2022 GENERAL ASSEMBLY

Bills Pertaining to
School Business Management
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2022 Indiana General Assembly

The 2022 Indiana General Assembly will be remembered as the year for controversial issues and big policy bills. It was also a session where the General Assembly returned to normal operations after a 2021 session that was overshadowed by COVID issues. The House members were in the House chamber and all Senators were on the Senate floor. All committee meetings were held in public in the normal committee rooms.

For a short session, the 2022 session had numerous bills that will have significant consequences for the future. Examples would be HEA 1296 (constitutional gun carry), HB 1041 (the female transgender bill that was vetoed by Governor Holcomb and will probably have the veto overridden on the May 24 technical corrections day), HEA 1002 (tax cut bill), and HEA 1001 (vaccination requirement bill). The session saw many of these issues that the House Republicans and the Senate Republicans had disagreements on, but compromises were made at the end of the session to move priorities forward. It was interesting to note that both the House and Senate Democrats agreed on many issues with the Senate Republicans.

For public education, the session began with numerous introduced bills that were not supported by the public education management associations. This included the following:

- Transparency/Curricular Bills – 7 filed
- School Board Partisan Election Bills – 7 filed
- School Board Meeting Bills – 6 filed
- Workplace Vaccine/Immunization Bills – 6 filed
- Material Harmful to Minors – 4 filed
- Reduction of Business Personal Property Bills – 3 filed

Several of these bills had committee hearings, but very few passed. In this document, IASBO lists the bills and amendments that failed or substantially changed during the session after being heard in a committee meeting. Even though these provisions failed, it is anticipated that many will be back for the 2023 legislative session.

This session had lengthy committee hearings (over six hours) for the curricular transparency bills (HB 1134 and SB 167) and the female transgender bill (HB 1041). The Senate and House chambers/galleries were packed with those for and against these bills. These bills were very emotional and controversial for all parties impacted. In the end, HB 1134 and SB 167 failed to pass and HB 1041 was vetoed by Governor Holcomb.

The 2022 session was not a budget year and the number of bills impacting school business management were less than usual. Still, many good bills passed that will be listed in the rest of this report. And, IASBO and the other school management associations worked diligently to make sure that the bills we opposed failed. From that standpoint, the 2022 session was successful.
Indiana ASBO would like to thank the following public school management associations for their partnership and efforts during the 2022 session of the General Assembly:

- Indiana Association of Public School Superintendents
- Indiana School Boards Association
- Indiana Association of School Principals
- Indiana Urban Schools Association
- Coalition of Growing and Suburban Schools
- Indiana Small and Rural Schools Association

These associations worked together during the session to assure that the voice of public education was heard.

I also want to express my appreciation to all of the IASBO members who continue to deal with COVID issues, supply line delays, inflation, and staff shortages. These past two years have been very challenging, but public school students continue to have a safe and healthy environment to learn and to grow.

As was stated earlier, the issues that failed in 2022 will be back in 2023 plus a new state budget. Now is the time to continue to communicate with legislators and to reach out to new potential legislators after the primaries. The relationships you make now will be very important as we move into the 2023 session of the Indiana General Assembly. You do at the local level make a difference in what happens in the State House.

Denny Costerison
Executive Director
Indiana ASBO
Bills/Amendments That Did Not Pass

The following bills or amendments to bills did not pass or were substantially changed from the original bill in the 2022 General Assembly. These were issues that IASBO and the other educational management associations did not support.

**SB 167/HB 1134**

These were the Senate and House bills that were very controversial during the session. The introduced bills were very similar with language which included additional parental involvement, mandatory posting of educational materials including teacher lesson plans, “divisive” issues that could not be taught, creation of community curriculum committees, and more focus on transparency. SB 167 was taken off the calendar by Senate President Pro Temp Rod Bray early in the session as he saw “no way forward” for the bill to pass the Senate. HB 1134 was amended in the House and passed the House. In the Senate, the bill was amended substantially but not enough to find the votes to pass the bill on the Senate floor. HB 1134 was not called down on the second reading deadline and therefore it failed.

