



April 3, 2015

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# ENGROSSED HOUSE BILL No. 1009

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DIGEST OF HB 1009 (Updated April 1, 2015 3:02 pm - DI 116)

**Citations Affected:** IC 20-26.5 .

**Synopsis:** Freedom to teach. Allows a governing body of one or more school corporations to establish a freedom to teach school, zone, or district. Establishes the freedom to teach grant fund to provide grants to governing bodies that establish a freedom to teach school, zone, or district. Establishes the career pathways pilot program.

**Effective:** Upon passage.

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## Behning, Thompson, Smith V, Austin

(SENATE SPONSORS — KRUSE, YODER, ROGERS, FORD)

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January 15, 2015, read first time and referred to Committee on Education.  
February 5, 2015, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
February 17, 2015, reported — Do Pass.  
February 19, 2015, read second time, ordered engrossed. Engrossed.  
February 23, 2015, read third time, passed. Yeas 95, nays 2.

SENATE ACTION

February 25, 2015, read first time and referred to Committee on Education & Career Development.  
April 2, 2015, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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EH 1009—LS 7263/DI 116





April 3, 2015

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.

## ENGROSSED HOUSE BILL No. 1009

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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 20-26.5 IS ADDED TO THE INDIANA CODE AS  
2 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **ARTICLE 26.5. FREEDOM TO TEACH ACT**  
5 **Chapter 1. Findings**  
6 **Sec. 1. The general assembly recognizes that to further the goals**  
7 **of high quality public education throughout Indiana, each school**  
8 **corporation and public school should have the freedom to create**  
9 **the optimal learning environment. The general assembly finds that**  
10 **this can be accomplished by allowing for greater flexibility,**  
11 **innovation, and efficiency. Further, the general assembly**  
12 **recognizes the importance of retaining and attracting the nation's**  
13 **best teachers by allocating significantly more resources into the**  
14 **classroom and giving teachers freedom from burdensome**  
15 **regulations.**

EH 1009—LS 7263/DI 116



- 1           **Chapter 2. Definitions**
- 2           **Sec. 1. As used in this article, "freedom to teach school" means**
- 3 **a school operated by a freedom to teach team under this article.**
- 4           **Sec. 2. As used in this article, "freedom to teach team" means:**
- 5           (1) two (2) or more teachers;
- 6           (2) a principal;
- 7           (3) a superintendent;
- 8           (4) any combination of individuals under subdivisions (1)
- 9           through (3); or
- 10          (5) an individual or any combination of individuals under
- 11          subdivisions (1) through (4) in a partnership with any other
- 12          individual or entity.
- 13          **The individuals described in subdivisions (1) through (4) must be**
- 14          **currently employed by the school corporation whose governing**
- 15          **body would review the proposed plan under IC 20-26.5-3-2.**
- 16          **Sec. 3. As used in this article, "fund" refers to the freedom to**
- 17          **teach grant fund established by IC 20-26.5-5-1.**
- 18          **Sec. 4. As used in this article, "qualified applicant" means:**
- 19          (1) two (2) or more teachers;
- 20          (2) a principal;
- 21          (3) a superintendent; or
- 22          (4) any combination of individuals under subdivisions (1)
- 23          through (3);
- 24          **currently employed by the school corporation whose governing**
- 25          **body would review the proposed plan under IC 20-26.5-3-2.**
- 26          **Chapter 3. Establishment of Freedom to Teach Schools**
- 27          **Sec. 1. A freedom to teach school is subject to all federal and**
- 28          **state laws and constitutional provisions that prohibit**
- 29          **discrimination on the basis of the following:**
- 30          (1) Disability.
- 31          (2) Race.
- 32          (3) Color.
- 33          (4) Gender.
- 34          (5) National origin.
- 35          (6) Religion.
- 36          (7) Ancestry.
- 37          (8) Age.
- 38          **Sec. 2. (a) A qualified applicant who wishes to establish a**
- 39          **freedom to teach school, zone, or district shall submit a plan to the**
- 40          **governing body. Each plan is to focus on:**
- 41          (1) improving student outcomes through innovations
- 42          contained in the plan; and



