

HOUSE BILL No. 1375

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28-9-1.5; IC 20-29-6-4.

Synopsis: Professional development for teachers. Provides that a school corporation may provide a teacher with a salary increase if the teacher exceeds the required professional growth experience points necessary to renew a teaching license. Provides that the salary increase is subject to collective bargaining.

Effective: July 1, 2022.

Klinker

January 11, 2022, read first time and referred to Committee on Education.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1375

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.216-2021,
2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 1.5. (a) This subsection governs salary increases
4 for a teacher employed by a school corporation. Compensation
5 attributable to additional degrees or graduate credits earned before the
6 effective date of a local compensation plan created under this chapter
7 before July 1, 2015, shall continue for school years beginning after
8 June 30, 2015. Compensation attributable to additional degrees for
9 which a teacher has started course work before July 1, 2011, and
10 completed course work before September 2, 2014, shall also continue
11 for school years beginning after June 30, 2015. ~~For school years~~
12 ~~beginning after June 30, 2015~~; A school corporation may provide a
13 supplemental payment to a teacher in excess of the salary specified in
14 the school corporation's compensation plan under any of the following
15 circumstances:

- 16 (1) The teacher:
 - 17 (A) teaches an advanced placement course or a Cambridge



- 1 International course; or
 2 (B) has earned a master's degree from an accredited
 3 postsecondary educational institution in a content area directly
 4 related to the subject matter of:
 5 (i) a dual credit course; or
 6 (ii) another course;
 7 taught by the teacher.
 8 (2) Beginning after June 30, 2018, the teacher:
 9 (A) is a special education professional; or
 10 (B) teaches in the areas of science, technology, engineering, or
 11 mathematics.
 12 (3) Beginning after June 30, 2019, the teacher teaches a career or
 13 technical education course.

14 In addition, a supplemental payment may be made to an elementary
 15 school teacher who earns a master's degree in math, reading, or
 16 literacy. A supplement provided under this subsection is not subject to
 17 collective bargaining, but a discussion of the supplement must be held.
 18 Such a supplement is in addition to any increase permitted under
 19 subsection (b).

20 (b) Increases or increments in a local salary range must be based
 21 upon a combination of the following factors:

- 22 (1) A combination of the following factors taken together may
 23 account for not more than fifty percent (50%) of the calculation
 24 used to determine a teacher's increase or increment:
 25 (A) The number of years of a teacher's experience.
 26 (B) The possession of either:
 27 (i) additional content area degrees beyond the requirements
 28 for employment; or
 29 (ii) additional content area degrees and credit hours beyond
 30 the requirements for employment, if required under an
 31 agreement bargained under IC 20-29.
 32 (2) The results of an evaluation conducted under IC 20-28-11.5.
 33 (3) The assignment of instructional leadership roles, including the
 34 responsibility for conducting evaluations under IC 20-28-11.5.
 35 (4) The academic needs of students in the school corporation.

36 **(c) An increase may be provided to a teacher who exceeds the**
 37 **required professional growth experience points necessary to renew**
 38 **a teaching license under 511 IAC 14-2-3. An increase provided**
 39 **under this subsection is subject to collective bargaining under**
 40 **IC 20-29-6.**

41 ~~(e)~~ (d) To provide greater flexibility and options, a school
 42 corporation may differentiate the amount of salary increases or



1 increments determined for teachers. A school corporation shall base a
 2 differentiated amount under this subsection on reasons the school
 3 corporation determines are appropriate, which may include the:

- 4 (1) subject or subjects, including the subjects described in
 5 subsection (a)(2), taught by a given teacher;
 6 (2) importance of retaining a given teacher at the school
 7 corporation; and
 8 (3) need to attract an individual with specific qualifications to fill
 9 a teaching vacancy.

