



Reprinted
February 1, 2022

SENATE BILL No. 356

DIGEST OF SB 356 (Updated January 31, 2022 5:24 pm - DI 116)

Citations Affected: IC 10-13; IC 20-19; IC 20-28; IC 20-29.

Synopsis: Teacher matters. Provides that: (1) the governing body of a school corporation may issue an adjunct teacher permit to an individual who meets certain requirements; and (2) if a governing body of a school corporation issues an adjunct teacher permit to an individual, the school corporation may enter into a contract for employment with the individual as a part-time teacher of the school corporation. Establishes requirements for adjunct teacher employment contracts. Provides that the employment contracts are not subject to certain requirements regarding teacher salaries and school corporation local compensation plans. Provides that: (1) an adjunct teacher is not a school employee for purposes of collective bargaining; and (2) an employment contract with an adjunct teacher is not subject to a collective bargaining agreement. Provides that it is not an unfair labor practice for a school corporation to enter into an employment contract with an adjunct teacher. Provides that the department of education shall establish an online adjunct teacher portal on the department's Internet web site or incorporate a functionality into the teacher referral system
(Continued next page)

Effective: Upon passage; July 1, 2022.

**Rogers, Buchanan, Raatz, Brown L,
Gaskill, Donato, Bassler, Boots,
Kruse, Doriot, Crane, Perfect, Sandlin,
Holdman, Zay, Walker G**

January 11, 2022, read first time and referred to Committee on Education and Career Development.
January 27, 2022, amended, reported favorably — Do Pass.
January 31, 2022, read second time, amended, ordered engrossed.

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Digest Continued

to allow: (1) a school corporation to post a vacant adjunct teacher position; (2) an individual to submit a resume and other information; and (3) an individual to view certain information relating to adjunct teachers. Makes changes to the requirements necessary to obtain an initial practitioner license for an individual who completes an alternative teacher certification program and changes regarding teaching special education under the license. Provides that, for school years beginning after June 30, 2022, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan. (Current law allows a school corporation to provide supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan if certain circumstances apply.) Removes a provision that requires a discussion on a supplement be held with an exclusive representative.



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February 1, 2022

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.

SENATE BILL No. 356

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 10-13-3-39, AS AMENDED BY P.L.243-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 39. (a) The department is designated as the
4 authorized agency to receive requests for, process, and disseminate the
5 results of national criminal history background checks that comply with
6 this section and 42 U.S.C. 5119a.
7 (b) A qualified entity may contact the department to request a
8 national criminal history background check on any of the following
9 persons:
10 (1) A person who seeks to be or is employed with the qualified
11 entity. A request under this subdivision must be made not later
12 than three (3) months after the person is initially employed by the
13 qualified entity.
14 (2) A person who seeks to volunteer or is a volunteer with the
15 qualified entity. A request under this subdivision must be made

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- 1 not later than three (3) months after the person initially volunteers
 2 with the qualified entity.
- 3 (3) A person for whom a national criminal history background
 4 check is required under any law relating to the licensing of a
 5 home, center, or other facility for purposes of day care or
 6 residential care of children.
- 7 (4) A person for whom a national criminal history background
 8 check is permitted for purposes of:
- 9 (A) placement of a child in a foster family home, a prospective
 10 adoptive home, or the home of a relative, legal guardian to
 11 whom IC 29-3-8-9 applies, or other caretaker under section
 12 27.5 of this chapter or IC 31-34;
- 13 (B) a report concerning an adoption as required by IC 31-19-8;
- 14 (C) collaborative care host homes and supervised independent
 15 living arrangements as provided in IC 31-28-5.8-5.5; or
- 16 (D) reunification of a child with a parent, guardian, or
 17 custodian as provided in IC 31-34-21-5.5.
- 18 (5) A person for whom a national criminal history background
 19 check is required for the licensing of a group home, child caring
 20 institution, child placing agency, or foster home under IC 31-27.
- 21 (6) A person for whom a national criminal history background
 22 check is required for determining the individual's suitability as an
 23 employee of a contractor of the state under section 38.5(a)(1) of
 24 this chapter.
- 25 (c) A qualified entity must submit a request under subsection (b) in
 26 the form required by the department and provide a set of the person's
 27 fingerprints and any required fees with the request.
- 28 (d) If a qualified entity makes a request in conformity with
 29 subsection (b), the department shall submit the set of fingerprints
 30 provided with the request to the Federal Bureau of Investigation for a
 31 national criminal history background check. The department shall
 32 respond to the request in conformity with:
- 33 (1) the requirements of 42 U.S.C. 5119a; and
- 34 (2) the regulations prescribed by the Attorney General of the
 35 United States under 42 U.S.C. 5119a.
- 36 (e) Subsection (f):
- 37 (1) applies to a qualified entity that:
- 38 (A) is not a school corporation or a special education
 39 cooperative; or
- 40 (B) is a school corporation or a special education cooperative
 41 and seeks a national criminal history background check for a
 42 volunteer; and