- 1           **(2) increasing salaries of teachers rated effective or highly**  
 2           **effective under IC 20-28-11.5.**  
 3           **(b) In considering or creating a plan submitted under subsection**  
 4           **(a), a governing body may consider innovations in the following**  
 5           **areas:**  
 6           **(1) Whether the plan:**  
 7               **(A) increases teacher salaries;**  
 8               **(B) achieves financial sustainability for teacher salary**  
 9               **increases under clause (A) by reallocating other funds,**  
 10              **including local, private, state, or federal funds; and**  
 11              **(C) develops measures for determining how the**  
 12              **innovations or teacher empowerment:**  
 13                  **(i) improves the quality of classroom instruction; and**  
 14                  **(ii) increases the attractiveness of teaching.**  
 15           **(2) Class size and schedule.**  
 16           **(3) Length of school day or year.**  
 17           **(4) Use of technology to deliver highly effective instruction.**  
 18           **(5) Staffing models for teachers, paraprofessionals, and**  
 19           **administrators.**  
 20           **(6) Teacher recruitment, training, preparation, and**  
 21           **professional development.**  
 22           **(7) School governance and the roles, responsibilities, and**  
 23           **expectations of principals in freedom to teach schools, zones,**  
 24           **and districts.**  
 25           **(8) Preparation and counseling of students for transition to**  
 26           **higher education or careers.**  
 27           **(9) Whether the plan incorporates a school model that uses**  
 28           **job redesign or technology to extend the reach of effective or**  
 29           **highly effective teachers to more students for more pay within**  
 30           **budget.**  
 31           **(c) A school and each governing body may seek and accept**  
 32           **public and private gifts, grants, and donations to support the costs**  
 33           **associated with developing and implementing a freedom to teach**  
 34           **plan.**  
 35           **Sec. 3. (a) After the governing body holds at least two (2) public**  
 36           **hearings within thirty-five (35) days that are at least fifteen (15)**  
 37           **days apart under subsection (d), a governing body may establish a**  
 38           **freedom to teach school, zone, or district or may enter into a**  
 39           **contract or agreement with a freedom to teach team to establish a**  
 40           **freedom to teach school, zone, or district based on a plan submitted**  
 41           **under section 2 of this chapter. One (1) or more freedom to teach**  
 42           **schools from one (1) or more school corporations may be part of a**



1 freedom to teach zone. One (1) or more school corporations may be  
 2 a freedom to teach district. If the contract or agreement contains  
 3 terms which will be implemented in two (2) or more school  
 4 corporations, each governing body of a school corporation  
 5 included in the plan must approve the contract or agreement for  
 6 the contract or agreement to become effective.

7 (b) The terms of the contract or agreement shall contain  
 8 provisions relating to:

9 (1) the administration;

10 (2) staffing;

11 (3) the increased salary for teachers that is significantly more  
 12 than the compensation model in existence before the contract  
 13 or agreement; and

14 (4) the improvement of student outcomes;

15 at the freedom to teach school, zone, or district.

16 (c) If a freedom to teach team and the governing body enter into  
 17 a contract or agreement under subsection (a), the freedom to teach  
 18 team and the governing body shall notify the department and state  
 19 board within thirty (30) days after the agreement has been entered  
 20 into that a contract or agreement has been made under this section.

21 (d) Before a governing body may approve a plan under this  
 22 section, the governing body shall hold at least two (2) public  
 23 hearings within thirty-five (35) days that are at least fifteen (15)  
 24 days apart.

25 Sec. 4. (a) A freedom to teach team shall have full operational  
 26 autonomy to run the freedom to teach school, zone, or district as  
 27 provided in the contract or agreement described in section 3 of this  
 28 chapter.

29 (b) A freedom to teach team that operates a freedom to teach  
 30 school, zone, or district under this chapter shall make all personnel  
 31 decisions in the freedom to teach school, zone, or district.

32 (c) For any collective bargaining agreement under IC 20-29  
 33 entered into after July 1, 2015, a governing body is not bound by its  
 34 collective bargaining agreement for employees of a freedom to  
 35 teach school, zone, or district, or for employees who participate in  
 36 the career pathways pilot program under IC 20-26.5-4-4.  
 37 Employees of a freedom to teach school, zone, or district, or  
 38 employees who participate in the career pathways pilot program  
 39 under IC 20-26.5-4-4 may organize and collectively bargain only  
 40 as a unit separate from other school employees under IC 20-29.  
 41 Salary increases may not be collectively bargained for employees  
 42 of a freedom to teach school, zone, or district under IC 20-29. All



1 teacher salary increases for employees of a freedom to teach  
 2 school, zone, or district or employees that participate in the career  
 3 pathways pilot program under IC 20-26.5-4-4 shall be determined  
 4 according to the plan approved under this article.

