



DKG LEGISLATIVE UPDATE

DKG Ladies attended the ISTA Work-a-Week on April 15th. Members heard an update and then proceeded to the State House to lobby. Legislators were in session so those who had invited their Representative and/or Senator were unable to eat with them. Those in attendance delivered a lunch on the House floor to DKG Sister Rep. Sheila Klinker.

The 2015 long legislative session concluded March 29th. Next session will be a short session.

The only elections in 2015 are municipal and referenda. The 2016 elections will include the U.S. President, one-third of the U.S. Senate, all U.S House of Representatives, Governor, Attorney General, Superintendent of Public Instruction, and all Indiana House members, half of the Indiana Senate, county officials, school board and referenda.

Indiana had the lowest voter turnout at 29% in the nation for the 2014 election cycle. If you have moved, changed your name, or have not voted in the few elections, you can register to vote at <https://indianavoters.in.gov>

The State Board of Education will be reappointed as of June 1st because of Senate Enrolled Act. SEA 1:

- Grants the SBOE additional powers and its own executive director (thereby making it a separate state agency).
- Requires the current SBOE to be reconstituted by June 1, 2015 and requires a vice-chairperson be elected from within the membership:
 - State superintendent of public instruction
 - Eight governor appointees from around the state with not more than one from any congressional district and not more than 5 from the same political party, and eight of whom must have experience in education.
 - One Speaker of the House appointee.
 - One President Pro Tempore of the Senate appointee.
- The SBOE has been added as an educational authority within the meaning of the Federal Family Education Rights and Privacy Act.
- The current state superintendent remains the SBOE chairperson until December 31, 2016, however, the agenda shall be jointly established by the chairperson and the vice-chairperson of the SBOE.
- NOTE: In HEA 1001, the SBOE was given \$2.5 million each year for its operations as a separate agency.

If you have any questions, please call Roni Embry at 317-979-0032 or email her at rembry@ista-in.org



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Bill Update Source: ISTA Legislative Summary 2015

HEA 1001: State Budget, School Funding Formula, Other Education Issues

School funding formula:

- Provides a 2.3 percent and 2.3 percent statewide average increase for FY 2016 and FY 2017. See your own district from the **formula run**.
- Re-authorizes the use of Capital Projects Funds to pay for certain utility and liability insurance costs.
- Increases in **per student foundation** from \$4,587 to \$4,967 in FY 2016, and to \$5,088 in FY 2017.
- Increases in **Special Education** Severe Category to \$8,800 from \$8,350, and mild/moderate to \$2,300 from \$2,265. Slight decreases in homebound and communication disorders (from \$533 to \$500).
- Embeds **full-day kindergarten** funding into the school formula instead of a allocated as a separate grant program to schools.
- Creates a new two-tiered **Advanced Placement** funding formula.
- **Career and Technical Education** funding increases for high wage/moderate wage and high demand/moderate demand categories—however, lowers funding for certain other categories.
- Creates a new **complexity** factor in the formula that is based upon participation in the federal SNAP, TANF, and foster care programs—called “direct certification.”

State biennial budget:

- Provides \$30 million in FY 2016 (no increase from 2015) and \$40 million in FY 2017 (increase of \$10 million) for teacher performance awards that are not bargainable, even though these stipends are salary and wage issues which under the 2011 law were made bargainable.
- Recognizes master’s degrees in subjects taught in dual credit assignments, a master’s in subjects taught, and for elementary teachers with a master’s in math and/or reading and literacy for compensation supplements. However, the allocation of this supplement is not bargainable, even though the amounts are salary and wages which under the 2011 law were made bargainable.
- Limits remediation funding in school districts to one percent (1%) of the revenue the district receives annually, regardless of whether student needs for such programs exceed this threshold.
- Provides \$3 million annually to the Indiana Department of Education for its outreach work to help districts in need of a turnaround—prior to takeover.

Charter schools and private school vouchers:

- Retains a \$25 million guarantee should new voucher funding cause the state to hit its cap.
- Creates a charter school grant program of \$500 per student for certain charter schools.
- Creates a charter school/Innovation Network Schools advance (loan) program from the common school fund.
- Expands the state income tax credit given to individuals making contributions to “scholarship granting organizations” providing private school tuition subsidies from a statewide cost of \$7.5 million each year to \$8.5 million in 2016 and \$9.5 million in 2017.



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Other provisions of note:

- Gives the State Board of Education \$2.5 million each year for its operations which under SB 1 will include a new executive director and staff (formerly CECI).
- Adds a 13th check for PERF and TRF retirees..