- 1 (2) does not apply to a qualified entity that is a:
 2 (A) home health agency licensed under IC 16-27-1; or
 3 (B) personal services agency licensed under IC 16-27-4.
 4 (f) After receiving the results of a national criminal history
 5 background check from the Federal Bureau of Investigation, the
 6 department shall make a determination whether the person who is the
 7 subject of a request has been convicted of:
 8 (1) an offense described in IC 20-26-5-11;
 9 (2) in the case of a foster family home, a nonwaivable offense as
 10 defined in IC 31-9-2-84.8;
 11 (3) in the case of a prospective adoptive home, a nonwaivable
 12 offense under IC 31-9-2-84.8;
 13 (4) any other felony; or
 14 (5) any misdemeanor;
 15 and convey the determination to the requesting qualified entity.
 16 (g) This subsection applies to a qualified entity that:
 17 (1) is a school corporation or a special education cooperative; and
 18 (2) seeks a national criminal history background check to
 19 determine whether to employ or continue the employment of a
 20 certificated employee, ~~or~~ a noncertificated employee, **or an**
 21 **adjunct teacher who holds a permit under IC 20-28-5-27** of a
 22 school corporation or an equivalent position with a special
 23 education cooperative.
 24 After receiving the results of a national criminal history background
 25 check from the Federal Bureau of Investigation, the department may
 26 exchange identification records concerning convictions for offenses
 27 described in IC 20-26-5-11 with the school corporation or special
 28 education cooperative solely for purposes of making an employment
 29 determination. The exchange may be made only for the official use of
 30 the officials with authority to make the employment determination. The
 31 exchange is subject to the restrictions on dissemination imposed under
 32 P.L.92-544, (86 Stat. 1115) (1972).
 33 (h) This subsection applies to a qualified entity (as defined in
 34 IC 10-13-3-16) that is a public agency under IC 5-14-1.5-2(a)(1). After
 35 receiving the results of a national criminal history background check
 36 from the Federal Bureau of Investigation, the department shall provide
 37 a copy to the public agency. Except as permitted by federal law, the
 38 public agency may not share the information contained in the national
 39 criminal history background check with a private agency.
 40 (i) This subsection applies to a qualified entity that is a:
 41 (1) home health agency licensed under IC 16-27-1; or
 42 (2) personal services agency licensed under IC 16-27-4.



1 After receiving the results of a national criminal history background
 2 check from the Federal Bureau of Investigation, the department shall
 3 make a determination whether the applicant has been convicted of an
 4 offense described in IC 16-27-2-5(a) and convey the determination to
 5 the requesting qualified entity.

6 (j) The department:

7 (1) may permanently retain an applicant's fingerprints submitted
 8 under this section; and

9 (2) shall retain the applicant's fingerprints separately from
 10 fingerprints collected under section 24 of this chapter.