**HEA 1002**

The House version of the tax cut bill would have reduced state individual income tax, state sales tax and Business Personal Property Taxes. This bill had these reductions being implemented in five years. Further, the bill did not continue the reduction of the state’s teacher pension liability. The Senate was cautious and wanted any tax cuts to come next year in the budget session of the General Assembly and stressed the importance of eliminating the pension liability. IASBO supported the Senate position on this issue. The final bill did not have cuts in the state sales tax or Business Personal Property Tax and did continue the reduction of the pre-1996 teacher pension liability. There is a cut to state income tax but there are “triggers” in the bill that must be met before the cuts can be made and will not completely be implemented for seven years.

**HB 1072**

This was the bill that mandated that if an operating or safety tax referendum passed in a school election and there were charter school students in that particular school corporation, a proportional amount from the referendum would go to the charter school where the student attended. The bill passed the House but failed in the Senate when it was not scheduled for a committee hearing.

**HB 1182**

HB 1182 was one of many partisan school board election bills that were filed in the legislature. It was the only bill that had a hearing. The bill provided that for school board offices, each candidate’s affiliation with a political party or status as an independent candidate must be stated on the ballot. The bill had a committee hearing, but no vote was taken on the bill.
HB 1107

The bill had several issues but one became controversial – special education due process hearings. The bill passed the House but was defeated on the Senate floor by a vote of 0-50.

HB 1296

HB 1296 would have amended the statutes dealing with insurance trusts (multiple employer welfare arrangement – MEWA’s) that the education associations and other local associations opposed. The bill was substantially amended in the House passed version and then any mention of MEWA’s was stripped from the bill in the Senate and the constitutional gun carry language was added to the bill.

SB 17

The bill would have removed schools and certain public libraries from the list of entities eligible for a specified defense to criminal prosecutions alleging: (1) the dissemination of material harmful to minors; or (2) a performance harmful to minors. SB 17 passed the Senate, but was not heard in the House. The language was added to a conference committee report at the end of the session, but the report failed to pass the Senate.

SB 150/SB 378

Both of these bills would have reduced Business Personal Property Tax funding for local government, including public schools. Neither bill had a vote in committee.

SB 184

SB 184 would have deleted the authority of a local school board to approve a residential tax increment financing plan. The bill passed a Senate committee but was not called down on second reading on the Senate floor and therefore it failed.

SB 290

This was another various education matters bill that passed the Senate but was amended in the House committee. The associations opposed the amendments which were negatively directed at superintendents and school boards. The amended bill did pass the House but the amendments in question were deleted in the conference committee report and the original bill passed both houses.

SB 382

A new issue was added to the conference committee report on SB 382 on the last day of the session. The issue would have made residential tax increment financing permanent which would have been a loss of property tax dollars to public schools. This provision was taken out of the final conference committee report.
### 2022 IASBO Bill List

#### Senate Bills

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2022 SCHOOL BUSINESS MANAGEMENT BILLS
Senate Enrolled Act 2

Education Matters

The bill contains the following:

• Department of Education report regarding the number of early graduates.

• The calculation and verification of Fall 2021 ADM counts to assure 100% funding for these students.
SECTION 2. IC 20-26-5-42.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 42.1. (a) Not later than April 15 of each year, each school corporation and charter school shall report to the department the number of students who meet the following conditions during the student's expected graduation year (as defined in IC 20-26-13-4):

(1) The student was enrolled in the school corporation on the day in September fixed by the state board for the fall count of students under IC 20-43-4-3.

(2) The student successfully completed Indiana high school graduation requirements before the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(3) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(b) In addition to the number provided under subsection (a), each school corporation and charter school shall submit information prescribed by the department that is necessary to verify the number reported under subsection (a).

SECTION 4. IC 20-43-4-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021 (RETROACTIVE)]: Sec. 6.7. (a) This section applies to the 2021 fall count of ADM made on the date fixed in September 2021 by the state board for a count of eligible pupils under section 3 of this chapter.