5 (d) The:

- 6 (1) creation;
- 7 (2) consideration;
- 8 (3) submission; or
- 9 (4) implementation;

10 of a plan under this article is not an unfair labor practice as it  
 11 pertains to salary increases for school employees of a freedom to  
 12 teach school, zone, or district.

13 (e) Individuals employed by the freedom to teach school, zone,  
 14 or district are entitled to participate in:

- 15 (1) the state teachers' retirement fund created under  
 16 IC 5-10.4;
- 17 (2) the public employees' retirement fund created under  
 18 IC 5-10.3; or
- 19 (3) another retirement fund specified in the contract or  
 20 agreement described in section 3 of this chapter.

21 Sec. 5. (a) Except as otherwise provided in this article, the  
 22 following do not apply to a freedom to teach school, zone, or  
 23 district:

- 24 (1) An Indiana statute applicable to a governing body or  
 25 school corporation.
- 26 (2) A rule or guideline adopted by the state board.
- 27 (3) A rule or guideline adopted by the state board concerning  
 28 teachers, except for those rules that assist a teacher in gaining  
 29 or renewing a standard or advanced license.
- 30 (4) A local regulation or policy adopted by a school  
 31 corporation unless specifically incorporated in the contract or  
 32 agreement described in section 3 of this chapter.

33 (b) Except as otherwise provided in this article, the following  
 34 apply to a freedom to teach school, zone, or district:

- 35 (1) IC 20-24-8-5 (statutes applicable to charter schools).
- 36 (2) IC 20-28-11.5 (staff performance evaluations).
- 37 (3) IC 20-31-9 (school accountability and consequences).

38 Sec. 6. A freedom to teach team and the governing body shall  
 39 hold a joint public meeting at least two (2) times each year to  
 40 discuss issues and progress concerning the freedom to teach school,  
 41 zone, or district.



1           **Sec. 7. The governing body may develop a program to provide**  
 2 **support to teachers and administrators who wish to establish a**  
 3 **freedom to teach school, zone, or district.**

4           **Sec. 8. If a qualified applicant submits a plan to the governing**  
 5 **body and the plan is declined or not acted upon by the governing**  
 6 **body, the governing body shall submit to the qualified applicant,**  
 7 **the state board, and the department a copy of the proposal and a**  
 8 **written response that clearly outlines the reason for the denial. A**  
 9 **plan submitted to the department or state board under this section**  
 10 **is for data collection purposes only and may not be construed as a**  
 11 **request for an appeal before the state board or the department.**

12           **Chapter 4. Career Pathways Pilot Program**

13           **Sec. 1. As used in this chapter, "career pathway teacher" means**  
 14 **a qualified teacher participating in a school corporation's pilot**  
 15 **program.**

16           **Sec. 2. As used in this chapter, "pilot program" refers to the**  
 17 **career pathways pilot program established by section 4 of this**  
 18 **chapter.**

19           **Sec. 3. As used in this chapter, "qualified teacher" refers to a**  
 20 **teacher who works in the classroom providing instruction and who**  
 21 **is not instructional support personnel.**

22           **Sec. 4. (a) The career pathways pilot program is established to**  
 23 **provide grants to school corporations selected by the state board**  
 24 **for the development of a career pathways program to provide for,**  
 25 **in addition to base salary and other applicable supplements,**  
 26 **differentiated pay for qualified teachers based on a qualified**  
 27 **teacher's demonstrated effectiveness and additional responsibilities**  
 28 **in advanced roles.**

29           **(b) The state board shall administer the program.**

30           **(c) Grants awarded under this chapter shall be made from the**  
 31 **freedom to teach grant fund established by IC 20-26.5-5-1.**

32           **(d) IC 20-26.5-3-3(c) applies to this chapter.**

33           **Sec. 5. (a) Before August 1, 2015, the state board shall develop**  
 34 **the pilot program and establish the duties that are associated with**  
 35 **advanced roles necessary for qualified teachers consistent with this**  
 36 **section.**

37           **(b) A school corporation may apply to the state board to**  
 38 **participate in the pilot program beginning in the 2016-2017 or the**  
 39 **2017-2018 school year by submitting a proposed plan to the state**  
 40 **board in a time frame prescribed by the state board. The proposed**  
 41 **plan must focus on the leadership capacity and commitment of the**  
 42 **school corporation to develop career pathways that meet the**





1 requirements of this section and must be widely applicable across  
 2 Indiana, as demonstrated by prior efforts to advance:

- 3 (1) teaching excellence;  
 4 (2) on the job development for teachers;  
 5 (3) teacher leadership; or  
 6 (4) leadership design.

