

# HOUSE BILL No. 1470

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-28-9-1.5.

**Synopsis:** Teacher salaries. Removes a provision that provides that a combination of certain factors may account for not more than 50% of the calculation used to determine an increase or increment in teacher salaries. Increases the basic tuition support appropriation. Makes an appropriation for additional basic tuition support. Provides that a school corporation must provide verification to the department of education that: (1) the school corporation provided each classroom teacher a salary increase of between 2% and 5%; and (2) the total cost incurred to provide the classroom teacher salary increases; in order to receive a basic tuition support distribution that includes a part of the additional appropriation.

**Effective:** July 1, 2021.

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January 14, 2021, read first time and referred to Committee on Education.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## HOUSE BILL No. 1470

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

*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.211-2019,  
2 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: 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) (1) The number of years of a teacher's experience.~~

26 ~~(B) (2) The possession of either:~~

27 ~~(i) (A) additional content area degrees beyond the~~  
 28 ~~requirements for employment; or~~

29 ~~(ii) (B) additional content area degrees and credit hours~~  
 30 ~~beyond the requirements for employment, if required under an~~  
 31 ~~agreement bargained under IC 20-29.~~

32 ~~(2) (3) The results of an evaluation conducted under~~  
 33 ~~IC 20-28-11.5.~~

34 ~~(3) (4) The assignment of instructional leadership roles, including~~  
 35 ~~the responsibility for conducting evaluations under IC 20-28-11.5.~~

36 ~~(4) (5) The academic needs of students in the school corporation.~~

37 (c) To provide greater flexibility and options, a school corporation  
 38 may differentiate the amount of salary increases or increments  
 39 determined for teachers under subsection ~~(b)(4): (b)(5)~~. A school  
 40 corporation shall base a differentiated amount under this subsection on  
 41 any academic needs the school corporation determines are appropriate,  
 42 which may include the:



1 (1) subject or subjects, including the subjects described in  
2 subsection (a)(2), taught by a given teacher;

3 (2) importance of retaining a given teacher at the school  
4 corporation; and

5 (3) need to attract an individual with specific qualifications to fill  
6 a teaching vacancy.

7 (d) A school corporation may provide differentiated increases or  
8 increments under subsection (b) ~~and in excess of the percentage~~  
9 ~~specified in subsection (b)(1)~~, in order to:

10 (1) reduce the gap between the school corporation's minimum  
11 teacher salary and the average of the school corporation's  
12 minimum and maximum teacher salaries; or

13 (2) allow teachers currently employed by the school corporation  
14 to receive a salary adjusted in comparison to starting base salaries  
15 of new teachers.

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

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

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

37 (h) The Indiana education employment relations board established  
38 in IC 20-29-3-1 shall publish a model compensation plan with a model  
39 salary range that a school corporation may adopt.

40 (i) Each school corporation shall submit its local compensation plan  
41 to the Indiana education employment relations board. For a school year  
42 beginning after June 30, 2015, a local compensation plan must specify



1 the range for teacher salaries. The Indiana education employment  
 2 relations board shall publish the local compensation plans on the  
 3 Indiana education employment relations board's Internet web site.

4 (j) The Indiana education employment relations board shall review  
 5 a compensation plan for compliance with this section as part of its  
 6 review under IC 20-29-6-6.1. The Indiana education employment  
 7 relations board has jurisdiction to determine compliance of a  
 8 compensation plan submitted under this section.

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

13 (l) After June 30, 2011, all rights, duties, or obligations established  
 14 under IC 20-28-9-1 before its repeal are considered rights, duties, or  
 15 obligations under this section.

16 SECTION 2. [EFFECTIVE JULY 1, 2021] (a) **As used in this**  
 17 **SECTION, "department" refers to the department of education**  
 18 **established by IC 20-19-3-1.**

19 (b) **As used in this SECTION, "school corporation" has the**  
 20 **meaning set forth in IC 20-18-2-16(a).**

21 (c) **There is appropriated from the state general fund each state**  
 22 **fiscal year as additional basic tuition support under IC 20-43-6 an**  
 23 **amount sufficient to carry out the provisions of this SECTION to**  
 24 **the department for distribution to school corporations throughout**  
 25 **Indiana under this SECTION.**

26 (d) **The department shall determine the basic tuition support for**  
 27 **each school corporation by adjusting the amount determined under**  
 28 **IC 20-43-6-3 to include a part of the additional basic tuition**  
 29 **support appropriation under subsection (c) that is equal to the**  
 30 **amount verified under subsection (f)(2).**

31 (e) **The department shall also determine the basic tuition**  
 32 **support for each school corporation without including the**  
 33 **additional appropriation under subsection (c).**

34 (f) **To receive a distribution of basic tuition support for a state**  
 35 **fiscal year that includes the additional appropriation under**  
 36 **subsection (c), a school corporation must provide to the**  
 37 **department a verification:**

38 (1) **that the school corporation has increased the salary of**  
 39 **each classroom teacher by between two percent (2%) and five**  
 40 **percent (5%) for the contract year that begins during the**  
 41 **state fiscal year; and**

42 (2) **of the total cost incurred to provide the classroom teacher**



1           **salary increases described in subdivision (1).**  
2           **The department shall verify the information provided by each**  
3           **school corporation.**  
4           **(g) For a school corporation that does not provide verification**  
5           **acceptable to the department, the basic tuition support distribution**  
6           **for the school corporation is the amount determined for the school**  
7           **corporation without including the additional appropriation under**  
8           **subsection (c).**  
9           **(h) This SECTION expires June 30, 2024.**

