



April 5, 2019

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# ENGROSSED HOUSE BILL No. 1008

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DIGEST OF HB 1008 (Updated April 3, 2019 4:22 pm - DI 133)

**Citations Affected:** IC 20-20; IC 20-29.

**Synopsis:** Teacher career ladders. Makes changes to the requirements necessary for a school corporation to receive a grant from the teacher and student advancement grant program (program). Provides that charter schools may receive grants under the program. Provides that not later than July 1, 2020, and each July 1 thereafter, the department shall submit a report to the governor and the general assembly regarding the program. Repeals provisions relating to the career pathways and mentorship program. Repeals provisions relating to the Indiana new educator induction pilot program.

**Effective:** July 1, 2019.

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## Behning, Klinker, Cook, Lauer

(SENATE SPONSORS — CRANE, RAATZ, MELTON, KRUSE)

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January 7, 2019, read first time and referred to Committee on Education.  
January 10, 2019, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
January 22, 2019, amended, reported — Do Pass.  
January 24, 2019, read second time, ordered engrossed. Engrossed.  
January 28, 2019, read third time, passed. Yeas 99, nays 0.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Education and Career Development.  
April 4, 2019, reported favorably — Do Pass.

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EH 1008—LS 7430/DI 116





April 5, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1008

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-20-42.2 IS REPEALED [EFFECTIVE JULY 1,  
2 2019]. (Career Pathways and Mentorship Program).  
3 SECTION 2. IC 20-20-42.3 IS REPEALED [EFFECTIVE JULY 1,  
4 2019]. (Indiana New Educator Induction Pilot Program).  
5 SECTION 3. IC 20-20-43-3, AS ADDED BY P.L.106-2016,  
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2019]: Sec. 3. (a) The system for teacher and student  
8 advancement grant fund is established for the purpose of providing  
9 grants to school corporations **and charter schools** to implement  
10 programs described in section 4 of this chapter.  
11 (b) The fund consists of the following:  
12 (1) Appropriations made by the general assembly.  
13 (2) Gifts, grants, devises, or bequests made to the commission for  
14 higher education to achieve the purposes of the fund.  
15 (c) The state board, in consultation with the department, shall  
16 administer the fund.  
17 (d) The expenses of administering the fund shall be paid from

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1 money in the fund.

2 (e) The treasurer of state shall invest the money in the fund not  
3 currently needed to meet the obligations of the fund in the same  
4 manner as other public funds may be invested. Interest that accrues  
5 from these investments shall be deposited in the fund.

6 (f) Money in the fund at the end of a state fiscal year does not revert  
7 to the state general fund.

8 SECTION 4. IC 20-20-43-4, AS AMENDED BY P.L.155-2017,  
9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2019]: Sec. 4. (a) After June 30, 2017, a school corporation  
11 **or charter school** may receive a grant to implement the following:

12 (1) The System for Teacher and Student Advancement (TAP)  
13 teacher performance model program. ~~or~~

14 **(2) The Opportunity Culture teacher performance model.**

15 **(3) A model teacher performance program approved by a**  
16 **national school employee organization.**

17 **(4) A teacher performance model program that includes the**  
18 **implementation of all the following elements:**

19 **(A) Multiple career paths for teachers that include additional**  
20 **responsibilities, leadership opportunities, and compensation.**

21 **(B) Ongoing applied professional growth opportunities for**  
22 **teachers tied to feedback from the teacher evaluation process**  
23 **and student achievement data.**

24 **(C) Instruction focused accountability through an evaluation**  
25 **system based on multiple measures, including evidence of**  
26 **student learning growth.**

27 **(D) Performance based compensation for teachers and school**  
28 **leaders based on multiple measures.**

29 **(A) A comprehensive pay progression for teacher leaders**  
30 **based on demonstrated skill development, escalating levels**  
31 **of responsibility and duties, and demonstrated academic**  
32 **leadership.**