(b) This section does not apply to a student enrolled in:

(1) dedicated virtual education school; or

(2) virtual charter school (as defined in IC 20-24-1-10); on the date fixed in September 2021 by the state board for a count of eligible pupils under section 3 of this chapter.

(c) Subject to subsection (d), in determining whether at least fifty percent (50%) of the instructional services that a student receives from a school corporation is virtual instruction for purposes of the 2021 fall count of ADM, the department shall review the attendance of each student on each school day from the school corporation's first day of school until the school corporation's last day of school of the 2021 fall semester.

(d) If a student transferred to or from a school corporation during the 2021 fall semester, the department shall review the attendance of the student only on each school day described in subsection (c) that the student attended the school corporation in which the student was enrolled and attending on the date fixed in September 2021 by the state board for a count of eligible pupils under section 3 of this chapter.

(e) If a school corporation's tuition support amount is adjusted as a result of the application of this section, the department shall, after December 31, 2021, settle any overpayment or underpayment of state tuition support to a school corporation resulting from the adjustment of tuition support on the schedule determined by the department.

(f) This section expires December 31, 2022.

SECTION 5. An emergency is declared for this act.
Senate Enrolled Act 83
Meetings of School Boards

The bill contains the following:

• School board shall allow oral public comment at a school board meeting.

• Members of the a school board are not required to be physically present at a meeting if there is imminent risk to health or safety.
SECTION 3. IC 5-14-1.5-3.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3.2. (a) This section applies only to the governing body of a:
   (1) school corporation; or
   (2) charter school.
   (b) The governing body shall allow oral public comment at a meeting as set forth in section 3 of this chapter.

SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3.7. (a) As used in this section, "disaster emergency" means:
   (1) a disaster emergency declared by the governor under IC 10-14-3-12; or
   (2) a local disaster emergency declared by the executive (as defined in IC 36-1-2-5) of a political subdivision under IC 10-14-3-29.
   (b) Notwithstanding section 3.5 or 3.6 of this chapter, the members of a governing body are not required to be physically present at a meeting if (1) a disaster emergency is in effect for all or part of the area within the governing body's jurisdiction, and the members of a governing body are not required to be physically present at a meeting:
      (2) (1) if meeting in person would present an imminent risk to the health or safety of the members of the public and the governing body who attend the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency; meeting in person (A) would be impractical; or (B) would present an imminent risk to the health or safety of the members of the public and the governing body who attend the meeting; and
      (2) if the members are of the governing body of a school corporation or charter school, one (1) or more schools within the jurisdiction of the governing body of the school corporation or the charter school are closed at the time of the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency.
Senate Enrolled Act 145

Property Tax Matters

The bill contains the following:

- Property tax assessment for the true tax value of a commercial property ("Big Box Stores") developed by the Department of Local Government Finance.
SECTION 1. IC 6-1.1-4-43.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2023]: Sec. 43.5. (a) This section applies to a commercial property with a structure, or a portion thereof, that:

(1) is at least one hundred thousand (100,000) square feet in area;
(2) is used for retail purposes;
(3) is occupied by a single retailer; and
(4) is assessed for the first time after December 31, 2022.

(b) This section does not apply to a property described in subsection (a) that:

(1) was vacated by the original occupant for which the property was constructed;
(2) was constructed more than five (5) years prior to the assessment date; or
(3) was substantially and adversely impacted by a change in a roadway or traffic pattern.

(c) If a single retailer leases or subleases small undivided portions of a structure, the structure shall still be considered occupied by a single retailer.

(d) For assessment dates beginning after December 31, 2022, the true tax value of a commercial property subject to this section shall be determined by application of the cost approach. In applying the cost approach, estimates of depreciation and obsolescence shall not be based on data derived from the sales comparison or income capitalization approaches. The department of local government finance shall establish a standard construction cost per square foot for the purpose of applying the cost approach to commercial property subject to this section. The department shall update the standard construction cost per square foot annually. When requesting a review of an assessment under this section, a taxpayer may present an appraisal based on the cost approach as evidence that the taxpayer's actual construction cost was lower than the department's determined standard construction cost per square foot that was used to assess the property. Notwithstanding this section, the value of the land component may be determined based on the sales comparison approach.

