2020 Legislative Summary

Prepared by the Indiana Association of School Principals

This summary is not intended to be all inclusive of all information. **IASP encourages you to access the final versions of these bills.** Many pieces of legislation affect only a small handful of schools. The summaries that follow are general in regard to how they affect education around the state.

2020 Data on Bills/legislation (Hannah News Service)

- Number of bills introduced in both houses: **903**
- Number of bills to advance out of original house: **283** (31.3 %)
- Number to survive both houses eligible to become law: **168** (18.6 % of original #)

**HEA 1002—Teacher Evaluations**

**Summary:** This bill removes the requirement teacher evaluations must contain “objective measures of student achievement”...ILEARN/ISTEP data. This bill is a permanent decoupling of the test data from teacher evaluations.

**Practice:** This bill goes into effect upon its passage. Also, it is important to note that a school district “may” continue to use test data in teacher evaluations if the school district wants to. It is a local decision.

**HEA 1003—Education Matters**

**Summary:** This bill was nicknamed the “freedom bill” as it was intended to give schools freedom and flexibility from certain mandates placed on schools. The bill changed many times between the initial passage out of the House and as it worked through the Senate and the Conference Committee process. It still allows the State Board of Education to look at the required teacher trainings and the waiver of certain statutes to allow flexibility. It also folded in portions of SB 455 which dealt with the alignment of accreditation involving freeway schools with other types of schools and sunsets the freeway school provision on July 1, 2025 (The Indiana Department of Education supported this legislation).

**Practice:** In regard to the teacher trainings, time will tell how the State Board of Education will handle this. The ball will be in their court now. Hopefully, either through public testimony or committee work, IASP will be able to weigh in with recommendations put forth by you in the field. In regard to the SBOE waiver of statutes by a school, the bill outlines the process by which a school can seek a waiver;

- A list of the provisions wanted to be waived.
- Specific goals or outcomes that are intended to achieve by the waiver.
- The governing body of the school must adopt a resolution approving of the submission of the waiver.
HEA 1065—Various Tax Matters

Summary: This bill originated as bill regarding various tax matters. During the second reading on the floor of the second house, an amendment was included (passed 51-50 with Lt. Governor breaking tie) giving local school boards the ability to share referendum money with charter schools in their district. A later amendment added that if the local board did share the money with a local charter, the school corporation may request from the charter school(s) any financial documentation necessary to demonstrate the financial need of the charter school(s).

Practice: This is a “may” provision. It does not require school corporations seeking referenda to include charter schools. However, many fear this could open the possibility in future years for the legislature to change the “may” to a “shall.” There is also some concern that charters may openly campaign against school referenda if they do not agree to share the money. This will be an interesting law to follow in coming years.

HEA 1066—Various Education Matters

Summary: This bill became the “catch all” for all kinds of nuggets in the last couple of weeks of the session. It started off with a lot of “matters” but it increased as time went on! It should be noted that the Cursive Writing mandate was removed. It also removed a provision that would have provided a foster child to qualify for a choice scholarship. This legislation will go into effect July 1, 2020.

Practice: The many provisions that remained are condensed as follows:

1. Mandates reporting by IDoE in regard to data surrounding teachers shortages and licensing.
2. More ADM reporting as an increased protection vs virtual school attendance fraud.
3. Safeguards against teachers losing jobs due to school reorganizations.
4. Minimum salary requirement for an employee to bring their child to a school where they work if the school does not take transfer tuition students.
5. Allowance for schools to transport students to a CTE program in a special purpose bus.
6. A prevention for school boards to hire or extend contracts of superintendents for a period of time before their term ends.
7. The “may” provision for schools to post the National Motto (“In God We Trust”) along with an accurate representation of the US and IN flag. This is OPTIONAL.
8. Schools “may” provide a presentation or instruction to students explaining aspects of autism.
9. Formative assessments must indicate the degree to which students are on track for grade level proficiency and CCR.
10. Public, Charter and Nonpublic schools shall provide upon request a student’s disciplinary records that are relevant to the safety of students.
11. Must give credit for work completed by a suspended student.
12. Urges the SBOE and GWC to approve a career cluster for Utility services and approve courses for sequencing.