11 SECTION 2. IC 20-19-3-25 IS ADDED TO THE INDIANA CODE
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 13 1, 2022]: **Sec. 25. (a) The department shall establish an online
 14 adjunct teacher portal on the department's Internet web site or
 15 incorporate into the teacher referral system developed under
 16 IC 20-20-3 a functionality to allow:**

17 **(1) a school corporation to post a vacant adjunct teacher
 18 position; and**

19 **(2) an individual to:**

20 **(A) post a resume;**

21 **(B) post any other information requested by the school
 22 corporation through the portal or system;**

23 **(C) make inquiries to the school corporation through the
 24 portal or system; and**

25 **(D) view information relating to adjunct teachers
 26 employed by a particular school corporation reported to
 27 the department in accordance with IC 20-28-5-27(g).**

28 **(b) The department shall post the information received under
 29 IC 20-28-5-27(g) on the department's portal or teacher referral
 30 system described in subsection (a).**

31 SECTION 3. IC 20-28-5-12.5, AS ADDED BY P.L.96-2021,
 32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 UPON PASSAGE]: **Sec. 12.5. (a) The department shall grant an initial
 34 practitioner license to an individual who:**

35 ~~(1)~~ **is at least twenty-six (26) years of age;**

36 ~~(2)~~ **(1) possesses a bachelor's degree from an accredited
 37 postsecondary four (4) year institution;**

38 ~~(3)~~ **(2) successfully completes an alternative teacher certification
 39 program that includes:**

40 **(A) the required content training in the area in which the
 41 individual seeks to be licensed;**

42 **(B) pedagogy training and an examination that is in**



- 1 substantive alignment with nationally recognized pedagogical
 2 standards and teaches effective:
- 3 (i) instructional delivery;
 - 4 (ii) classroom management and organization;
 - 5 (iii) assessment;
 - 6 (iv) instructional design; and
 - 7 (v) professional learning and leadership;
- 8 (C) successful demonstration of content area proficiency in an
 9 examination that includes content area material in substantive
 10 alignment with nationally recognized content area standards in
 11 the areas that the individual is required to have a license to
 12 teach;
- 13 (D) verification from a third party that regularly reviews
 14 educational and professional examinations that the alternative
 15 certification examination is equal to or greater in rigor than the
 16 written examination under section 12 of this chapter; and
- 17 (E) content within the curriculum that prepares teacher
 18 candidates to use evidence based trauma informed classroom
 19 instruction, including instruction in evidence based social
 20 emotional learning classroom practices that are conducive to
 21 supporting students who have experienced trauma that may
 22 interfere with a student's academic functioning;
- 23 ~~(4)~~ (3) successfully completes a Praxis Subject Assessment;
 - 24 ~~(5)~~ (4) holds a valid cardiopulmonary resuscitation certification
 25 from a provider approved by the department; and
 - 26 ~~(6)~~ (5) has attended youth suicide awareness and prevention
 27 training.
- 28 (b) The individual must complete a one (1) year **clinical practical**
 29 experience program during the individual's first year in the classroom
 30 when the individual is employed as a full-time teacher. The provider
 31 must:
- 32 (1) provide the **clinical practical** experience program at no cost
 33 to the state or to the school corporation, charter school, or state
 34 accredited nonpublic school; and
 - 35 (2) as part of the **clinical practical** instruction program, provide
 36 instruction in:
 - 37 (A) instructional design and planning;
 - 38 (B) effective instructional delivery;
 - 39 (C) classroom management and organization;
 - 40 (D) effective use of assessment data;
 - 41 (E) content in federal and Indiana special education laws; and
 - 42 (F) required awareness, preparation, and understanding of:



- 1 (i) individualized education programs;
- 2 (ii) service plans developed under 511 IAC 7-34;
- 3 (iii) choice special education plans developed under 511
- 4 IAC 7-49; and
- 5 (iv) plans developed under Section 504 of the federal
- 6 Rehabilitation Act of 1973, 29 U.S.C. 794.

7 (c) An in-state alternative teacher certification program under
 8 subsection ~~(a)(3)~~ **(a)(2)** must operate in accordance with the procedures
 9 and program approval standards and requirements set by the
 10 department and the state board for teacher education programs for the
 11 licensure of teachers.

12 (d) An out-of-state alternative teacher certification program under
 13 subsection ~~(a)(3)~~ **(a)(2)** must:

- 14 (1) currently operate in at least five (5) states; and
- 15 (2) have operated an alternative teacher certification program for
- 16 at least ten (10) years.

17 (e) An individual who receives an alternative teacher certification
 18 under subsection ~~(a)(3)~~ **(a)(2)** is authorized to teach the subject and
 19 educational level that the individual has successfully completed.