(e) If the entire commercial property is occupied by a single retailer as a single economic unit, the entire commercial property shall be valued under this section. If only a portion of the commercial property forms a single economic unit occupied by a single retailer, then only that portion of the commercial property shall be valued under this section.

(f) Notwithstanding subsections (c), (d), and (e), the parties to any appeal filed under IC 6-1.1-15 may enter into a written agreement to stipulate to the true tax value of the property under appeal.
(g) If a taxpayer files a notice under IC 6-1.1-15 requesting a review of the assessment of the taxpayer’s commercial property that is subject to this section, the fiscal officer of the county may establish a separate account for purposes of the review. The fiscal officer shall deposit in the account the greater of the tax receipts that are attributable to:

(1) the property tax assessment that is the subject of the review minus the tax receipts attributable to the property tax assessment in the immediately prior year; or

(2) twenty-five percent (25%) of the tax receipts attributable to the property tax assessment that is the subject of the review.

Money transferred to an account is not considered miscellaneous revenue. Both the taxing units and the department of local government finance shall disregard any balance in the account in the determination of the taxing units' property tax levy, property tax rate, and budget until the calendar year in which the money is released from the account. The fiscal officer of the county, following a final determination of the review, or final judgment on an appeal if the review is appealed, shall disburse the money deposited in the account in accordance with the final determination or final judgment.
Senate Enrolled Act 331

Education Matters

The bill contains the following:

- For the 45% full-time teacher salary issue, allows those school corporations who participate in a special education or career and technical education cooperative to count the amount attributable for full-time teachers for purposes of the 45% guideline.

- The Department of Education study/report regarding full-time teacher salaries and benefits.
SECTION 2. IC 20-28-9-28, AS ADDED BY P.L.165-2021,
SECTION 156, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2022]: Sec. 28. (a) For each school year in a
state fiscal year beginning after June 30, 2021, a school corporation
shall expend an amount for full-time teacher salaries that is not less
than an amount equal to forty-five percent (45%) of the state tuition
support distributed to the school corporation during the state fiscal
year. For purposes of determining whether a school corporation
has complied with this requirement, the amount a school
corporation expends for full-time teacher salaries shall include the
amount the school corporation expends for participating in a
special education cooperative or a career and technical education
cooperative that is directly attributable to the salaries of full-time
teachers employed by the cooperative, as determined by the
department.

(b) If a school corporation determines that the school corporation
cannot comply with the requirement under subsection (a) for a
particular school year, the school corporation shall apply for a waiver
from the department.

(c) The waiver application must include an explanation of the
financial challenges, with detailed data, that preclude the school
corporation from meeting the requirement under subsection (a) and
describe the cost saving measures taken by the school corporation in
attempting to meet the requirement in subsection (a). The waiver may
also include an explanation of an innovative or efficient approach in
delivering instruction that is responsible for the school corporation
being unable to meet the requirement under subsection (a).

(d) If, after review, the department determines that the school
corporation has exhausted all reasonable efforts in attempting to meet
the requirement in subsection (a), the department may grant the school
corporation a one (1) year exception from the requirement.

(e) A school corporation that receives a waiver under this section
shall work with the department to develop a plan to identify additional
cost saving measures and any other steps that may be taken to allow the
school corporation to meet the requirement under subsection (a).

(f) A school corporation may not receive more than three (3)
wavers under this section.

(g) Before November 1, 2022, and before November 1 of each
year thereafter, the department shall submit a report to the
legislative council in an electronic format under IC 5-14-6 and the
state budget committee that contains information as to:

(1) the percent and amount that each school corporation
expended and the statewide total expended for full-time
teacher salaries;

(2) the percent and amount that each school corporation
expended and statewide total expended for full-time teacher
benefits, including health, dental, life insurance, and pension
benefits;

(3) whether the school corporation met the requirement set
forth in subsection (a); and

(4) whether the school corporation received a waiver under
subsection (d).
Senate Enrolled Act 356

Teacher Matters

The bill contains the following:

- Allows supplemental teacher payment for all teachers.
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:

1. 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.
Senate Enrolled Act 361
Economic Development

The bill contains the following:

- Creates a new property tax incentive: Innovation Development Districts.

