



Reprinted
February 4, 2020

SENATE BILL No. 244

DIGEST OF SB 244 (Updated February 3, 2020 3:40 pm - DI 110)

Citations Affected: IC 20-26; IC 20-28; IC 20-29; IC 20-43.

Synopsis: Teacher supplemental pay. Establishes additional circumstances for which a school corporation may provide supplemental payments to teachers in excess of the salary specified in the school corporation's compensation plan. Provides that a teacher rated improvement necessary in the teacher's annual performance evaluation is eligible to receive a partial raise or increment. (Current law provides that such a teacher may not receive a raise or increment.) Relocates provisions regarding supplemental payments for teachers.

Effective: July 1, 2020.

**Brown L, Kruse, Spartz, Donato,
Rogers, Stoops, Randolph Lonnie M**

January 9, 2020, read first time and referred to Committee on Education and Career Development.
January 30, 2020, amended, reported favorably — Do Pass.
February 3, 2020, read second time, amended, ordered engrossed.

SB 244—LS 6717/DI 110



Reprinted
February 4, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 244

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 20-26-5-4, AS AMENDED BY P.L.270-2019,
- 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2020]: Sec. 4. (a) In carrying out the school purposes of a
- 4 school corporation, the governing body acting on the school
- 5 corporation's behalf has the following specific powers:
- 6 (1) In the name of the school corporation, to sue and be sued and
- 7 to enter into contracts in matters permitted by applicable law.
- 8 However, a governing body may not use funds received from the
- 9 state to bring or join in an action against the state, unless the
- 10 governing body is challenging an adverse decision by a state
- 11 agency, board, or commission.
- 12 (2) To take charge of, manage, and conduct the educational affairs
- 13 of the school corporation and to establish, locate, and provide the
- 14 necessary schools, school libraries, other libraries where
- 15 permitted by law, other buildings, facilities, property, and
- 16 equipment.
- 17 (3) To appropriate from the school corporation's general fund

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(before January 1, 2019) or the school corporation's operations fund (after December 31, 2018) an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's ADM of the previous year (as defined in IC 20-43-1-7) to promote the best interests of the school corporation through:

- (A) the purchase of meals, decorations, memorabilia, or awards;
- (B) provision for expenses incurred in interviewing job applicants; or
- (C) developing relations with other governmental units.

(4) To do the following:

- (A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.
 - (B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.
 - (C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.
- (5) To acquire personal property or an interest in personal



property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7 and IC 20-26-7.1, to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session; if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.



(8) To do the following:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.5 and **IC 20-28-9-1.7**.

(C) Classify persons or services described in this subdivision and to adopt a compensation plan with a salary range that is consistent with IC 20-28-9-1.5.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the



1 employee's or member's reasonable lodging and meal expenses
2 and necessary transportation expenses. To pay teaching personnel
3 for time spent in sponsoring and working with school related trips
4 or activities.

5 (10) Subject to IC 20-27-13, to transport children to and from
6 school, when in the opinion of the governing body the
7 transportation is necessary, including considerations for the safety
8 of the children. The transportation must be otherwise in
9 accordance with applicable law.

10 (11) To provide a lunch program for a part or all of the students
11 attending the schools of the school corporation, including the
12 establishment of kitchens, kitchen facilities, kitchen equipment,
13 lunch rooms, the hiring of the necessary personnel to operate the
14 lunch program, and the purchase of material and supplies for the
15 lunch program, charging students for the operational costs of the
16 lunch program, fixing the price per meal or per food item. To
17 operate the lunch program as an extracurricular activity, subject
18 to the supervision of the governing body. To participate in a
19 surplus commodity or lunch aid program.

20 (12) To purchase curricular materials, to furnish curricular
21 materials without cost or to rent curricular materials to students,
22 and to participate in a curricular materials aid program, all in
23 accordance with applicable law.

24 (13) To accept students transferred from other school corporations
25 and to transfer students to other school corporations in accordance
26 with applicable law.

27 (14) To make budgets, to appropriate funds, and to disburse the
28 money of the school corporation in accordance with applicable
29 law. To borrow money against current tax collections and
30 otherwise to borrow money, in accordance with IC 20-48-1.