20 (f) An individual who receives an initial practitioner license under
 21 this section shall be treated in the same manner as an individual who
 22 receives an initial practitioner license after completing a traditional
 23 teacher preparation program.

24 (g) An individual who graduates from an alternative teacher
 25 certification program must be treated in the same manner as a
 26 traditional teacher preparation program graduate during the transition
 27 from an initial practitioner license to a practitioner license.

28 (h) An individual who receives an initial practitioner license under
 29 this section may not teach a special education course or be a teacher of
 30 record for a special education student for the period the individual
 31 maintains a license under this section **unless the individual is at least**
 32 **twenty-six (26) years of age and employed in a school setting or**
 33 **with an other community organization, including a for-profit or**
 34 **nonprofit organization, to provide care or instruction for a student**
 35 **with a physical, intellectual, or developmental disability.**

36 (i) A school corporation, charter school, or state accredited
 37 nonpublic school shall submit a plan to the department if the school
 38 corporation, charter school, or state accredited nonpublic school hires
 39 one (1) or more individuals who have received an initial practitioner
 40 license under this section. The plan must be submitted in a manner
 41 prescribed by the department and must include a description of how the
 42 school corporation, charter school, or state accredited nonpublic school



1 will, excluding the **clinical practical** experience program described in
 2 subsection (b), provide an individual who receives an initial
 3 practitioner license under this section opportunities to obtain exposure
 4 to classroom management and instructional techniques, including
 5 meaningful exposure to special education. The plan is a public record.

6 (j) Not later than July 1, 2024, the department shall prepare a report
 7 that shall be submitted to the general assembly in an electronic format
 8 under IC 5-14-6. The report must contain the following information:

9 (1) Data showing how many teachers obtained an initial
 10 practitioner license under this section.

11 (2) A description of the number of teachers who received an
 12 initial practitioner license under this section who are currently
 13 employed as a teacher by each:

14 (A) school corporation;

15 (B) charter school; or

16 (C) state accredited nonpublic school.

17 The description must include a breakdown of the subjects taught
 18 by teachers who receive an initial practitioner license under this
 19 section.

20 (3) A comparison of the Praxis Subject Assessment pass rates for
 21 individuals who receive an initial practitioner license under this
 22 section in comparison with the Praxis Subject Assessment pass
 23 rates for teachers who obtained an initial practitioner license
 24 using a different pathway to licensure.

25 (4) A description of how many teachers who received an initial
 26 practitioner license under this section are rated as effective or
 27 highly effective.

28 SECTION 4. IC 20-28-5-27 IS ADDED TO THE INDIANA CODE
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 30 1, 2022]: **Sec. 27. (a) In an effort to fill a vacant teaching position,
 31 offer a new program or class, or supplement a program currently
 32 being offered, the governing body of a school corporation may
 33 issue an adjunct teacher permit to an individual if the following
 34 minimum requirements are met:**

35 (1) **The individual has at least five (5) years of documented
 36 occupational experience in the content area in which the
 37 individual intends to teach.**

38 (2) **The school corporation conducts an expanded criminal
 39 history check and expanded child protection index check
 40 concerning the individual as required under IC 20-26-5-10.**

41 (3) **The individual has not been convicted of a felony listed in
 42 section 8(c) of this chapter or described in section 8(d) of this**



1 chapter or the individual's conviction has been reversed,
2 vacated, or set aside on appeal.

3 (4) If the permit is to be issued to an individual to teach
4 kindergarten through grade 3, the individual must teach:

- 5 (A) art;
6 (B) science; or
7 (C) music.

8 However, the governing body may establish stricter requirements
9 than the requirements prescribed by this subsection.

10 (b) If a governing body of a school corporation issues an adjunct
11 teacher permit to an individual under subsection (a):

12 (1) the school corporation may enter into a contract for
13 employment with the individual as a part-time teacher of the
14 school corporation working not more than twenty (20) hours
15 per week; and

16 (2) the individual must complete the following training within
17 the first ninety (90) days of employment:

- 18 (A) IC 20-26-5-34.2 (bullying prevention).
19 (B) IC 20-28-3-4.5 (training on child abuse and neglect).
20 (C) IC 20-28-3-6 (youth suicide awareness and prevention
21 training).
22 (D) IC 20-28-3-7 (training on human trafficking).