- Section 12 (b)(6) allows not less than 12% the aggregate percentage of annual incremental property tax revenue be transferred to local government including school corporations.
SECTION 28. IC 36-7-32.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 32.5. Innovation Development Districts

Sec. 1. As used in this chapter, "base assessed value" means the net assessed value of all the taxable real property that is assessed as commercial or industrial property under the rules of the department of local government finance, and taxable personal property, that is located in an innovation development district as finally determined for the assessment date immediately preceding the effective date of the designation by the corporation under section 9 of this chapter.

Sec. 2. As used in this chapter, "corporation" refers to the Indiana economic development corporation established by IC 5-28-3-1.

Sec. 3. As used in this chapter, "executive" means the following:

(1) In the case of a county that does not have a consolidated city, the president of the board of county commissioners.

(2) In the case of a county having a consolidated city, the mayor.

(3) In the case of a city, the mayor.

(4) In the case of a town that:
   (A) does not have a mayor, the president of the town council; or
   (B) does have a mayor, the mayor.

Sec. 4. As used in this chapter, "gross retail base period amount" means the aggregate amount of state gross retail and use taxes remitted under IC 6-2.5 by the businesses:

(1) operating in the territory comprising an innovation development district; and

(2) that is, in the case of the:
   (A) state gross retail tax, collected by a business for sales occurring at a physical location of the business in the innovation development district; and
   (B) state use tax, incurred with regard to property used in the innovation development district;

during the full state fiscal year that precedes the date on which the innovation development district was designated under section 9 of this chapter.

Sec. 5. As used in this chapter, "gross retail incremental amount" means the remainder of:

(1) the aggregate amount of state gross retail and use taxes that are remitted under IC 6-2.5 by businesses:
   (A) operating in the territory comprising an innovation development district; and
(B) that is, in the case of the:

(i) state gross retail tax, collected by a business for sales occurring at a physical location of the business in the innovation development district; and

(ii) state use tax, incurred with regard to property used in the innovation development district;

during a state fiscal year; minus

(2) the gross retail base period amount;

as determined by the department of state revenue.

Sec. 6. As used in this chapter, "income tax base period amount" means the aggregate amount of state adjusted gross income taxes paid by employees employed in the territory comprising an innovation development district with respect to wages and salary earned for work in the innovation development district for the state fiscal year that precedes the date on which the innovation development district was designated under section 9 of this chapter.

Sec. 7. As used in this chapter, "income tax incremental amount" means the remainder of:

(1) the total amount of state adjusted gross income taxes paid by employees employed in the territory comprising the innovation development district with respect to wages and salary earned for work in the territory comprising the innovation development district for a particular state fiscal year; minus

(2) the sum of the:

(A) income tax base period amount; plus

(B) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in an innovation development district as the result of wages earned for work in the innovation development district for the state fiscal year;

as determined by the department of state revenue.

Sec. 8. As used in this chapter, "net increment" means the sum of:

(1) the gross retail incremental amount; plus

(2) the income tax incremental amount;

as determined by the department of state revenue.

Sec. 9. (a) Before the corporation may designate territory within the jurisdiction of a city, town, or county, or within the jurisdiction of more than one (1) city, town, or county, as an innovation development district under this section, the board of the corporation established under IC 5-28-4 shall establish uniform policies and guidelines that the corporation must follow when notifying and collaborating with an executive, or, if applicable, executives, to designate territory within the jurisdiction of a city, town, or county as an innovation development district under this section. The corporation shall publish the uniform policies and procedures established under this subsection on the corporation's Internet web site.
(b) Subject to section 12(a) of this chapter, after notifying and collaborating with the executive, or, if an innovation development district will include territory within the jurisdiction of more than one (1) city, town, or county, with the executives of each city, town, or county, in the manner provided under the policies and guidelines established under subsection (a), the corporation may designate territory within the jurisdiction of a city, town, or county, or territory within the jurisdiction of more than one (1) city, town, or county, as an innovation development district if the corporation determines that the designation will support economic growth.