**HEA 1153—Governor’s Workforce Cabinet**

**Summary:** This bill was more about “word-smithing.” It added 15 words to already existing code.

**Practice:** It is designed to bring more uniformity to the GWC in regard to K-16 education.

**HEA 1265—Drinking Water Testing**

**Summary:** This bill originally only mandated Lake County to do testing. In the amendment process, ALL schools were added to the bill.

**Practice:** All schools will be required to test your drinking water by January 1, 2023. It currently appears that some grant funding may be accessed but understand this could come with a fiscal for some of our school districts.

**HEA 1283—Teacher Preparation Program Curriculum**

**Summary:** Requires a teacher preparation program to include content within the curriculum that: (1) prepares teacher candidates to use evidenced based trauma informed classroom instruction and recognition of social, emotional, and behavioral reactions to trauma that may interfere with a student's academic functioning; and (2) provides information on certain applicable Indiana laws. Requires a teacher preparation program to consider using certain curricula pertaining to student trauma.

**Practice:** This will be interesting to see how it plays out. This responsibility is put on higher Ed for the teacher prep programs. This can be an effective way moving forward for our new teachers to come better equipped into the classroom. This becomes effective July 1, 2020.

**HEA 1305—Graduation Rate Calculation**

**Summary:** This bill came about to address concerns in Amish communities. Many of these students have traditionally dropped out of school prior to entering high school to continue their educations at home. Large unemployment rates in these areas spurred this legislation.

**Practice:** Provides that a student who withdraws from school after completing grade 10 may not be included in a school's graduation rate if the student's parent submits to the school the following statements while the student is enrolled in grade 8: (1) A statement from the parent affirming that the parent has a sincerely held religious belief against the taking of a photograph and that the student will be withdrawing from school after completing grade 10 in order to complete a career pathway certification or due to the parent's deeply held religious belief. (2) A statement from a member of the clergy of the religious organization of which the parent is a member regarding the prohibition of
photography of members of the religious organization. Requires at least one parent of the student to provide proof that the parent has been issued a photo exempt driver's license or identification card. This legislation goes into effect July 1, 2020.

**HEA 1341—Students with Disabilities**

**Summary:** Concern in regard to students with disabilities who may have withdrawn from school in previous years not having access to the many new programs that are now available to students in schools.

**Practice:** This bill requires the state advisory council on the education of children with disabilities to develop a plan to inform students who received a certificate of completion or another non-diploma certificate after December 31, 2003 of vocational opportunities or other resources now available. A copy of the plan must be submitted to the general assembly by October 1, 2020. The law goes into effect immediately upon signage and it sunsets on January 1, 2022.

**SEA 2—School Accountability**

**Summary:** This is the hold harmless bill that was the first piece of legislation to pass through both houses and be signed into law by Gov. Holcomb.

**Practice:** It is a two year hold harmless bill. It covers the 2018-2019 and 2019-2020 Accountability years. It covers school letter grade and teacher evaluation performance rating. If your accountability grade improves as a result of current test scores, you are allowed to use the better of the two grades.

**SEA 246—Mental Health Services**

**Summary:** Requires a school corporation, charter school, or accredited nonpublic school to certify to the department of homeland security that the school corporation, charter school, or accredited nonpublic school has a memorandum of understanding in place with a community mental health center or provider certified or licensed by the state to provide mental and behavioral health services to students before applying for a grant from the Indiana secured school fund.

**Practice:** This does NOT require schools to do anything other than sign the MOU. Students/parents may use services other than the organization that the school has the MOU with. School have until July 1, 2021 to have the MOU in place.
**SEA 295—Various Education Matters**

**Summary:** This is one of those various education bills that changed many times over the course of the session. It settled with three main topics. Child abuse/child sexual abuse training, career explorer program and computer science reporting.