7 (c) A career pathways plan developed by a school corporation  
 8 under subsection (b) must meet, at a minimum, the following  
 9 criteria:

10 (1) Enable qualified teachers to progress within their career  
 11 and become career pathway teachers by doing any of the  
 12 following:

13 (A) Assuming advanced roles that include accountability  
 14 for student growth across a team of teachers.

15 (B) Assuming advanced roles that include accountability as  
 16 the teacher of record for more students.

17 (2) Provide information in a form readily accessible to both  
 18 teachers and the public concerning the criteria and the  
 19 procedures for selection as a career pathway teacher.

20 (3) Require a qualified teacher to be rated as highly effective  
 21 under IC 20-28-11.5-4 to be eligible to participate in the  
 22 school corporation's pilot program.

23 (4) Increase the amount of time during the school day for a  
 24 career pathway teacher to plan, collaborate on, and  
 25 participate in on the job development or leadership of other  
 26 teachers.

27 (5) Establish equally stringent eligibility requirements for a  
 28 career pathway teacher to remain in an advanced role as  
 29 those required to initially attain that role.

30 (6) Establish a procedure for determining whether a career  
 31 pathway teacher is successfully performing the additional  
 32 duties associated with the career pathway.

33 (7) Ensure that a career pathway teacher may opt out of the  
 34 career pathways plan by voluntarily relinquishing additional  
 35 duties associated with the career pathway.

36 (8) Pay career pathway salary supplements in an amount  
 37 equal to at least:

38 (A) twenty-five percent (25%) of the career pathway  
 39 teacher's salary based on the state average teacher salary  
 40 at the time the plan is submitted if the career pathway  
 41 teacher leads teams of two (2) or more teachers and is the



- 1           teacher of record for all the students served by the  
2           teaching team; or  
3           **(B) ten percent (10%) of the career pathway teacher's**  
4           **salary based on the state average teacher salary at the time**  
5           **the plan is submitted if the career pathway teacher**  
6           **performs additional duties or functions that are specified**  
7           **in the school corporation's plan and approved by the state**  
8           **board that enable the teacher to effectively serve**  
9           **additional students.**
- 10          **(9) Require that a career pathway teacher who:**  
11           **(A) fails to maintain a rating of highly effective under**  
12           **IC 20-28-11.5-4; or**  
13           **(B) is not successfully performing the additional duties**  
14           **associated with the career pathway;**  
15          **shall be paid only the salary applicable to the career pathway**  
16          **teacher based on the local salary schedule adopted under**  
17          **IC 20-28-9-1.5 and any other local supplements that would**  
18          **otherwise apply to the career pathway teacher's**  
19          **compensation.**
- 20          **(10) Require that a career pathway teacher who opts out of**  
21          **the career pathways plan shall be paid only the salary**  
22          **applicable to the career pathway teacher based on the local**  
23          **salary schedule adopted under IC 20-28-9-1.5 and any other**  
24          **local supplements that would otherwise apply to the career**  
25          **pathway teacher's compensation.**
- 26          **(11) Achieve financial sustainability for career pathway salary**  
27          **supplements by reallocating other funds, including local,**  
28          **private, state, or federal funds.**
- 29          **(12) Develop measures for determining how the career**  
30          **pathways plan must do the following:**  
31           **(A) Improve the quality of classroom instruction.**  
32           **(B) Increase the attractiveness of teaching.**  
33           **(C) Encourage the recognition, effectiveness, and retention**  
34           **of high quality teachers.**
- 35          **(13) Increase the reach of highly effective teachers by**  
36          **requiring, by the third year of implementation of the plan,**  
37          **that at least seventy-five percent (75%) of students in each**  
38          **school included in the school corporation's plan to have a**  
39          **teacher of record, in at least language arts, mathematics,**  
40          **social studies, and science who is rated as highly effective.**
- 41          **Sec. 6. The state board shall adopt rules under IC 4-22-2 to**  
42          **implement this chapter.**