(c) The corporation may not designate an innovation development district under this section after June 30, 2025.

Sec. 10. (a) The corporation may not designate an area as an innovation development district under section 9 of this chapter if the business or businesses that are expected to locate within the innovation development district:

(1) currently operate in Indiana in a location outside of the proposed innovation development district; and
(2) intend to substantially reduce or cease operations at the other location or locations within Indiana in order to relocate to a location within the innovation development district.

(b) Notwithstanding any other provision of this chapter, an innovation development district may not be established in an existing allocation area established under:

(1) IC 5-1-17.5;
(2) IC 6-1.1-39;
(3) IC 8-22-3.5;
(4) IC 36-7-13;
(5) IC 36-7-14;
(6) IC 36-7-15.1;
(7) IC 36-7-30;
(8) IC 36-7-30.5;
(9) IC 36-7-31;
(10) IC 36-7-31.3;
(11) IC 36-7-31.5;
(12) IC 36-7-32;
(13) IC 36-7.5-4.5; or
(14) any other provision that authorizes the establishment of an allocation area.

(c) A development within the innovation development district is subject to any zoning ordinance or other zoning law that otherwise applies to territory within the innovation development district.

Sec. 11. (a) Except as provided in subsection (b), the term of an area’s designation as an innovation development district may not exceed thirty (30) years.

(b) The term of an area’s designation as an innovation development district may be extended beyond the thirty (30) year term under subsection (a) after budget committee review.
Sec. 12. (a) If the total costs and benefits of the proposed investment of an innovation development district are expected to be an amount less than two billion dollars ($2,000,000,000), the following apply:

(1) The executive, or, if applicable, the executives, and the corporation shall enter into an agreement establishing the terms and conditions governing the innovation development district in accordance with this section.

(2) If the executive, or, if applicable, the executives, and the corporation cannot enter into an agreement under subdivision (1), the designation of territory under section 9 of this chapter is no longer effective and the innovation development district may not be designated or otherwise established under this chapter.

(b) The agreement must include the following provisions:

(1) A description of the area, including a list of all parcels to be included within the innovation development district.

(2) Covenants and restrictions, if any, upon all or a part of the properties contained within the innovation development district and terms of enforcement of any covenants or restrictions.

(3) The due diligence and financial commitments of any party to the agreement and of any owner or developer of property within the innovation development district.

(4) The financial projections of the innovation development district.

(5) The proposed use of the:

(A) net increment; and

(B) incremental property tax amount described in section 14(c) of this chapter;

that is captured within the innovation development district.

(6) The aggregate percentage of annual incremental property tax revenue that will be transferred to the city, town, county, or school corporation, or, if applicable, the cities, towns, counties, or school corporations, under section 19(e) of this chapter. The aggregate percentage transferred may not be less than twelve percent (12%) of the annual amount of incremental property tax revenue deposited in the local innovation development district fund established by section 19 of this chapter.

(7) Subject to the limitations of this chapter, the duration of the designation of an area as an innovation development district.

(8) The terms of enforcement of the agreement, which may include the definition of events of default, cure periods, legal and equitable remedies and rights, and penalties and damages, actual or liquidated, upon the occurrence of an event of default.
(9) The public facilities to be developed for the innovation development district and the estimated costs of those public facilities.

c) An executive may discuss the terms of the agreement described in this section and hold a meeting as an executive session under IC 5-14-1.5-6.1 with:

(1) in the case of a city other than a consolidated city, the common council;
(2) in the case of a consolidated city, or a county having a consolidated city, the city-county council;
(3) in the case of a town, the town council; and
(4) in the case of a county that does not have a consolidated city, the board of county commissioners.

d) Within fifteen (15) days of entering into an agreement under subsection (a), the corporation shall submit a written report on the agreement to the budget committee.

e) Neither an executive nor the corporation may exercise the power of eminent domain within an innovation development district.