23 (c) An adjunct teacher may not provide special education
24 instruction.

25 (d) The salary of an adjunct teacher under a contract described
26 in IC 20-28-6-7.3 is not subject to the requirements under
27 IC 20-28-9-1.5 or a local compensation plan established by a school
28 corporation as described in IC 20-28-9-1.5.

29 (e) Except as otherwise provided in a collective bargaining
30 agreement entered into or renewed before July 1, 2022, an
31 employment contract entered into under this section is not subject
32 to a collective bargaining agreement entered into under IC 20-29.

33 (f) It is not an unfair practice for a school corporation to enter
34 into an employment contract under this section.

35 (g) Each school corporation that hires an adjunct teacher under
36 this section shall report to the department the following
37 information:

38 (1) The number of adjunct teachers who hold a permit issued
39 under this section that the school corporation has hired each
40 school year, disaggregated by the grade level and subject area
41 taught by the adjunct teacher.

42 (2) The following information for each adjunct teacher



1 described in subdivision (1):

2 (A) The name of the adjunct teacher.

3 (B) The subject matter the adjunct teacher is permitted to
4 teach.

5 (C) A description of the adjunct teacher's experience
6 described in subsection (a)(1).

7 (D) The adjunct teacher's total salary and any other
8 compensation paid to the adjunct teacher during the school
9 year.

10 (E) The number of previous adjunct teaching contracts the
11 adjunct teacher has entered into with the school
12 corporation or any other school corporation.

13 (h) A school corporation may post a vacant adjunct teacher
14 position on the department's adjunct teacher portal or teacher
15 referral system described in IC 20-19-3-25.

16 SECTION 5. IC 20-28-6-2, AS AMENDED BY P.L.43-2021,
17 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2022]: Sec. 2. (a) **Except as provided under section 7.3 of**
19 **this chapter**, a contract entered into by a teacher and a school
20 corporation must:

21 (1) be in writing;

22 (2) be signed by both parties; and

23 (3) contain the:

24 (A) beginning date of the school term as determined annually
25 by the school corporation;

26 (B) number of days in the school term as determined annually
27 by the school corporation;

28 (C) total salary to be paid to the teacher during the school year;

29 (D) number of salary payments to be made to the teacher
30 during the school year; and

31 (E) number of hours per day the teacher is expected to work,
32 as discussed pursuant to IC 20-29-6-7.

33 (b) The contract may provide for the annual determination of the
34 teacher's annual compensation based on a local compensation plan
35 specifying a salary range, which is part of the contract. The
36 compensation plan may be changed by the school corporation before
37 the later of May 1 of a year, with the changes effective the next school
38 year, or the date specified in a collective bargaining agreement
39 applicable to the next school year. A teacher affected by the changes
40 shall be furnished with printed copies of the changed compensation
41 plan not later than thirty (30) days after the adoption of the
42 compensation plan.



1 (c) A contract under this section is also governed by the following
2 statutes:

- 3 (1) IC 20-28-9-5 through IC 20-28-9-6.
4 (2) IC 20-28-9-9 through IC 20-28-9-11.
5 (3) IC 20-28-9-13.
6 (4) IC 20-28-9-14.

7 (d) A governing body shall provide the blank contract forms,
8 carefully worded by the secretary of education, and have them signed.
9 The contracts are public records open to inspection by the residents of
10 each school corporation.

11 (e) An action may be brought on a contract that conforms with
12 subsections (a)(1), (a)(2), and (d).

13 SECTION 6. IC 20-28-6-4, AS ADDED BY P.L.1-2005, SECTION
14 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
15 2022]: Sec. 4. (a) This section does not apply to:

- 16 (1) a teacher employed as a substitute teacher; or
17 (2) **an individual who holds an adjunct teacher permit issued
18 by the governing body of a school corporation under
19 IC 20-28-5-27.**

20 (b) A teacher employed in a public school must be employed on a
21 uniform teacher's contract or a supplemental service teacher's contract.