What you should remember about HEA 1001:

- HB 1001 creates a new state income tax credit for teachers who spend their own money to pay for classroom supplies currently deductible under federal tax laws. The credit (which is a direct dollar-for-dollar offset of your state income tax liability) is capped at the lesser amount of what you spend on qualifying supplies or \$100 each taxable year beginning with the 2015 calendar year. Examples of how this will work:
 - If you end up owing the state \$101 in state income taxes and you have spent exactly \$100 in qualifying supplies in the taxable year, your tax bill will adjust to \$1.
 - If you end up owing the state \$101 in state income taxes and you have spent \$50 in qualifying supplies, your tax bill will adjust to \$51.
 - If you end up owing the state \$50 in state income taxes and you have spent \$100 in qualifying supplies, your tax bill for the particular year will adjust to \$0—and you will get no refund for the “excess” you spent, nor can you use it in a prior or subsequent tax year balancing the remaining in which you incurred during the particular tax year at hand.

Keep your receipts for each calendar year. Remember the calendar year overlaps two different school years.

Retirement/Pension Issues:

Besides the 13th check discussed in HEA 1001 above, a few other retirement/pension bills were enacted:

HEA 1109

HEA 1109 standardizes how pension payments will be made to retirees through the Indiana Public Retirement System (INPRS)—requiring all payments to be made through direct bank deposits or other methods approved by INPRS.

HEA 1466

HEA 1466 is an omnibus pension act. The most relevant provisions require that public employers wishing to withdraw from PERF (unlike TRF, for many governmental employers, participation in PERF is optional), must continue to pay the employer’s share of the unfunded liability in PERF attributable to the employer’s current and prior employees. Requires INPRS to notify the interim study committee for pension management oversight if INPRS determines contributions and contribution rates for one or more employers participating in PERF or TRF differ from the contributions and contribution rates recommended by the INPRS actuaries.

SEA 283

Enables INPRS to amortize the unfunded liabilities in various public pension funds for a number of years determined by INPRS, but not to exceed 30 years. Current law requires a 30-year amortization.

HEA 1009: Freedom to Teach and Innovation Network Schools

- Creates two new governance models known as the Innovation Network Schools (INs).
- Option one allows for at least 2 teachers plus a principal and/or a superintendent to create a school within a school.
- Option two allows for a school board to solely make the decision.
- ISTA opposed HEA 1009 because it calls for the INs’ local bargaining agent to be separate from the existing local association, thereby attempting to fracture the unit. This anti-union step was completely unnecessary to achieving innovation.



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HEA 1056: Student Transfers

- Allows a student to transfer to a school corporation if a parent is an employee of the school corporation and the school has capacity.
- An elementary student who attended an accredited nonpublic school in the attendance zone of the school corporation may attend a high school in the school corporation.

HEA 1068: School Employee Background Checks

- Changes the definition of an expanded criminal history check for school employment to include a background check by a consumer reporting agency, verification of identity, a search of the applicant's counties of residence in Indiana and other states and a search of the sex offender registry.
- Provides that a consumer reporting agency cannot disclose personal credit information to an employer.

HEA 1108: Dyslexia

- Adds a definition of dyslexia.
- Requires that teacher preparation programs must inform teachers about making referrals to the school's multidisciplinary team to determine a student's special needs, which may include learning needs to address dyslexia.
- Provides that an education service center may also offer courses on signs of dyslexia and screening.

HEA 1188: Student Teaching

- Requires that a student teacher must be under the supervision of a certificated employee who has been rated either "highly effective" or "effective" on the most recent performance evaluation.
- The supervisor may be paid an honorarium by the institution for consulting services indicated in the student teaching agreement.

HEA 1194: High School Diplomas

- HEA 1194 establishes a legislative study committee to examine legislative changes necessary for students with disabilities as it relates to these students' appropriate diploma track starting in grade 8.

HEA 1414: School Safety Drills

- Provides that a local school may substitute either a tornado drill or a manmade occurrence drill for up to two fire drills per semester.
- If substitutions are made for drills, they cannot be done in consecutive months.
- School boards also maintain the flexibility to require additional drills as a local decision.
- The school board must certify that principals have conducted the drills.

HEA 1438: Adult High Schools

- The Indiana Department of Education (IDOE) must distribute funding for adult high schools to the organizer of the school.
- The charter organizer has control over the funds and the financial matters of the school, including the distribution of funds to all charters the organizer operates.
- The organizer is required to submit accurate and updated student enrollment information to the IDOE.



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HEA 1483: Various Education Matters

- Defines school psychologists as teachers for certain purposes.
- School bus monitors are no longer required to have the same visual acuity as school bus drivers.
- Student instruction cannot be contrary to state curriculum and standards.
- Fact finding in collective bargaining cannot exceed 30 days, and the IEERB Board must rule on appeal within 60 days.