33 **(B) A quality teacher assessment system that measures the**  
34 **effectiveness of teachers' practice.**

35 **(C) A pay system that supports early career educators by**  
36 **incentivizing the following:**

37 **(i) Mentoring and coaching.**

38 **(ii) Reducing teaching loads or providing release time for**  
39 **teacher leaders to support professional learning.**

40 **(iii) Reviewing professional portfolios and student**  
41 **performance.**

42 **(D) Eligibility for all teachers rated effective and highly**



- 1 effective.
- 2 **(E) Connection to high quality professional development,**
- 3 **including release time for teacher leaders providing**
- 4 **professional development and instructional coaching, that**
- 5 **provides teachers with the knowledge and skills needed to**
- 6 **advance student learning.**
- 7 **(F) A rigorous and transparent advancement criterion that**
- 8 **is locally developed and implemented with teacher**
- 9 **involvement.**
- 10 **(G) A pay system providing competitive base pay.**
- 11 **(H) Evidence of teacher support for the proposed teacher**
- 12 **leadership and pay system, including support from the**
- 13 **local school employee organization (if applicable).**
- 14 **(I) Plans for ongoing evaluation of the pay system.**
- 15 **(J) A sustainable pay system.**
- 16 **(K) A plan for how teacher leadership positions and**
- 17 **ongoing training for teacher leaders will improve student**
- 18 **achievement.**
- 19 ~~(2) A plan selected under the Indiana new educator induction~~
- 20 ~~pilot program established by IC 20-20-42.3-4.~~
- 21 ~~(3) (5) The Indiana education residency pilot program established~~
- 22 ~~in IC 20-20-44.~~
- 23 (b) To receive a grant, a:
- 24 **(1) school corporation, in consultation with the school**
- 25 **corporation's school employee organization; or**
- 26 **(2) charter school, in consultation with the charter school's**
- 27 **school employee organization (if applicable);**
- 28 shall apply for the grant in a manner prescribed by the state board in
- 29 consultation with the department. The state board department shall
- 30 establish eligibility requirements. **However, the department may not**
- 31 **award grants to more than thirty (30) school corporations or**
- 32 **charter schools during any school year. When awarding grants**
- 33 **under this chapter, the department shall select a geographically**
- 34 **diverse set of school corporations and charter schools, including**
- 35 **school corporations and charter schools located in urban,**
- 36 **suburban, and rural areas.**
- 37 **(c) A school corporation or charter school that is awarded a**
- 38 **grant under this chapter shall receive a grant for three (3)**
- 39 **consecutive school years.** The amount of the grant may not exceed the
- 40 costs incurred by the school corporation or charter school to
- 41 implement the program. A school corporation or charter school may
- 42 receive a matching grant from a corporation, foundation, or any other



1 entity in addition to a grant awarded under this chapter.

2 SECTION 5. IC 20-20-43-5 IS ADDED TO THE INDIANA CODE  
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
4 1, 2019]: **Sec. 5. Not later than July 1, 2020, and each July 1**  
5 **thereafter, the department shall submit a report to the governor**  
6 **and, in an electronic format under IC 5-14-6, to the general**  
7 **assembly. The report:**

8 **(1) must provide a detailed status summary of grants awarded**  
9 **under this chapter;**

10 **(2) must include:**

11 **(A) a description of each teacher performance program of**  
12 **a school corporation or charter school that receives a grant**  
13 **under this chapter;**

14 **(B) information regarding the details of each particular**  
15 **grant; and**

16 **(C) information regarding teacher satisfaction, teacher**  
17 **retention, and student performance at a school corporation**  
18 **or charter school that receives a grant under this chapter;**  
19 **and**

20 **(3) may include legislative recommendations.**

21 SECTION 6. IC 20-20-44-2, AS ADDED BY P.L.155-2017,  
22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2019]: Sec. 2. As used in this chapter, "new teacher" ~~has the~~  
24 ~~meaning set forth in IC 20-20-42.3-2.~~ **refers to a teacher with an**  
25 **initial practitioner license under IC 20-28-5-12.**

26 SECTION 7. IC 20-29-6-7, AS AMENDED BY P.L.217-2017,  
27 SECTION 103, IS AMENDED TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2019]: Sec. 7. A school employer shall discuss  
29 with the exclusive representative of certificated employees the  
30 following items:

31 (1) Curriculum development and revision.