22 SECTION 7. IC 20-28-6-7.3 IS ADDED TO THE INDIANA CODE
23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2022]: Sec. 7.3. (a) **A contract entered into between a school
25 corporation and an individual who holds an adjunct teacher permit
26 issued by the governing body of a school corporation under
27 IC 20-28-5-27 must:**

- 28 (1) **be in writing;**
29 (2) **be signed by both parties; and**
30 (3) **contain the following:**
31 (A) **The total salary to be paid to the adjunct teacher.**
32 (B) **The method and frequency of salary payments.**
33 (C) **The number of classes the adjunct teacher is to teach.**
34 (D) **The classes and subject matter areas that the adjunct
35 teacher will be teaching.**
36 (E) **An expiration date that is not later than the end of the
37 school year.**

38 (b) **An adjunct teacher may enter into contracts with more than
39 one (1) school corporation.**

40 SECTION 8. IC 20-28-9-1.5, AS AMENDED BY P.L.216-2021,
41 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2022]: Sec. 1.5. (a) This subsection governs salary increases



1 for a teacher employed by a school corporation. Compensation
 2 attributable to additional degrees or graduate credits earned before the
 3 effective date of a local compensation plan created under this chapter
 4 before July 1, 2015, shall continue for school years beginning after
 5 June 30, 2015. Compensation attributable to additional degrees for
 6 which a teacher has started course work before July 1, 2011, and
 7 completed course work before September 2, 2014, shall also continue
 8 for school years beginning after June 30, 2015. For school years
 9 beginning after June 30, ~~2015~~, **2022**, a school corporation may provide
 10 a supplemental payment to a teacher in excess of the salary specified
 11 in the school corporation's compensation plan. ~~under any of the~~
 12 following circumstances:

13 (1) The teacher:

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

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

19 (i) a dual credit course; or

20 (ii) another course;

21 taught by the teacher.

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

23 (A) is a special education professional; or

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

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

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

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

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

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

40 (B) The possession of either:

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



- 1 (ii) additional content area degrees and credit hours beyond
 2 the requirements for employment, if required under an
 3 agreement bargained under IC 20-29.
- 4 (2) The results of an evaluation conducted under IC 20-28-11.5.
 5 (3) The assignment of instructional leadership roles, including the
 6 responsibility for conducting evaluations under IC 20-28-11.5.
 7 (4) The academic needs of students in the school corporation.
- 8 (c) To provide greater flexibility and options, a school corporation
 9 may differentiate the amount of salary increases or increments
 10 determined for teachers. A school corporation shall base a
 11 differentiated amount under this subsection on reasons the school
 12 corporation determines are appropriate, which may include the:
- 13 (1) subject or subjects ~~including the subjects described in~~
 14 ~~subsection (a)(2)~~; taught by a given teacher;
 15 (2) importance of retaining a given teacher at the school
 16 corporation; ~~and~~
 17 (3) need to attract an individual with specific qualifications to fill
 18 a teaching vacancy; **and**
 19 **(4) offering of a new program or class.**
- 20 (d) A school corporation may provide differentiated increases or
 21 increments under subsection (b), and in excess of the percentage
 22 specified in subsection (b)(1), in order to:
- 23 (1) reduce the gap between the school corporation's minimum
 24 teacher salary and the average of the school corporation's
 25 minimum and maximum teacher salaries; or
 26 (2) allow teachers currently employed by the school corporation
 27 to receive a salary adjusted in comparison to starting base salaries
 28 of new teachers.
- 29 (e) Except as provided in subsection (f), a teacher rated ineffective
 30 or improvement necessary under IC 20-28-11.5 may not receive any
 31 raise or increment for the following year if the teacher's employment
 32 contract is continued. The amount that would otherwise have been
 33 allocated for the salary increase of teachers rated ineffective or
 34 improvement necessary shall be allocated for compensation of all
 35 teachers rated effective and highly effective based on the criteria in
 36 subsection (b).
- 37 (f) Subsection (e) does not apply to a teacher in the first two (2) full
 38 school years that the teacher provides instruction to students in
 39 elementary school or high school. If a teacher provides instruction to
 40 students in elementary school or high school in another state, any full
 41 school year, or its equivalent in the other state, that the teacher provides
 42 instruction counts toward the two (2) full school years under this



1 subsection.

