



Dear ISBA Members:

Here is your Week #9 ISBA Legislative Update for the 2022 short session of the Indiana General Assembly. We are down to the last few days of session. The legislature is working to finish business early next week, possibly on Tuesday. The Weekly Legislative Update is coming to you a day early due to the quarterly ISBA Board of Directors meeting occurring tomorrow.

### **Bill Tracking List**

You can view the ISBA Bill Tracking List [HERE](#). As a result of the bill deadline in the second chamber earlier this week, 10 bills that ISBA had been tracking died, including HB 1107 and HB 1134. The Bill Tracking List now includes information on 35 K-12 education or governance-related bills still active in the bill process.

### **Mandatory Public Comment Bills**

[HB 1130 Open Meetings](#) (Author: Representative O'Brien). This bill was amended by the Senate on second reading on Monday and then passed out of the Senate on third reading on Tuesday by a vote of 34-11. The House concurred with the amendments made by the Senate and the bill is now

awaiting the governor's signature. The amended bill removed the language that would have required a patron to be given at least three minutes to speak on all topics. Now the school board has the authority to set a time limit for receiving public comment on a topic. The amended bill maintained the language that allows the board to adopt reasonable rules regarding receiving public comment and to take reasonable steps to maintain order in a meeting, including removal of any person who is willfully disruptive of the meeting.

[SB 83](#) **School Board Meetings** (Author: Senator Leising). This bill was amended by the House to require the governing body of a school corporation or the equivalent for a charter school to allow oral public comment regarding an agenda item before or during the governing body's discussion or consideration of an agenda item. The bill passed out of the House on third reading on Monday by a vote of 94-0. The Senate dissented from the amendments and therefore this bill will go to a conference committee.

#### **Other Key Bill Information**

[HB 1107](#) **Various Education Matters** (Author: Representative Clere). This bill, with several provisions regarding special education due process hearings and a requirement that the Department of Education establish a data base concerning public school employees who were physically injured by students while working, was defeated by the Senate on third reading by a vote of 0-50. Because the bill failed to advance by the third reading deadline, it is now considered a dead bill.

[HB 1134](#) **Education Matters** (Author: Representative Cook). The "divisive concepts" bill died on Monday when it was not called down on second reading, an indication that there was insufficient support for the bill and that it would have died on a third reading vote. However, because the bill passed through one chamber, the bill language would be eligible for amendment into another bill during the conference committee process. ISBA is monitoring several bills as possible vehicles for some of HB 1134 to land.

[SB 2](#) **Virtual Instruction and Tuition Support** (Author: Senator Raatz). This bill provides that, in determining whether at least 50% of the instructional

services that a student receives from a school corporation is virtual instruction for purposes of the 2021 fall count of average daily membership (ADM), the Indiana Department of Education shall review the attendance of each student on each school day from the school corporation's first day of school until the school corporation's last day of school of the 2021 fall semester. This bill ensures that if the student is not a virtual student more than 50% of the semester, the tuition support formula will provide 100% funding for these students. Senator Jeff Raatz has dissented to the changes made to the bill in the House that included: (1) language on Student Enrichment Grants to be administered by the Indiana Department of Education. Parents would receive up to \$1,000 to address math and reading tutoring for their children from a qualified provider for services outside of the school day. This program would terminate on July 1, 2025; and, (2) language to require each school corporation and charter school to annually report to the Indiana Department of Education the number of students who, during the students' expected graduation year: (1) were enrolled in the school corporation on the September ADM count day; (2) completed graduation requirements before the February ADM count day; and (3) were not enrolled in the school corporation on the February ADM count day. Provides for the calculation of an Early Graduation Grant. ISBA anticipates that the provision to the Early Graduation Grant will be removed from the bill in conference committee.

[SB 82](#) **FAFSA** (Author: Senator Leising). This bill, as amended last week, passed out of the House on third reading on Monday by a vote of 89-5. The Senate concurred with the amendments made by the House and the bill is now awaiting the governor's signature. The bill will require school corporations to provide seniors and their parents a written notice on FAFSA, prepared by the Commission on Higher Education, and will require the Commission on Higher Education to develop an online form for parents of an unemancipated student to complete. The Commission must provide information to each school for the school to determine which students have completed the FAFSA and the FAFSA affirmation form.

[SB 290](#) **Various Education Matters** (Author: Senator Raatz). This bill

presently includes the following provisions: (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; (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; (4) requires the attorney who represents a school board to provide information on the role of the board and the role of the superintendent; (5) requires the school board to hold two public meetings on a proposed contract with a superintendent; (6) limits an increase in the total compensation of the superintendent to the percentage increase for the average total compensation paid to teachers; and (7) allows classroom doors to be locked against unwanted entry in certain circumstances. The bill author has filed a dissent on the amendments to the bill added by the House. ISBA anticipates that the provisions pertaining to superintendent contracts and pay, and the classroom door locking mechanisms, will come out of the bill.

While this has been an arduous session, with so many hotly debated K-12 education bills considered, we are relieved that as of today most of these bills have died. Stay tuned for a session wrap-up report next week!

Sincerely,



**Terry Spradlin**

**Executive Director**

**Indiana School Boards Association**

One North Capitol Avenue, Suite 1215

Indianapolis, IN 46204-2225

(Office)317-639-3588

(Mobile)317-750-2056