32 (2) Selection of curricular materials.

33 (3) Teaching methods.

34 (4) Hiring, evaluation, promotion, demotion, transfer, assignment,  
35 and retention of certificated employees.

36 (5) Student discipline.

37 (6) Expulsion or supervision of students.

38 (7) Pupil/teacher ratio.

39 (8) Class size or budget appropriations.

40 (9) Safety issues for students and employees in the workplace,  
41 except those items required to be kept confidential by state or  
42 federal law.



- 1 (10) Hours.
- 2 (11) Funding for a plan for a remediation program for any subset
- 3 of students enrolled in kindergarten through grade 12.
- 4 (12) The following nonbargainable items under IC 20-43-10-3.5:
- 5 (A) Teacher appreciation grants.
- 6 (B) Individual teacher appreciation grant stipends to teachers.
- 7 (C) Additions to base salary based on teacher appreciation
- 8 grant stipends.
- 9 (13) The pre-evaluation planning session required under
- 10 IC 20-28-11.5-4.
- 11 (14) The superintendent's report to the governing body concerning
- 12 staff performance evaluations required under IC 20-28-11.5-9.
- 13 (15) ~~A career pathways and mentorship plan established under~~
- 14 ~~IC 20-20-42.2. A teacher performance model.~~



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1008 as introduced.)

BEHNING

Committee Vote: Yeas 12, Nays 0

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 3. IC 20-20-43-3, AS ADDED BY P.L.106-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The system for teacher and student advancement grant fund is established for the purpose of providing grants to school corporations **and charter schools** to implement programs described in section 4 of this chapter.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Gifts, grants, devises, or bequests made to the commission for higher education to achieve the purposes of the fund.

(c) The state board, in consultation with the department, shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund."

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Page 1, line 7, after "corporation" insert "**or charter school**".

Page 2, line 35, delete "organization." and insert "**organization (if applicable)**".

Page 3, delete lines 3 through 18, begin a new paragraph and insert:

"(b) To receive a grant, a:

(1) school corporation, **in consultation with the school corporation's school employee organization; or**

(2) **charter school, in consultation with the charter school's school employee organization (if applicable);**

shall apply for the grant in a manner prescribed by the ~~state board in consultation with the~~ department. The ~~state board~~ department shall establish eligibility requirements. **However, the department may not award grants to more than thirty (30) school corporations or charter schools during any school year. When awarding grants under this chapter, the department shall select a geographically diverse set of school corporations and charter schools, including school corporations and charter schools located in urban, suburban, and rural areas.**

(c) **A school corporation or charter school that is awarded a grant under this chapter shall receive a grant for three (3) consecutive school years.** The amount of the grant may not exceed the costs incurred by the school corporation **or charter school** to implement the program. A school corporation **or charter school** may receive a matching grant from a corporation, foundation, or any other entity in addition to a grant awarded under this chapter."

Page 3, line 29, after "corporation" insert "**or charter school**".

Page 3, line 34, after "corporation" insert "**or charter school**".

Page 4, line 29, reset in roman "(15)".

Page 4, line 30, after "IC 20-20-42.2." insert "**A teacher performance model**".

Page 4, delete lines 31 through 36.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1008 as printed January 11, 2019.)

HUSTON

Committee Vote: yeas 15, nays 8.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1008, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1008 as printed January 22, 2019.)

RAATZ, Chairperson

Committee Vote: Yeas 9, Nays 0

