

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 2018 Regular and Special Session of the General Assembly.

## SENATE ENROLLED ACT No. 390

---

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-29-6-1, AS AMENDED BY P.L.48-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. **(a)** School employers and school employees shall:

- (1) have the obligation and the right to bargain collectively the items set forth in section 4 of this chapter;
- (2) have the right and obligation to discuss any item set forth in section 7 of this chapter; and
- (3) enter into a contract embodying any of the matters listed in section 4 of this chapter on which they have bargained collectively.

**(b) Notwithstanding any other law, before a school employer and school employees may privately negotiate the matters described in subsection (a)(1) during the time period for formal collective bargaining established in section 12 of this chapter, the parties must hold at least one (1) public hearing and take public testimony to discuss the items described in subsection (a).**

SECTION 2. IC 20-29-6-19, AS ADDED BY P.L.148-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 19. **(a) In addition to holding at least one (1) public hearing with public testimony as described in section 1(b) of this chapter, the school employer must conduct a public meeting to discuss a tentative collective bargaining agreement at least**



seventy-two (72) hours before it is ratified by the school employer.

(b) Notice of the time and the location of the public meeting and a tentative collective bargaining agreement established under this chapter must be posted on the school employer's Internet web site at least seventy-two (72) hours prior to the public meeting described in subsection (a).

(c) A school employer must allow for public comment at the meeting at which a tentative collective bargaining agreement is ratified.

(d) Not later than fourteen (14) business days after the parties have reached an agreement under this chapter, the school employer shall post the contract upon which the parties have agreed on the school employer's Internet web site.

SECTION 3. IC 20-29-7-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5. If:**

(1) a complaint is filed that alleges that a school employer or an exclusive representative has engaged in an unfair practice described in section 1(a)(1) or 2(1)(A) of this chapter; and

(2) the board determines that the school employer or exclusive representative engaged in the unfair practice in violation of section 1(a)(1) or 2(1)(A) of this chapter, whichever is applicable;

the board may assess a civil penalty of at least five hundred dollars (\$500) but not more than five thousand dollars (\$5,000) for each violation.



---

President of the Senate

---

President Pro Tempore

---

Speaker of the House of Representatives

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

