill out of committee. It passed in the Senate Education & Career Development Committee on Wednesday by a 13-0 vote.

Senate Bill 369 Electronic Meetings, Author: Sen. Rogers. This bill provides increased flexibility for members of governing bodies, including school boards, to participate in meetings electronically. The bill requires a majority of the governing body to be physically present, but will allow other members of the board to participate remotely and vote as long as those members can be “seen and heard” by persons who are physically attending the meeting. Local boards may adopt policies restricting the number of members who may participate by electronic communication and the total number of meetings in which a member may participate remotely. Starting January 1, 2023, the governing body must allow the public to simultaneously attend and observe a meeting by electronic communication if a board member is participating by electronic communication. In situations where the governor declares a disaster emergency, all members of the governing body may participate by electronic communication. **ISBA testified in support of the bill and worked with Senator Rogers to achieve major bill amendments.** The bill passed out of the Senate Local Government Committee on Thursday by a vote of 9-0. The bill moves to the Senate floor for a second reading.

COVID-19 Governance Response-Related Bills – ALL SUPPORTED BY ISBA

HB 1002 Civil Immunity Related to COVID-19, Author: Representative Torr. The bill passed in the House of Representatives on Monday by a 76-21 vote. It now moves over to the Senate for further consideration.

SB 5 Appeal of Local Health Enforcement Actions, Author: Senator Garten. This bill permits recipients of “enforcement actions” issued by local health departments or local health officers to appeal those actions to the county legislative body. Enforcement actions are defined as an order, mandate, citation, administrative notice, business closure, or other action. ISBA testified in support of the bill. The bill will be on third reading calendar in the Senate on Monday, February 8.

SB 2 Funding for Virtual Instruction in Public Schools, Author: Senator Jeff Raatz. This bill provides full tuition support funding per ADM for virtual instruction due to COVID-19 in public schools. This bill passed 41-6 on third reading in the Senate on Tuesday.

HB 1008 Student Learning Recovery Grant Program, Author: Rep. McNamara. This bill establishes the: (1) student learning recovery grant program; and (2) student learning recovery grant program fund (fund) to address learning loss prompted by the COVID-19 pandemic. The bill specifies that, to be eligible to receive a grant, an eligible entity must develop and submit a student learning acceleration plan. Establishes requirements for a plan. Appropriates to the fund from the state general fund for the purposes of the program \$150,000,000 for the 2021 state fiscal year. This bill passed by a 94-2 on third reading in the House of Representatives on Tuesday.

Action Alert #1: PLEASE EMAIL OR CALL YOUR STATE REPRESENTATIVE NOW TO OPPOSE HB 1005

HB 1005 School Choice Matters, Author: Representative Bob Behning. This bill proposes to establish an Education Savings Account program for students with disabilities, foster children, or students of military personnel to use on school tuition and related educational expenses and would take effect in Fiscal Year 2023. In addition, the bill expands the Indiana Choice Scholarship voucher program by increasing income eligibility guidelines (so that a family of five with income of up to \$174,000 would qualify in the 2022-23 school year) and eliminates the 70% and 50% tuition support payment limit thresholds for higher-income families. **ISBA testified in opposition to this bill and we thank Dr. Robert Stwalley, III, President of the Lafayette School Corporation Board and ISBA President, for his excellent testimony presented to the committee on Wednesday.** This bill passed out of the House Education Committee with amendments by a partisan 8-4 vote (Republicans supporting and Democrat members opposing the bill). ISBA launched on Tuesday an advocacy toolkit against HB 1005 with many resources that you can access and use here: <https://www.isba-ind.org/esa-is-not-ok.html>. The Senate Education and Career Development Committee heard two similar bills (**SB 412 and SB 413**) on Wednesday as well.

Please email or call your area state representative to ask for their opposition to HB 1005 and your state senator to oppose Senate Bills 412 and 413! To find your area senator and their contact information, go to: <https://www.isba-ind.org/legislator-contact-information.html>

Thank you!

Sincerely,

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