Sec. 13. If an innovation development district is designated under section 9 of this chapter or described under section 12 of this chapter, each executive shall designate the innovation development district as an allocation area for purposes of the allocation and distribution of property taxes. Each executive shall provide notice of the designation to the county auditor and to each taxing unit that has authority to levy property taxes in the geographic area where the innovation development district is located. The notice must state the general boundaries of the innovation development district and include a list of all parcels to be included within the innovation development district.

Sec. 14. (a) An allocation area designated under section 13 of this chapter must:

(1) apply to the entire innovation development district; and
(2) require that any property tax assessed on taxable real and personal property used for commercial or industrial purposes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes in the innovation development district be allocated and distributed as provided in subsections (b) and (c).
House Enrolled Act 1002

Various Tax Matters

The bill contains the following:

• The $2.5 billion payment for FY22 to reduce the pre-1996 teacher pension liability is included.

• The state individual income tax reductions for 2023 through 2029 are in the bill including the “triggers” to determine if the reductions are made.
SECTION 1. IC 4-10-22-1.5, AS ADDED BY P.L.165-2021, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. This section applies only in calendar year 2022. Notwithstanding any other law, if, after the calculation required by section 1(d) of this chapter, the budget agency certifies that the state's combined reserve balance as calculated in section 1(d) of this chapter exceeds two billion five hundred million dollars ($2,500,000,000), the budget agency, after budget committee review, shall transfer the amount of combined state reserves that exceed two billion five hundred million dollars ($2,500,000,000) to the pre-1996 account (as defined in IC 5-10.2-1-5.5) for the purposes of the pre-1996 account. However, the amount transferred under this section may not exceed two billion five hundred million dollars ($2,500,000,000).

SECTION 2. IC 6-1.1-3-23.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 23.5. (a) For purposes of this which the election is made.

The department of local government finance shall prescribe the forms to make the election beginning with the January 1, 2023, assessment date. Any mini-mill equipment acquired by a taxpayer that has made an election under this section is valued under this section.

(g) If fifty percent (50%) or more of the adjusted cost of a taxpayer's property that would, notwithstanding this section, be reported in a pool other than "Pool No. 5" (as designated under section 23 of this chapter) is attributable to mini-mill equipment, the taxpayer may elect to calculate the true tax value of all of that property as mini-mill equipment. The true tax value of property for which an election is made under this subsection is calculated under subsections (b) through (f).

SECTION 3. IC 6-2.3 IS REPEALED [EFFECTIVE JULY 1, 2022]. (Utility Receipts Tax).

SECTION 4. IC 6-3-2-1, AS AMENDED BY P.L.212-2018(ss), SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) As used in this section, "pre-1996 account" has the meaning set forth in IC 5-10.2-1-5.5.

(b) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:

(1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).
(2) For taxable years beginning after December 31, 2014, and before January 1, 2017, three and three-tenths percent (3.3%).
(3) For taxable years beginning after December 31, 2016, and before January 1, 2023, three and twenty-three hundredths percent (3.23%).
(4) For taxable years beginning after December 31, 2022, and before January 1, 2025, three and fifteen hundredths percent (3.15%).

(5) For taxable years beginning after December 31, 2024, and before January 1, 2027, the tax rate is determined as follows:
   (A) If the state general fund revenue collections for the state fiscal year ending June 30, 2024, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2023, as determined by the budget agency under subsection (e), the tax rate is three and one-tenth percent (3.1%).
   (B) If the state general fund revenue collections for the state fiscal year ending June 30, 2024, do not exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2023, as determined by the budget agency under subsection (e), the tax rate is three and fifteen hundredths percent (3.15%).