HEA 1635: Various Education Matters

- Adds to the existing purposes of the Safe Schools Fund the ability to provide grants for school programs to help improve professional development and school climate regarding alternatives to expulsion and suspension, classroom management, positive behavioral intervention, restorative practices and social emotional learning.
- Makes various changes to a school district's annual performance report.
- In the case of a consolidated school district, sets up a process for returning or gifting property back to the township.
- Requires a school corporation to provide transportation to a student attending a nonpublic school or charter school in a rural area if the student resides along the normal route for the school corporation.

HEA 1636: Charter Schools

- Requires that a charter authorizer must register with the State Board of Education (SBOE) if it has not previously issued a charter school.
- The authorizer must include information about the budget, personnel, renewal and a revocation plan.
- A school board, state educational institution or nonprofit college can be an authorizer, which expands the number of authorizers in Indiana.
- The SBOE must evaluate charter school performance in Indiana every five years.
- Allows up to ten percent (10%) of the enrollment in a charter school to include children of the charter's school board, founders and employees.
- Allows a charter school to limit admissions only to preschool students who attended a Level 3 or 4 Paths to quality program.
- Provides that a school board of a conversion charter school is not bound by the collective bargaining agreement for its employees. However, employees of a conversion charter may organize and collectively bargain.

HEA 1637: Various Education Issues

- Reduces the number of school board members for East Chicago from nine to five beginning in 2017, with three members elected by district and two at-large seats.
- Requires each school corporation and accredited nonpublic school to include "psychomotor" skills in its high school health curriculum in resuscitation and use of a defibrillator.
- A student is not required to receive certification in resuscitation. A school administrator may waive the requirement for a student with a disability.
- The state superintendent must appoint an academic standards committee with teachers and higher education representatives with subject matter expertise to review thresholds to assist in identifying students who may need remediation.
- A student's PSAT scores are no longer required to be included on a transcript.
- A football coach for grades one to 12 who coaches students under 20 years of age must complete a certified coaching education course.



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HEA 1638: State Takeover and Transformation Zone Schools

- Provides that the threshold for state takeover of a public school moves from six consecutive years of “F” status to four consecutive years. However, the State Board of Education (SBOE) can grant an additional year if the school is making progress.
- Adds that the closing of a school by the SBOE requires a two-thirds SBOE vote that must include a student redistribution plan.
- Provides that a local school board can recognize a “D” or “F” school as a transformation zone. If a transformation zone is established, full bargaining rights are maintained and the local association continues to be recognized as the exclusive representative for three years. During this time the school can show improvement and come out from the threat of takeover.

SEA 1: State Board of Education Governance

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SEA 35: Speed Limit Zones

- The speed limit cannot be less than 20 miles per hour in school zones across the state.

SEA 62: ISTEP Program

This bill resulted from the large increase in testing length this year and was used as a vehicle to resolve those problems.

- Allows the Indiana Department of Education (IDOE) to waive some requirements for the 2015 ISTEP.
- The IDOE must establish criteria to allow a parent to inspect test questions so that inspection will not interfere with the test validity.
- The IDOE is allowed to waive the Social Studies section of ISTEP for 2015.

SEA 466: Various Election Matters

- Originally proposed several election law changes, including the denial of a university student’s right to vote based upon his/her college address.
- The final act restored a student’s right to choose whether to vote from his/her home or college address.



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SEA 476: School Capital Projects Fund Tax Rate

Subject to the existing property tax caps, SEA 476 provides for a change in the calculation of the maximum tax rate for school districts' capital projects funds for taxes due and payable in CY 2016, therefore enabling some districts to increase their CPF rates.

SEA 500: School Deregulation

SEA 500 began as a huge bill filled with as many substantive policy changes as it did deregulation. The authors of the bill and ISTA worked together to pare the bill down to its original intent—meaning it removes obsolete statutes, streamlines local processes, and offers up some deregulation.

SEA 566: Various Education Matters

- Creates an interim study committee on state testing issues.
- Exempts from school grading for certain low population schools where there is not a sufficient sample to garner verifiable results.
- Creates a pathway for individuals majoring in science, technology, engineering, and mathematics (STEM) who have a minor in education and a 2.75 GPA to become licensed to teach.
- Prohibits Indiana from using the Common Core state standards, but recognizes that Indiana may benefit from purchasing certain test questions that align with Indiana Standards from other national tests in order to save the state money.
- As a teacher, you will begin receiving an annual letter from Indiana's Attorney General informing you of certain rights and protections.