31 (15) To purchase insurance or to establish and maintain a
32 program of self-insurance relating to the liability of the school
33 corporation or the school corporation's employees in connection
34 with motor vehicles or property and for additional coverage to the
35 extent permitted and in accordance with IC 34-13-3-20. To
36 purchase additional insurance or to establish and maintain a
37 program of self-insurance protecting the school corporation and
38 members of the governing body, employees, contractors, or agents
39 of the school corporation from liability, risk, accident, or loss
40 related to school property, school contract, school or school
41 related activity, including the purchase of insurance or the
42 establishment and maintenance of a self-insurance program



protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks relating to property owned, leased, or held by the school corporation. In accordance with IC 20-26-17, to:

(A) participate in a state employee health plan under IC 5-10-8-6.7;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance; to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under



IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, IC 20-40-18 (after December 31, 2018), and IC 20-48-1 by specific language or by reference to other law.

(b) A superintendent hired under subsection (a)(8):

(1) is not required to hold a teacher's license under IC 20-28-5; and

(2) is required to have obtained at least a master's degree from an accredited postsecondary educational institution.

SECTION 2. IC 20-28-7.5-6, AS AMENDED BY P.L.286-2013, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A contract entered into by a teacher and a school employer continues in force on the same terms and for the same wages, unless increased under IC 20-28-9-1.5 **or IC 20-28-9-1.7**, for the next school term following the date of the contract's termination unless one (1) of the following occurs:

(1) The school corporation refuses continuation of the contract under this chapter.

(2) The teacher delivers in person or by registered or certified mail to the school corporation the teacher's written resignation.

(3) The contract is replaced by another contract agreed to by the parties.

SECTION 3. IC 20-28-9-1.5, AS AMENDED BY P.L.211-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and



completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan under any of the following circumstances:

(1) The teacher:

(A) teaches an advanced placement course or a Cambridge International course; or

(B) has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:

(i) a dual credit course; or

(ii) another course;

taught by the teacher.

(2) Beginning after June 30, 2018, the teacher:

(A) is a special education professional; or

(B) teaches in the areas of science, technology, engineering, or mathematics.

(3) Beginning after June 30, 2019, the teacher teaches a career or technical education course.

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

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

(1) A combination of the following factors taken together may account for not more than fifty percent (50%) of the calculation used to determine a teacher's increase or increment:

(A) The number of years of a teacher's experience.

(B) The possession of either:

(i) additional content area degrees beyond the requirements for employment; or

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

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

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



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

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

(1) subject or subjects, including the subjects described in ~~subsection (a)(2)~~, **section 1.7(b)(4) of this chapter**, taught by a given teacher;

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

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

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

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

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

(e) Except as provided in subsection (f), a teacher rated: ~~ineffective~~
or

(1) improvement necessary under IC 20-28-11.5 may not be eligible to receive any a partial raise or increment that does not exceed fifty percent (50%) of the amount of the minimum raise or increment earned by an effective teacher employed by the school corporation; and

(2) ineffective under IC 20-28-11.5 may not receive any raise or increment;

for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary **as provided under this subsection** shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(f) Subsection (e) does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full



1 school year, or its equivalent in the other state, that the teacher provides
 2 instruction counts toward the two (2) full school years under this
 3 subsection.

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

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

13 (i) Each school corporation shall submit its local compensation plan
 14 to the Indiana education employment relations board. For a school year
 15 beginning after June 30, 2015, a local compensation plan must specify
 16 the range for teacher salaries. The Indiana education employment
 17 relations board shall publish the local compensation plans on the
 18 Indiana education employment relations board's Internet web site.

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

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

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

31 SECTION 4. IC 20-28-9-1.7 IS ADDED TO THE INDIANA CODE
 32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2020]: **Sec. 1.7. (a) This section governs salary increases for a
 34 teacher employed by a school corporation.**

35 **(b) A school corporation may provide a supplemental payment
 36 to a teacher in excess of the salary specified in the school
 37 corporation's compensation plan under any of the following
 38 circumstances:**

39 **(1) The teacher teaches an advanced placement course or a
 40 Cambridge International course.**

41 **(2) The teacher has earned a master's degree from an
 42 accredited postsecondary educational institution in a content**



area directly related to the subject matter of:

(A) a dual credit course; or

(B) another course;

taught by the teacher.