10 ~~(d)~~ **(e)** A school corporation may provide differentiated increases or
 11 increments under subsection (b), and in excess of the percentage
 12 specified in subsection (b)(1), in order to:

- 13 (1) reduce the gap between the school corporation's minimum
 14 teacher salary and the average of the school corporation's
 15 minimum and maximum teacher salaries; or
 16 (2) allow teachers currently employed by the school corporation
 17 to receive a salary adjusted in comparison to starting base salaries
 18 of new teachers.

19 ~~(e)~~ **(f)** Except as provided in subsection ~~(f)~~; **(g)**, a teacher rated
 20 ineffective or improvement necessary under IC 20-28-11.5 may not
 21 receive any raise or increment for the following year if the teacher's
 22 employment contract is continued. The amount that would otherwise
 23 have been allocated for the salary increase of teachers rated ineffective
 24 or improvement necessary shall be allocated for compensation of all
 25 teachers rated effective and highly effective based on the criteria in
 26 subsection (b).

27 ~~(f)~~ **(g)** Subsection ~~(e)~~ **(f)** does not apply to a teacher in the first two
 28 (2) full school years that the teacher provides instruction to students in
 29 elementary school or high school. If a teacher provides instruction to
 30 students in elementary school or high school in another state, any full
 31 school year, or its equivalent in the other state, that the teacher provides
 32 instruction counts toward the two (2) full school years under this
 33 subsection.

34 ~~(g)~~ **(h)** A teacher who does not receive a raise or increment under
 35 subsection ~~(e)~~ **(f)** may file a request with the superintendent or
 36 superintendent's designee not later than five (5) days after receiving
 37 notice that the teacher received a rating of ineffective. The teacher is
 38 entitled to a private conference with the superintendent or
 39 superintendent's designee.

40 ~~(h)~~ **(i)** The Indiana education employment relations board
 41 established in IC 20-29-3-1 shall publish a model compensation plan
 42 with a model salary range that a school corporation may adopt.



1 ⊕ (j) Each school corporation shall submit its local compensation
2 plan to the Indiana education employment relations board. For a school
3 year beginning after June 30, 2015, a local compensation plan must
4 specify the range for teacher salaries. The Indiana education
5 employment relations board shall publish the local compensation plans
6 on the Indiana education employment relations board's Internet web
7 site.

8 ⊕ (k) The Indiana education employment relations board shall
9 review a compensation plan for compliance with this section as part of
10 its review under IC 20-29-6-6.1. The Indiana education employment
11 relations board has jurisdiction to determine compliance of a
12 compensation plan submitted under this section.

13 ⊕ (l) This chapter may not be construed to require or allow a
14 school corporation to decrease the salary of any teacher below the
15 salary the teacher was earning on or before July 1, 2015, if that
16 decrease would be made solely to conform to the new compensation
17 plan.

18 ⊕ (m) After June 30, 2011, all rights, duties, or obligations
19 established under IC 20-28-9-1 before its repeal are considered rights,
20 duties, or obligations under this section.

21 SECTION 2. IC 20-29-6-4, AS AMENDED BY P.L.217-2017,
22 SECTION 101, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) A school employer shall
24 bargain collectively with the exclusive representative on the following:

25 (1) Salary.

26 (2) Wages.

27 (3) Salary and wage related fringe benefits, including accident,
28 sickness, health, dental, vision, life, disability, retirement benefits,
29 and paid time off as permitted to be bargained under
30 IC 20-28-9-11.

31 (b) Salary and wages include the amounts of pay increases available
32 to employees under the compensation plan adopted under
33 IC 20-28-9-1.5 ~~but~~ **and may include increases for a teacher who**
34 **exceeds the required professional growth experience points**
35 **necessary to renew a teaching license under 511 IAC 14-2-3.**
36 **However, salary and wages** do not include the teacher evaluation
37 procedures and criteria, any components of the teacher evaluation plan,
38 rubric, or tool, or any performance stipend or addition to base salary
39 based on a stipend to an individual teacher under IC 20-43-10-3.5.

