

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 2016 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 407

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-29-5-7, AS ADDED BY P.L.48-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) This section does not apply to the bargaining team for the exclusive representative.

(b) The percentage of teacher positions the exclusive representative may appoint to serve on a statutory or locally created district wide committee may not exceed the percentage of teachers in the school corporation who are members of the exclusive representative. If multiplying the number of teacher positions on the committee by the percentage of teachers in the school corporation who are members of the exclusive representative does not produce a whole number, the product must be rounded up to the nearest whole number. The percentage of positions applies to the number of teacher positions on a committee and not to the total number of positions on a committee.

(c) The percentage of teacher positions the exclusive representative may appoint to serve on a statutory or locally created school wide committee may not exceed the percentage of teachers in the school who are members of the exclusive representative. If multiplying the number of teacher positions on the committee by the percentage of teachers in the school who are members of the exclusive representative does not produce a whole number, the product must be rounded up to the nearest whole number. The percentage of positions applies to the number of

SEA 407



teacher positions on a committee and not to the total number of positions on a committee.

(d) A committee to which this section applies may not address subjects of bargaining under this article. A school employer's appointment of a teacher to a committee is not an unfair practice as it relates to the appointment of the teacher committee members.

(e) By September 15 of each school year, the local president or other officer or designee of the exclusive representative shall certify by affidavit to the school employer the number of teachers in each school and in the entire school corporation who are members of the exclusive representative.

(f) By October 1 of each school year, the school employer shall provide the board with a copy of the affidavit submitted to the school board under subsection (e). The board shall compile information included in the affidavit from each school corporation and post the information on the board's Internet web site. The information posted by the board under this subsection may only include aggregate data for each school corporation and may not include any information that would identify a particular school employee.

SECTION 2. IC 20-29-5-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. (a) The board shall develop and maintain training modules, videos, or other instructional material on the board's Internet web site to instruct school employees of their rights under this chapter.**

(b) Each school year in which school employee participation in a school employee organization currently serving as the exclusive representative of the bargaining unit does not represent a majority of the school employees within the unit, the board shall notify, in a manner prescribed by the board, the school employees of the bargaining unit of their right to:

- (1) representation under this chapter; and**
- (2) the ability to change their exclusive representative under section 3 of this chapter.**

SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "committee" refers to the education interim study committee established by IC 2-5-1.3-4(5).**

(b) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

(c) The legislative council is urged to assign to the committee during the 2017 legislative interim the following topics relating to



the federal Every Student Succeeds Act (ESSA):

- (1) Opportunities to establish innovative education policy based on changes in federal law under the Every Student Succeeds Act (ESSA) (P.L. 114-95).**
- (2) Necessary changes to Indiana law based upon changes made to federal law under ESSA.**
- (3) Opportunities to maximize flexibility for school corporations, charter schools, and accredited nonpublic schools based on changes made in federal law.**
- (4) How to improve teacher preparation programs and better prepare future educators for the classroom.**
- (5) The department of education's plan to implement and comply with ESSA.**

(d) This SECTION expires December 31, 2017.

SECTION 4. 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: _____

SEA 407