**Practice:** The bill extends the deadline for schools to offer the “research or evidence based” training on child abuse/child sexual abuse from December 15, 2018 to December 15, 2020. The second requirement is that beginning July 1, 2021, the Department of Workforce Development (DWD) must implement a new Indiana Career Explorer Program. The final requirement of this bill is for the IDoE to prepare and submit an annual report to the SBOE, General Assembly and Commission for Higher Ed regarding computer science metrics.

**SEA 319—Practitioner or Accomplished Practitioner License**

**Summary:** This is the PGP requirement bill that was anticipated. This changes the “shall” provision in last year’s legislation to a “may” provision.

**Practice:** The bill outlines the areas where the PGPs “may” be obtained. Working with local company to help teachers understand current and future economic needs of the company (externship), Professional development to help schools and employers to partner in career navigation, Professional development to help educators understand the economic needs of the community, state, nation and globe, and any participation in mentoring or coaching students involved in certain activities that are outlined in the law. This bill goes into effect when signed by the Governor.

**SEA 346—Students with Disabilities**

**Summary:** This bill had everything to do about accommodations that were not given to certain students during ILEARN that had previously been given to students under ISTEP+. It became a very contentious bill. Most of the responsibility from this legislation will fall upon the Department of Education.

**Practice:** States that the department shall, to the extent permitted under federal law, provide the same text-to-speech, screen reader, or human reader and calculator accommodations to students in grades 6-12 if that accommodation is provided as part of the IEP. Provides that the SBOE consult with The Arc of Indiana and ICASE to oversee implementation of the ILEARN, requires the DOE to inform parents of when students are not allowed to use these accommodations and that they must provide notice to the parents if student is eligible to opt out of any applicable section of the statewide assessment. Lastly, this bill provides that at least one member of the State Board shall be a practicing licensed special education teacher or director at the time of their appointment.
**SEA 398—Various Education Matters**

**Summary:** The last of the “various education matters” bills! Another bill that had several changes through both houses and conference committee. The final version contained legislation in regard to “Patriotic organizations” having access to students, pass rates on the civics test that is required in US Government classes at the high school level, the High School Equivalency Pilot program and a topic for summer study committee.

**Practice:** A deeper look at what this bill means to the field:

1. **Patriotic Youth Organizations** – This code entitles any youth organization listed in [Title 36 of the US code](https://www.gpo.gov/fdsys/search?cs=C&pg=1&ri=uscode&ss=_BASIC&ts=20230901) that has an educational purpose and promotes patriotism and civic involvement. The youth organizations listed are Big Brothers/Big Sisters of America, Boy Scouts, Boys/Girls Club of America, Girl Scouts and Little League Baseball. These organizations may request access to your students. You shall make students available at least one time each school year at a time and date agreed upon by the SCHOOL. The school SHALL conduct an expanded criminal history check at their (the organization) expense and the school may refuse entry of the representative if the criminal history check warrants. This goes into effect July 1, 2020. Be ready to receive contact from the Boy Scouts and Girl Scouts looking to schedule times to come in your building. *It will be in schools best interest to be courteous and cooperative with these efforts.* If it doesn’t go well, the legislature could also go back and make this legislation less desirable for schools.

2. **Civics test pass rate** – in 2019, High Schools were required to give the naturalization exam to students enrolled in US Government at the high school level. This bill will require that schools report (effective November 1, 2022);
   a. The number of students taking the exam
   b. The number that passed by a score of at least 60% on their first attempt;
   c. The pass rate (%).
   d. Indiana Department of Education must report on their website.

3. **High School Equivalency Pilot Program** – This currently applies to only three school districts, Richmond, MSD Warren and MSD Washington. You may refer to the legislation for the particulars (there are many) but this program has some potential. It could allow students with less than 50% of required credits heading into their senior year, obtain a HSE plus some other requirements and NOT count against your graduation rate. The pilot is currently scheduled to sunset June 30, 2024. Data will be collected and decisions on how to move forward will go from there.