1           **Sec. 7. This chapter expires July 1, 2018.**

2           **Chapter 5. Freedom to Teach Grant**

3           **Sec. 1. (a) The freedom to teach grant fund is established to**  
 4 **provide grants to a:**

5           **(1) designated freedom to teach school, zone, or district**  
 6 **awarded a grant under section 2 of this chapter; or**

7           **(2) freedom to teach team under section 3 of this chapter.**

8           **(b) The fund shall be administered by the state board.**

9           **(c) The fund consists of the following:**

10           **(1) Appropriations made by the general assembly.**

11           **(2) Gifts, grants, or donations.**

12           **(3) Interest accruing from investment of money in the fund.**

13           **(d) The treasurer of state shall invest the money in the fund not**  
 14 **currently needed to meet the obligations of the fund in the same**  
 15 **manner as other public funds may be invested.**

16           **(e) Interest that accrues from investments of the fund shall be**  
 17 **deposited in the fund.**

18           **Sec. 2. (a) If a governing body approves the establishment of a**  
 19 **freedom to teach school, zone, or district, the governing body may**  
 20 **request a grant from the state board to implement the plan**  
 21 **provided to the governing body under IC 20-26.5-3-2. The state**  
 22 **board may grant a one (1) time freedom to teach grant from the**  
 23 **fund to the designated school, zone, or district.**

24           **(b) Except as provided in subsection (c), the state board shall**  
 25 **determine the amount of the grant based on the content and scale**  
 26 **of the freedom to teach plan.**

27           **(c) The state board shall give preference when awarding grants**  
 28 **under subsection (b) to a freedom to teach school, zone, or district**  
 29 **that:**

30           **(1) will increase teacher salaries; or**

31           **(2) increases shared services or cost efficiency between two (2)**  
 32 **or more school corporations.**

33           **Sec. 3. (a) The state board may award grants to freedom to**  
 34 **teach teams to reimburse the freedom to teach team with costs**  
 35 **associated with developing a plan under IC 20-26.5-3-2. The total**  
 36 **amount of grants awarded by the state board under this section**  
 37 **may not exceed twenty percent (20%) of the total amount**  
 38 **appropriated to the fund by the general assembly in the state**  
 39 **biennial budget during the period included in the particular state**  
 40 **biennial budget.**

41           **(b) The state board shall develop criteria for awarding a grant**  
 42 **under this section, including documentation requirements that**



1 must be included with the freedom to teach team's application  
 2 under subsection (c).  
 3 (c) A freedom to teach team shall apply for a grant under this  
 4 section in a manner prescribed by the state board.  
 5 (d) The state board may adopt rules under IC 4-22-2 or  
 6 guidelines necessary to administer this section.  
 7 **Chapter 6. Assessing Performance of Freedom to Teach Schools,**  
 8 **Zones, and Districts**  
 9 **Sec. 1. When assigning a school, zone, or district to a**  
 10 **performance category under IC 20-31-8-4, the state board shall**  
 11 **indicate whether:**  
 12 (1) a school:  
 13 (A) is a freedom to teach school; or  
 14 (B) is included as part of a freedom to teach zone; and  
 15 (2) a school corporation is a freedom to teach district.  
 16 **Sec. 2. The department shall include in its public reports of**  
 17 **performance categories under section 1 of this chapter a list of**  
 18 **those schools, zones, and districts with a freedom to teach**  
 19 **designation.**  
 20 **Chapter 7. Reporting**  
 21 **Sec. 1. At the request of the state board, the department and**  
 22 **budget agency shall provide the state board with the data required**  
 23 **to evaluate the freedom to teach program.**  
 24 **Chapter 8. Rules**  
 25 **Sec. 1. The state board may adopt rules under IC 4-22-2 to**  
 26 **implement this article.**  
 27 **SECTION 2. An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1009, 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:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 10, after "(5)" insert "**an individual or**".

Page 2, line 11, delete "(3)" and insert "(4)".