(3) Beginning after June 30, 2020, the teacher has:

(A) earned any education related master's degree from an accredited postsecondary educational institution and the course of study to earn the master's degree included at least eighteen (18) graduate credit hours in a content area directly related to the subject matter of:

(i) a dual credit course; or

(ii) in the case of an elementary school teacher, mathematics, reading, or literacy;

(B) completed at least eighteen (18) graduate credit hours from an accredited postsecondary educational institution in a content area directly related to the subject matter of:

(i) a dual credit course; or

(ii) in the case of an elementary school teacher, mathematics, reading, or literacy; or

(C) earned a doctoral degree from an accredited postsecondary educational institution and the course of study to earn the doctoral degree included at least eighteen (18) graduate credit hours in a content area directly related to the subject matter of:

(i) a dual credit course; or

(ii) in the case of an elementary school teacher, mathematics, reading, or literacy.

(4) The teacher:

(A) is a special education professional; or

(B) teaches in the areas of science, technology, engineering, or mathematics.

(5) The teacher teaches a career or technical education course.

(6) The teacher is an elementary school teacher who earns a master's degree in mathematics, reading, or literacy.

(c) A supplement provided under this section is not subject to collective bargaining, but a discussion of the supplement must be held. A supplement under this section is in addition to any increase permitted under section 1.5(b) of this chapter.

SECTION 5. IC 20-29-6-4.5, AS AMENDED BY P.L.217-2017, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) For a contract entered into after June 30, 2011, a school employer may not bargain collectively



with the exclusive representative on the following:

- (1) The school calendar.
- (2) Teacher dismissal procedures and criteria.
- (3) Restructuring options available to a school employer under federal or state statutes, regulations, or rules because of the failure of the school corporation or a school to meet federal or state accountability standards.
- (4) The ability of a school employer to contract, partner, or operate jointly with an educational entity that provides postsecondary credits to students of the school employer or dual credits from the school employer and the educational entity.
- (5) Any subject not expressly listed in section 4 of this chapter.

(b) For a contract entered into after January 1, 2015, for a school year beginning after June 30, 2015, a school employer may not bargain collectively with the exclusive representative for the following:

- (1) A matter described in subsection (a).
- (2) A matter that another statute specifies is not subject to collective bargaining, including ~~IC 20-28-9-1.5~~ **IC 20-28-9-1.7** and IC 20-43-10-3.5.

(c) A subject set forth in subsection (a) or (b) that may not be bargained collectively may not be included in an agreement entered into under this article.

SECTION 6. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) As used in this section, "school" means a school corporation, charter school, and a virtual charter school.

(b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers:

- (1) employed in the classroom by the school; or
- (2) directly providing virtual education;

were rated as effective or as highly effective, using the most recently completed teacher ratings.

(c) A school may not receive a teacher appreciation grant under this section unless:

- (1) the school has in the state fiscal year in which the teacher appreciation grants are made under this section:
 - (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and
 - (B) submitted the policy to the department for approval; and
- (2) the department has approved the policy.



1 The department shall specify the date by which a policy described in
2 subdivision (1) must be submitted to the department.

3 (d) The amount of a teacher appreciation grant for a qualifying
4 school corporation or virtual charter school is equal to:

- 5 (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by
- 6 (2) the school's current ADM.

7 However, the grant amount for a virtual charter school may not exceed
8 the statewide average grant amount.

9 (e) The following apply to the distribution of teacher appreciation
10 grants:

11 (1) If the total amount to be distributed as teacher appreciation
12 grants for a particular state fiscal year exceeds the amount
13 appropriated by the general assembly for teacher appreciation
14 grants for that state fiscal year, the total amount to be distributed
15 as teacher appreciation grants to schools shall be proportionately
16 reduced so that the total reduction equals the amount of the
17 excess. The amount of the reduction for a particular school is
18 equal to the total amount of the excess multiplied by a fraction.
19 The numerator of the fraction is the amount of the teacher
20 appreciation grant that the school would have received if a
21 reduction were not made under this section. The denominator of
22 the fraction is the total amount that would be distributed as
23 teacher appreciation grants to all schools if a reduction were not
24 made under this section.

