

HOUSE BILL No. 1412

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28-9.

Synopsis: Teacher salaries. Provides that a school corporation may offer a teacher who on June 30, 2011: (1) was employed with the school corporation; and (2) had at least 10 years of teaching experience; a one time annual salary increase. Provides that compensation attributable to additional degrees or graduate credits for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2018, shall also continue for school years beginning after June 30, 2015. (Current law provides that compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015.) Provides that a school corporation is not prohibited from paying a substitute teacher in conformity with the regular pay range for teachers of the school corporation the teacher serves during the initial 15 consecutive school days in which the teacher serves as a substitute teacher.

Effective: July 1, 2015 (retroactive); July 1, 2017.

Thompson

January 17, 2017, read first time and referred to Committee on Education.



Introduced

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1412

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 20-28-9-1.5, AS AMENDED BY P.L.106-2016,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015 (RETROACTIVE)]: Sec. 1.5. (a) This subsection
4 governs salary increases for a teacher employed by a school
5 corporation. Compensation attributable to additional degrees or
6 graduate credits earned before the effective date of a local
7 compensation plan created under this chapter before July 1, 2015, shall
8 continue for school years beginning after June 30, 2015. Compensation
9 attributable to additional degrees **or graduate credits** for which a
10 teacher has started course work before July 1, 2011, and completed
11 course work before September 2, ~~2014~~, **2018**, shall also continue for
12 school years beginning after June 30, 2015. For school years beginning
13 after June 30, 2015, a school corporation may provide a supplemental
14 payment to a teacher in excess of the salary specified in the school
15 corporation's compensation plan if the teacher teaches an advanced
16 placement course or has earned a master's degree from an accredited
17 postsecondary educational institution in a content area directly related

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- 1 to the subject matter of:
- 2 (1) a dual credit course; or
- 3 (2) another course;
- 4 taught by the teacher. In addition, a supplemental payment may be
- 5 made to an elementary school teacher who earns a master's degree in
- 6 math or reading and literacy. A supplement provided under this
- 7 subsection is not subject to collective bargaining, but a discussion of
- 8 the supplement must be held. Such a supplement is in addition to any
- 9 increase permitted under subsection (b).
- 10 (b) Increases or increments in a local salary range must be based
- 11 upon a combination of the following factors:
- 12 (1) A combination of the following factors taken together may
- 13 account for not more than thirty-three percent (33%) of the
- 14 calculation used to determine a teacher's increase or increment:
- 15 (A) The number of years of a teacher's experience.
- 16 (B) The attainment of either:
- 17 (i) additional content area degrees beyond the requirements
- 18 for employment; or
- 19 (ii) additional content area degrees and credit hours beyond
- 20 the requirements for employment, if required under an
- 21 agreement bargained under IC 20-29.
- 22 (2) The results of an evaluation conducted under IC 20-28-11.5.
- 23 (3) The assignment of instructional leadership roles, including the
- 24 responsibility for conducting evaluations under IC 20-28-11.5.
- 25 (4) The academic needs of students in the school corporation.
- 26 (c) Except as provided in subsection (d), a teacher rated ineffective
- 27 or improvement necessary under IC 20-28-11.5 may not receive any
- 28 raise or increment for the following year if the teacher's employment
- 29 contract is continued. The amount that would otherwise have been
- 30 allocated for the salary increase of teachers rated ineffective or
- 31 improvement necessary shall be allocated for compensation of all
- 32 teachers rated effective and highly effective based on the criteria in
- 33 subsection (b).
- 34 (d) Subsection (c) does not apply to a teacher in the first two (2) full
- 35 school years that the teacher provides instruction to students in
- 36 elementary school or high school. If a teacher provides instruction to
- 37 students in elementary school or high school in another state, any full
- 38 school year, or its equivalent in the other state, that the teacher provides
- 39 instruction counts toward the two (2) full school years under this
- 40 subsection.
- 41 (e) A teacher who does not receive a raise or increment under
- 42 subsection (c) may file a request with the superintendent or



1 superintendent's designee not later than five (5) days after receiving
2 notice that the teacher received a rating of ineffective. The teacher is
3 entitled to a private conference with the superintendent or
4 superintendent's designee.

5 (f) The department shall publish a model compensation plan with a
6 model salary range that a school corporation may adopt. Before July 1,
7 2015, the department may modify the model compensation plan, as
8 needed, to comply with subsection (g).

9 (g) Each school corporation shall submit its local compensation plan
10 to the department. For a school year beginning after June 30, 2015, a
11 local compensation plan must specify the range for teacher salaries.
12 The department shall publish the local compensation plans on the
13 department's Internet web site.

14 (h) The department shall report any noncompliance with this section
15 to the state board.

16 (i) The state board shall take appropriate action to ensure
17 compliance with this section.

18 (j) This chapter may not be construed to require or allow a school
19 corporation to decrease the salary of any teacher below the salary the
20 teacher was earning on or before July 1, 2015, if that decrease would
21 be made solely to conform to the new compensation plan.

22 **(k) This subsection applies after June 30, 2017. A school**
23 **corporation may offer a teacher who on June 30, 2011:**

24 **(1) was employed with the school corporation; and**

25 **(2) had at least ten (10) years of teaching experience;**

26 **a one (1) time annual salary increase before the teacher retires.**
27 **The amount of the annual salary increase under this subsection**
28 **may not exceed the difference between the annual salary amount**
29 **for the maximum step or tier on the compensation plan in effect on**
30 **June 30, 2011, for a teacher with the same degree and college credit**
31 **qualifications, minus the annual salary amount for the step or tier**
32 **immediately below the maximum step or tier on the compensation**
33 **plan in effect on June 30, 2011, for a teacher with the same degree**
34 **and college credit qualifications. A salary increase under this**
35 **subsection is not subject to collective bargaining, but a discussion**
36 **of the salary increase must be held.**

37 ~~(l)~~ **(l)** After June 30, 2011, all rights, duties, or obligations
38 established under IC 20-28-9-1 before its repeal are considered rights,
39 duties, or obligations under this section.

40 SECTION 2. IC 20-28-9-7, AS AMENDED BY P.L.213-2015,
41 SECTION 180, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) An individual who:



- 1 (1) holds:
2 (A) a professional license;
3 (B) a provisional license;
4 (C) a limited license; or
5 (D) an equivalent license issued by the department; and
6 (2) serves as an occasional substitute teacher;
7 shall be compensated in conformity with the pay range for substitutes
8 of the school corporation the individual serves.
9 (b) An individual who:
10 (1) holds a:
11 (A) professional license; or
12 (B) provisional license; and
13 (2) serves as a substitute teacher in the same teaching position for
14 more than fifteen (15) consecutive school days;
15 shall be compensated in conformity with the regular pay range for
16 teachers of the school corporation the individual serves. **Nothing in**
17 **this subsection shall be construed to prohibit a school corporation**
18 **from compensating a substitute teacher in conformity with the**
19 **regular pay range for teachers of the school corporation the**
20 **teacher serves during the initial fifteen (15) consecutive school days**
21 **in which the teacher serves as a substitute teacher.**
22 SECTION 3. An emergency is declared for this act.