Page 2, between lines 12 and 13, begin a new line blocked left and insert:

**"The individuals described in subdivisions (1) through (4) must be currently employed by the school corporation whose governing body would review the proposed plan under IC 20-26.5-3-2."**

Page 2, line 14, delete "IC 20-26.5-4-1." and insert "**IC 20-26.5-5-1.**"

Page 2, between lines 33 and 34, begin a new line block indented and insert:

**"(8) Age."**

Page 3, line 33, delete "a public hearing" and insert "**at least two (2) public hearings within thirty-five (35) days that are at least fifteen (15) days apart**".

Page 4, line 8, delete "the significantly increased compensation for teachers;" and insert "**the increased salary for teachers that is significantly more than the compensation model in existence before the contract or agreement;**".

Page 4, line 13, after "department" insert "**and state board**".

Page 4, line 17, delete "one (1) public" and insert "**two (2) public hearings within thirty-five (35) days that are at least fifteen (15) days apart.**".

Page 4, delete line 18.

Page 4, delete lines 26 through 27, begin a new paragraph and insert:

**"(c) For any collective bargaining agreement under IC 20-29 entered into after July 1, 2015, a governing body is not bound by its collective bargaining agreement for employees of a freedom to teach school, zone, or district, or for employees who participate in the career pathways pilot program under IC 20-26.5-4-4. Employees of a freedom to teach school, zone, or district, or employees who participate in the career pathways pilot program under IC 20-26.5-4-4 may organize and collectively bargain only**



as a unit separate from other school employees under IC 20-29. Salary increases may not be collectively bargained for employees of a freedom to teach school, zone, or district under IC 20-29. All teacher salary increases for employees of a freedom to teach school, zone, or district or employees that participate in the career pathways pilot program under IC 20-26.5-4-4 shall be determined according to the plan approved under this article."

Page 4, line 33, delete "chapter" and insert "article".

Page 4, line 33, after "practice" delete "." and insert "as it pertains to salary increases for school employees of a freedom to teach school, zone, or district."

Page 5, line 28, delete "and the state board" and insert ", the state board, and the department".

Page 5, line 29, after "denial." insert "A plan submitted to the department or state board under this section is for data collection purposes only and may not be construed as a request for an appeal before the state board or the department."

Page 5, between lines 29 and 30, begin a new paragraph and insert:  
**"Chapter 4. Career Pathways Pilot Program**

**Sec. 1. As used in this chapter, "career pathway teacher" means a qualified teacher participating in a school corporation's pilot program.**

**Sec. 2. As used in this chapter, "pilot program" refers to the career pathways pilot program established by section 4 of this chapter.**

**Sec. 3. As used in this chapter, "qualified teacher" refers to a teacher who works in the classroom providing instruction and who is not instructional support personnel.**

**Sec. 4. (a) The career pathways pilot program is established to provide grants to school corporations selected by the state board for the development of a career pathways program to provide for, in addition to base salary and other applicable supplements, differentiated pay for qualified teachers based on a qualified teacher's demonstrated effectiveness and additional responsibilities in advanced roles.**

**(b) The state board shall administer the program.**

**(c) Grants awarded under this chapter shall be made from the freedom to teach grant fund established by IC 20-26.5-5-1.**

**(d) IC 20-26.5-3-3(c) applies to this chapter.**

**Sec. 5. (a) Before August 1, 2015, the state board shall develop the pilot program and establish the duties that are associated with**



advanced roles necessary for qualified teachers consistent with this section.

(b) A school corporation may apply to the state board to participate in the pilot program beginning in the 2016-2017 or the 2017-2018 school year by submitting a proposed plan to the state board in a time frame prescribed by the state board. The proposed plan must focus on the leadership capacity and commitment of the school corporation to develop career pathways that meet the requirements of this section and must be widely applicable across Indiana, as demonstrated by prior efforts to advance:

- (1) teaching excellence;
- (2) on the job development for teachers;
- (3) teacher leadership; or
- (4) leadership design.

