

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.

HOUSE ENROLLED ACT No. 1008

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-20-42.2 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Career Pathways and Mentorship Program).

SECTION 2. IC 20-20-42.3 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Indiana New Educator Induction Pilot Program).

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.

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

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

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

(2) The Opportunity Culture teacher performance model.

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

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

(A) Multiple career paths for teachers that include additional responsibilities; leadership opportunities; and compensation.

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

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

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

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

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

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

(i) Mentoring and coaching.

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

(iii) Reviewing professional portfolios and student performance.

(D) Eligibility for all teachers rated effective and highly effective.

(E) Connection to high quality professional development, including release time for teacher leaders providing professional development and instructional coaching, that provides teachers with the knowledge and skills needed to



advance student learning.

(F) A rigorous and transparent advancement criterion that is locally developed and implemented with teacher involvement.

(G) A pay system providing competitive base pay.

(H) Evidence of teacher support for the proposed teacher leadership and pay system, including support from the local school employee organization (if applicable).

(I) Plans for ongoing evaluation of the pay system.

(J) A sustainable pay system.

(K) A plan for how teacher leadership positions and ongoing training for teacher leaders will improve student achievement.

(2) A plan selected under the Indiana new educator induction pilot program established by IC 20-20-42.3-4.

(3) (5) The Indiana education residency pilot program established in IC 20-20-44.

(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.

SECTION 5. IC 20-20-43-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5. Not later than July 1, 2020, and each July 1 thereafter, the department shall submit a report to the governor**

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and, in an electronic format under IC 5-14-6, to the general assembly. The report:

- (1) must provide a detailed status summary of grants awarded under this chapter;
- (2) must include:
 - (A) a description of each teacher performance program of a school corporation or charter school that receives a grant under this chapter;
 - (B) information regarding the details of each particular grant; and
 - (C) information regarding teacher satisfaction, teacher retention, and student performance at a school corporation or charter school that receives a grant under this chapter; and
- (3) may include legislative recommendations.

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

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

- (1) Curriculum development and revision.
- (2) Selection of curricular materials.
- (3) Teaching methods.
- (4) Hiring, evaluation, promotion, demotion, transfer, assignment, and retention of certificated employees.
- (5) Student discipline.
- (6) Expulsion or supervision of students.
- (7) Pupil/teacher ratio.
- (8) Class size or budget appropriations.
- (9) Safety issues for students and employees in the workplace, except those items required to be kept confidential by state or federal law.
- (10) Hours.
- (11) Funding for a plan for a remediation program for any subset of students enrolled in kindergarten through grade 12.
- (12) The following nonbargainable items under IC 20-43-10-3.5:
 - (A) Teacher appreciation grants.

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(B) Individual teacher appreciation grant stipends to teachers.

(C) Additions to base salary based on teacher appreciation grant stipends.

(13) The pre-evaluation planning session required under IC 20-28-11.5-4.

(14) The superintendent's report to the governing body concerning staff performance evaluations required under IC 20-28-11.5-9.

(15) ~~A career pathways and mentorship plan established under IC 20-20-42.2.~~ **A teacher performance model.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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