25 (2) If the total amount to be distributed as teacher appreciation
26 grants for a particular state fiscal year is less than the amount
27 appropriated by the general assembly for teacher appreciation
28 grants for that state fiscal year, the total amount to be distributed
29 as teacher appreciation grants to schools for that particular state
30 fiscal year shall be proportionately increased so that the total
31 amount to be distributed equals the amount of the appropriation
32 for that particular state fiscal year.

33 (f) The annual teacher appreciation grant to which a school is
34 entitled for a state fiscal year shall be distributed to the school before
35 December 5 of that state fiscal year.

36 (g) The following apply to a school's policy under subsection (c)
37 concerning the distribution of teacher appreciation grants:

38 (1) The governing body shall differentiate between a teacher rated
39 as a highly effective teacher and a teacher rated as an effective
40 teacher. The policy must provide that the amount of a stipend
41 awarded to a teacher rated as a highly effective teacher must be
42 at least twenty-five percent (25%) more than the amount of a



1 stipend awarded to a teacher rated as an effective teacher.

2 (2) The governing body of a school may differentiate between
3 school buildings.

4 (3) A stipend to an individual teacher in a particular year is not
5 subject to collective bargaining, but is discussable, and is in
6 addition to the minimum salary or increases in salary set under
7 IC 20-28-9-1.5 and IC 20-28-9-1.7. The governing body may
8 provide that an amount not exceeding fifty percent (50%) of the
9 amount of a stipend to an individual teacher in a particular state
10 fiscal year becomes a permanent part of and increases the base
11 salary of the teacher receiving the stipend for school years
12 beginning after the state fiscal year in which the stipend is
13 received. The addition to base salary is not subject to collective
14 bargaining, but is discussable.

15 (h) A teacher appreciation grant received by a school shall be
16 allocated among and used only to pay cash stipends to all licensed
17 teachers employed in the classroom who are rated as effective or as
18 highly effective and employed by the school as of December 1. A
19 school may allocate up to twenty percent (20%) of the grant received
20 by the school to provide a supplemental award to teachers with less
21 than five (5) years of service who are rated as effective or as highly
22 effective. The supplemental award is in addition to the award made
23 from the part of the grant that is allocated to all eligible teachers.

24 (i) The lead school corporation or interlocal cooperative
25 administering a cooperative or other special education program or
26 administering a career and technical education program, including
27 programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or
28 IC 36-1-7, shall award teacher appreciation grant stipends to and carry
29 out the other responsibilities of an employing school corporation under
30 this section for the teachers in the special education program or career
31 and technical education program.

32 (j) A school shall distribute all stipends from a teacher appreciation
33 grant to individual teachers within twenty (20) business days of the
34 date the department distributes the teacher appreciation grant to the
35 school. Any part of the teacher appreciation grant not distributed as
36 stipends to teachers before February must be returned to the
37 department on the earlier of the date set by the department or June 30
38 of that state fiscal year.

39 (k) The department, after review by the budget committee, may
40 waive the December 5 deadline under subsection (f) to distribute an
41 annual teacher appreciation grant to the school under this section for
42 that state fiscal year and approve an extension of that deadline to a later



1 date within that state fiscal year, if the department determines that a
2 waiver and extension of the deadline are in the public interest.

3 (l) The state board may adopt rules under IC 4-22-2, including
4 emergency rules in the manner provided in IC 4-22-2-37.1, as
5 necessary to implement this section.

6 (m) This section expires June 30, 2021.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 11, delete lines 40 through 42.
Delete pages 12 through 17.
Page 18, delete lines 1 through 4.
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 244 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 12, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 244 be amended to read as follows:

Page 9, delete lines 26 through 31, begin a new line block indented and insert:

"(1) improvement necessary under IC 20-28-11.5 ~~may not~~ is eligible to receive any a partial raise or increment that does not exceed fifty percent (50%) of the amount of the minimum raise or increment earned by an effective teacher employed by the school corporation; and".

(Reference is to SB 244 as printed January 31, 2020.)

BROWN L