(c) A career pathways plan developed by a school corporation under subsection (b) must meet, at a minimum, the following criteria:

- (1) Enable qualified teachers to progress within their career and become career pathway teachers by doing any of the following:
  - (A) Assuming advanced roles that include accountability for student growth across a team of teachers.
  - (B) Assuming advanced roles that include accountability as the teacher of record for more students.
- (2) Provide information in a form readily accessible to both teachers and the public concerning the criteria and the procedures for selection as a career pathway teacher.
- (3) Require a qualified teacher to be rated as highly effective under IC 20-28-11.5-4 to be eligible to participate in the school corporation's pilot program.
- (4) Increase the amount of time during the school day for a career pathway teacher to plan, collaborate on, and participate in on the job development or leadership of other teachers.
- (5) Establish equally stringent eligibility requirements for a career pathway teacher to remain in an advanced role as those required to initially attain that role.
- (6) Establish a procedure for determining whether a career pathway teacher is successfully performing the additional duties associated with the career pathway.



**(7) Ensure that a career pathway teacher may opt out of the career pathways plan by voluntarily relinquishing additional duties associated with the career pathway.**

**(8) Pay career pathway salary supplements in an amount equal to at least:**

**(A) twenty-five percent (25%) of the career pathway teacher's salary based on the state average teacher salary at the time the plan is submitted if the career pathway teacher leads teams of two (2) or more teachers and is the teacher of record for all the students served by the teaching team; or**

**(B) ten percent (10%) of the career pathway teacher's salary based on the state average teacher salary at the time the plan is submitted if the career pathway teacher performs additional duties or functions that are specified in the school corporation's plan and approved by the state board that enable the teacher to effectively serve additional students.**

**(9) Require that a career pathway teacher who:**

**(A) fails to maintain a rating of highly effective under IC 20-28-11.5-4; or**

**(B) is not successfully performing the additional duties associated with the career pathway;**

**shall be paid only the salary applicable to the career pathway teacher based on the local salary schedule adopted under IC 20-28-9-1.5 and any other local supplements that would otherwise apply to the career pathway teacher's compensation.**

**(10) Require that a career pathway teacher who opts out of the career pathways plan shall be paid only the salary applicable to the career pathway teacher based on the local salary schedule adopted under IC 20-28-9-1.5 and any other local supplements that would otherwise apply to the career pathway teacher's compensation.**

**(11) Achieve financial sustainability for career pathway salary supplements by reallocating other funds, including local, private, state, or federal funds.**

**(12) Develop measures for determining how the career pathways plan must do the following:**

**(A) Improve the quality of classroom instruction.**

**(B) Increase the attractiveness of teaching.**





**(C) Encourage the recognition, effectiveness, and retention of high quality teachers.**

**(13) Increase the reach of highly effective teachers by requiring, by the third year of implementation of the plan, that at least seventy-five percent (75%) of students in each school included in the school corporation's plan to have a teacher of record, in at least language arts, mathematics, social studies, and science who is rated as highly effective.**

**Sec. 6. The state board shall adopt rules under IC 4-22-2 to implement this chapter.**

**Sec. 7. This chapter expires July 1, 2018."**

Page 5, line 30, delete "4." insert "5."

Page 5, delete lines 31 through 33, begin a new paragraph and insert:

**"Sec. 1. (a) The freedom to teach grant fund is established to provide grants to a:**

**(1) designated freedom to teach school, zone, or district awarded a grant under section 2 of this chapter; or**

**(2) freedom to teach team under section 3 of this chapter."**

Page 6, between lines 17 and 18, begin a new paragraph and insert:

**"Sec. 3. (a) The state board may award grants to freedom to teach teams to reimburse the freedom to teach team with costs associated with developing a plan under IC 20-26.5-3-2. The total amount of grants awarded by the state board under this section may not exceed twenty percent (20%) of the total amount appropriated to the fund by the general assembly in the state biennial budget during the period included in the particular state biennial budget.**

**(b) The state board shall develop criteria for awarding a grant under this section, including documentation requirements that must be included with the freedom to teach team's application under subsection (c).**

**(c) A freedom to teach team shall apply for a grant under this section in a manner prescribed by the state board.**

**(d) The state board may adopt rules under IC 4-22-2 or guidelines necessary to administer this section."**

Page 6, line 18, delete "5." insert "6."

Page 6, line 31, delete "6." insert "7."

Page 6, line 35, delete "7." insert "8."

Page 6, after line 37, begin a new paragraph and insert:



"SECTION 2. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1009 as introduced.)

BEHNING

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1009, 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 HB1009 as printed February 6, 2015.)

BROWN T

Committee Vote: Yeas 17, Nays 3

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COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill No. 1009, 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 and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1009 as printed February 17, 2015.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 4