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

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

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

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

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

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

29 **(m) An employment contract described in IC 20-28-6-7.3**
30 **between an adjunct teacher and a school corporation is not subject**
31 **to this section.**

32 SECTION 9. IC 20-29-2-13, AS ADDED BY P.L.1-2005,
33 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2022]: Sec. 13. "School employee" means a full-time
35 certificated person in the employment of the school employer. A school
36 employee is considered full time even though the employee does not
37 work during school vacation periods and accordingly works less than
38 a full year. The term does not include:

- 39 (1) supervisors;
40 (2) confidential employees;
41 (3) employees performing security work; ~~and~~
42 (4) noncertificated employees; **and**



1 **(5) adjunct teachers who hold permits issued under**
2 **IC 20-28-5-27.**
3 **SECTION 10. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 356, 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 6, line 23, delete "and:" and insert "**and employed in a school setting or with an other community organization, including a for-profit or nonprofit organization, to provide care or instruction for a student with a physical, intellectual, or developmental disability.**".

Page 6, delete lines 24 through 28.

and when so amended that said bill do pass.

(Reference is to SB 356 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 7, Nays 5.

 SENATE MOTION

Madam President: I move that Senate Bill 356 be amended to read as follows:

Page 4, line 13, after "25." insert "**(a)**".

Page 4, delete lines 17 through 21, begin a new line block indented and insert:

"(1) a school corporation to post a vacant adjunct teacher position; and

(2) an individual to:

(A) post a resume;

(B) post any other information requested by the school corporation through the portal or system;

(C) make inquiries to the school corporation through the portal or system; and

(D) view information relating to adjunct teachers employed by a particular school corporation reported to the department in accordance with IC 20-28-5-27(g).

(b) The department shall post the information received under IC 20-28-5-27(g) on the department's portal or teacher referral

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system described in subsection (a)."

Page 7, line 21, delete "The" and insert "**In an effort to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered, the**".

Page 7, delete lines 41 through 42, begin a new paragraph and insert:

"(b) If a governing body of a school corporation issues an adjunct teacher permit to an individual under subsection (a):

(1) the school corporation may enter into a contract for employment with the individual as a part-time teacher of the school corporation working not more than twenty (20) hours per week; and

(2) the individual must complete the following training within the first ninety (90) days of employment:

(A) IC 20-26-5-34.2 (bullying prevention).

(B) IC 20-28-3-4.5 (training on child abuse and neglect).

(C) IC 20-28-3-6 (youth suicide awareness and prevention training).

(D) IC 20-28-3-7 (training on human trafficking)."

Page 8, delete lines 1 through 3.

Page 8, between lines 15 and 16, begin a new paragraph and insert:

"(g) Each school corporation that hires an adjunct teacher under this section shall report to the department the following information:

(1) The number of adjunct teachers who hold a permit issued under this section that the school corporation has hired each school year, disaggregated by the grade level and subject area taught by the adjunct teacher.

(2) The following information for each adjunct teacher described in subdivision (1):

(A) The name of the adjunct teacher.

(B) The subject matter the adjunct teacher is permitted to teach.

(C) A description of the adjunct teacher's experience described in subsection (a)(1).

(D) The adjunct teacher's total salary and any other compensation paid to the adjunct teacher during the school year.

(E) The number of previous adjunct teaching contracts the adjunct teacher has entered into with the school corporation or any other school corporation."

Page 8, line 16, delete "(g)" and insert "(h)".



Page 8, line 17, delete "established" and insert "**or teacher referral system described in**".

Page 8, line 18, delete "under".

Page 9, between lines 36 and 37, begin a new line double block indented and insert:

"(D) The classes and subject matter areas that the adjunct teacher will be teaching."

Page 9, line 37, delete "(D)" and insert "(E)".

Page 9, delete lines 41 through 42.

Page 10, line 34, delete "bargaining." and insert "bargaining".

Page 10, line 34, reset in roman "but a discussion of the supplement must be held."

(Reference is to SB 356 as printed January 28, 2022.)

ROGERS

