

HOUSE BILL No. 1444

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28.

Synopsis: Teacher compensation. Provides that the number of years of a teacher's employment and the attainment of additional degrees or credit hours must account for not less than 33% of the increments or increases in a local salary schedule. Makes a corresponding change to a related section.

Effective: July 1, 2015.

Klinker

January 14, 2015, read first time and referred to Committee on Education.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1444



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 20-28-7.5-1, AS AMENDED BY P.L.286-2013,
2 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 1. (a) This chapter applies to a teacher in a school
4 corporation (as defined in IC 20-18-2-16(a)).
5 (b) A principal may decline to continue a probationary teacher's
6 contract under sections 2 through 4 of this chapter if the probationary
7 teacher:
8 (1) receives an ineffective designation on a performance
9 evaluation under IC 20-28-11.5;
10 (2) receives two (2) consecutive improvement necessary ratings
11 on a performance evaluation under IC 20-28-11.5; or
12 (3) is subject to a justifiable decrease in the number of teaching
13 positions or any reason relevant to the school corporation's
14 interest.
15 (c) Except as provided in subsection (e), a principal may not decline



1 to continue a professional or established teacher's contract unless the
2 teacher is subject to a justifiable decrease in the number of teaching
3 positions.

4 (d) After June 30, 2012, the cancellation of teacher's contracts due
5 to a justifiable decrease in the number of teaching positions shall be
6 determined on the basis of performance rather than seniority. In cases
7 where teachers are placed in the same performance category, any of the
8 items in ~~IC 20-28-9-1.5(b)~~ **IC 20-28-9-1.5(a)** may be considered.

9 (e) A contract with a teacher may be canceled immediately in the
10 manner set forth in sections 2 through 4 of this chapter for any of the
11 following reasons:

- 12 (1) Immorality.
- 13 (2) Insubordination, which means a willful refusal to obey the
14 state school laws or reasonable rules adopted for the governance
15 of the school building or the school corporation.
- 16 (3) Justifiable decrease in the number of teaching positions.
- 17 (4) Incompetence, including receiving:
 - 18 (A) an ineffective designation on two (2) consecutive
19 performance evaluations under IC 20-28-11.5; or
 - 20 (B) an ineffective designation or improvement necessary
21 rating in three (3) years of any five (5) year period.
- 22 (5) Neglect of duty.
- 23 (6) A conviction for an offense listed in IC 20-28-5-8(c).
- 24 (7) Other good or just cause.

25 SECTION 2. IC 20-28-9-1.5, AS ADDED BY P.L.286-2013,
26 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2015]: Sec. 1.5. ~~(a) This subsection applies to a contract in
28 effect July 1, 2012; or upon the expiration of a contract in existence on
29 July 1, 2011; whichever is earlier; and governs salary increases for a
30 teacher employed by a school corporation on or after the date this
31 subsection takes effect. Compensation attributable to additional
32 degrees or graduate credits earned before the effective date of the local
33 salary schedule created under this chapter shall continue.
34 Compensation attributable to additional degrees for which a teacher has
35 started course work before July 1, 2011, and completed course work
36 before September 2, 2014, shall also continue.~~

37 ~~(b)~~ **(a)** Increases or increments in a local salary scale must be based
38 upon a combination of the following factors:

- 39 (1) A combination of the following factors taken together may
40 account for not ~~more~~ **less** than thirty-three percent (33%) of the
41 calculation used to determine a teacher's increase or increment:
 - 42 (A) The number of years of a teacher's experience.



- 1 (B) The attainment of either:
 2 (i) additional ~~content area~~ degrees beyond the requirements
 3 for employment; or
 4 (ii) additional ~~content area~~ degrees and credit hours beyond
 5 the requirements for employment. ~~if required under an~~
 6 ~~agreement bargained under IC 20-29;~~
 7 (2) The results of an evaluation conducted under IC 20-28-11.5.
 8 (3) The assignment of instructional leadership roles, including the
 9 responsibility for conducting evaluations under IC 20-28-11.5.
 10 (4) The academic needs of students in the school corporation.
 11 ~~(e)~~ (b) A teacher rated ineffective or improvement necessary under
 12 IC 20-28-11.5 may not receive any raise or increment for the following
 13 year if the teacher's employment contract is continued. The amount that
 14 would otherwise have been allocated for the salary increase of teachers
 15 rated ineffective or improvement necessary shall be allocated for
 16 compensation of all teachers rated effective and highly effective based
 17 on the criteria in subsection ~~(b)~~: (a).
 18 ~~(d)~~ (c) A teacher who does not receive a raise or increment under
 19 subsection ~~(e)~~ (b) may file a request with the superintendent or
 20 superintendent's designee not later than five (5) days after receiving
 21 notice that the teacher received a rating of ineffective. The teacher is
 22 entitled to a private conference with the superintendent or
 23 superintendent's designee.
 24 ~~(e)~~ (d) Not later than January 31, 2012, the department shall publish
 25 a model salary schedule that a school corporation may adopt.
 26 ~~(f)~~ (e) Each school corporation shall submit its local salary schedule
 27 to the department. The department shall publish the local salary
 28 schedules on the department's Internet web site.
 29 ~~(g)~~ (f) The department shall report any noncompliance with this
 30 section to the state board.
 31 ~~(h)~~ (g) The state board shall take appropriate action to ensure
 32 compliance with this section.
 33 ~~(i)~~ (h) This chapter may not be construed to require or allow a
 34 school corporation to decrease the salary of any teacher below the
 35 salary the teacher was earning on or before July 1, 2012, if that
 36 decrease would be made solely to conform to the new salary scale.
 37 ~~(j)~~ (i) 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.

