

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 ENROLLED ACT No. 356

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-28-5-12.5, AS ADDED BY P.L.96-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12.5. (a) The department shall grant an initial practitioner license to an individual who:

- (1) is at least ~~twenty-six (26)~~ **twenty** years of age;
- (2) (1) possesses a bachelor's degree from an accredited postsecondary four (4) year institution;
- (3) (2) successfully completes an alternative teacher certification program that includes:
 - (A) the required content training in the area in which the individual seeks to be licensed;
 - (B) pedagogy training and an examination that is in substantive alignment with nationally recognized pedagogical standards and teaches effective:
 - (i) instructional delivery;
 - (ii) classroom management and organization;
 - (iii) assessment;
 - (iv) instructional design; and
 - (v) professional learning and leadership;
 - (C) successful demonstration of content area proficiency in an



examination that includes content area material in substantive alignment with nationally recognized content area standards in the areas that the individual is required to have a license to teach;

(D) verification from a third party that regularly reviews educational and professional examinations that the alternative certification examination is equal to or greater in rigor than the written examination under section 12 of this chapter; and

(E) content within the curriculum that prepares teacher candidates to use evidence based trauma informed classroom instruction, including instruction in evidence based social emotional learning classroom practices that are conducive to supporting students who have experienced trauma that may interfere with a student's academic functioning;

~~(4)~~ (3) successfully completes a Praxis Subject Assessment;

~~(5)~~ (4) holds a valid cardiopulmonary resuscitation certification from a provider approved by the department; and

~~(6)~~ (5) has attended youth suicide awareness and prevention training.

(b) The individual must complete a one (1) year **clinical practical** experience program during the individual's first year in the classroom when the individual is employed as a full-time teacher. The provider must:

(1) provide the **clinical practical** experience program at no cost to the state or to the school corporation, charter school, or state accredited nonpublic school; and

(2) as part of the **clinical practical** instruction program, provide instruction in:

(A) instructional design and planning;

(B) effective instructional delivery;

(C) classroom management and organization;

(D) effective use of assessment data;

(E) content in federal and Indiana special education laws; and

(F) required awareness, preparation, and understanding of:

(i) individualized education programs;

(ii) service plans developed under 511 IAC 7-34;

(iii) choice special education plans developed under 511 IAC 7-49; and

(iv) plans developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(c) An in-state alternative teacher certification program under subsection ~~(a)(3)~~ (a)(2) must operate in accordance with the procedures



and program approval standards and requirements set by the department and the state board for teacher education programs for the licensure of teachers.

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

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

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

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

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

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

(i) A school corporation, charter school, or state accredited nonpublic school shall submit a plan to the department if the school corporation, charter school, or state accredited nonpublic school hires one (1) or more individuals who have received an initial practitioner license under this section. The plan must be submitted in a manner prescribed by the department and must include a description of how the school corporation, charter school, or state accredited nonpublic school will, excluding the ~~clinical~~ **practical** experience program described in subsection (b), provide an individual who receives an initial practitioner license under this section opportunities to obtain exposure to classroom management and instructional techniques, including



meaningful exposure to special education. The plan is a public record.

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

- (1) Data showing how many teachers obtained an initial practitioner license under this section.
- (2) A description of the number of teachers who received an initial practitioner license under this section who are currently employed as a teacher by each:
 - (A) school corporation;
 - (B) charter school; or
 - (C) state accredited nonpublic school.

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

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

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

SECTION 2. IC 20-28-9-1.5, AS AMENDED BY P.L.216-2021, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: 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~~, **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. ~~under any of the following circumstances:~~

(†) 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. A school corporation shall base a differentiated amount under this subsection on reasons the school corporation determines are appropriate, which may include the:

- (1) subject or subjects ~~including the subjects described in subsection (a)(2)~~; 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; **and**

(4) offering of a new program or class.

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

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

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

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



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

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

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

SECTION 3. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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