(6) For taxable years beginning after December 31, 2026, and before January 1, 2029, the tax rate is determined as follows:
   (A) Three percent (3.0%) if the:
      (i) state general fund revenue collections for the state fiscal year ending June 30, 2026, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2025, as determined by the budget agency under subsection (e);
      (ii) Indiana public retirement system determines under subsection (f) in 2026 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
      (iii) tax rate was decreased under subdivision (5)(A).
   (B) Three and ten hundredths percent (3.1%) if the:
      (i) state general fund revenue collections for the state fiscal year ending June 30, 2026, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2025, as determined by the budget agency under subsection (e);
      (ii) Indiana public retirement system determines under subsection (f) in 2026 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
      (iii) tax rate was not decreased under subdivision (5)(A).
   (C) If clauses (A) and (B) do not apply, the tax rate in effect in the taxable year beginning after December 31, 2025, and before January 1, 2027, remains in effect.

(7) For taxable years beginning after December 31, 2028, the tax rate is determined as follows:
(A) Two and nine tenths percent (2.9%) if the:
(i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
(ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
(iii) tax rate was decreased under subdivisions (5) and (6).

(B) Three percent (3.0%) if the:
(i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
(ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
(iii) tax rate was decreased under subdivision (5) or (6), but not both.

(C) Three and ten hundredths percent (3.1%) if the:
(i) state general fund revenue collections for the state fiscal year ending June 30, 2028, exceed by at least two percent (2%) the state general fund revenue collections for the state fiscal year ending June 30, 2027, as determined by the budget agency under subsection (e);
(ii) Indiana public retirement system determines under subsection (f) in 2028 that the balance of the pension stabilization fund (established by IC 5-10.4-2-5) is sufficient to pay the liabilities of the pre-1996 account without the need for an appropriation by the general assembly; and
(iii) tax rate was not decreased under either subdivision (5) or (6).

(D) If clauses (A), (B), and (C) do not apply, the tax rate in effect in the taxable year beginning after December 31, 2027, and before January 1, 2029, remains in effect.
House Enrolled Act 1093
Education Matters

The bill contains the following:

- Provides that a public school may not conduct more than 3 virtual learning/e-learning days per school year unless they are synchronous or 50% synchronous.

- The State Board of Education shall assign to a school or school corporation a “null” or “no letter grade” for the 2021-22 school year.
SECTION 13. IC 20-30-2-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2.7. (a) This section applies to the following:

(1) Except as provided in subsection (b), a public school maintained by a school corporation.

(2) A charter school that is not a virtual charter school (as defined in IC 20-24-1-10).

(b) This section does not apply to a dedicated virtual education school.

(c) As used in this section, "virtual student instructional day" means a student instructional day to which the following apply:

(1) A school provides virtual instruction or remote learning to at least fifty percent (50%) of the students enrolled to attend in-person instruction at the school.

(2) A school counts the student instructional day toward meeting the one hundred eighty (180) day requirement established by section 3 of this chapter.

(d) Except as provided in subsections (e) and (g), a school shall deliver:

(1) teacher directed synchronous instruction; or

(2) a hybrid of:

(A) teacher directed synchronous instruction for at least fifty percent (50%) of the particular instructional day; and

(B) asynchronous learning;

during the instructional time of a virtual student instructional day.

(e) Except as provided in subsection (g), a school may conduct not more than three (3) virtual student instructional days each school year that do not meet the requirements under subsection (d).

(f) Except as provided in subsection (g), if a school conducts a student instructional day described in subsection (c)(1) that does not meet the requirements of this section, the school may not count the student instructional day toward meeting the one hundred eighty (180) day requirement established by section 3 of this chapter.

(g) A school may submit to the department a request to waive the requirements set forth in this section to include a virtual student instructional day otherwise excluded under subsection (f) to meet the one hundred eighty (180) day requirement established by section 3 of this chapter if the virtual student instructional day was conducted because of extraordinary circumstances. The department may waive the requirements for the school after consideration of the request.

(h) The state board may adopt rules under IC 4-22-2 to implement this section. However, the state board shall, in
consultation with the department, adopt rules under IC 4-22-2 that define teacher directed synchronous instruction and asynchronous learning and provide that the instruction or learning must be of the same quality and rigor as required under section 2.5(b) of this chapter.

SECTION 14. IC 20-30-2-4, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) Subject to subsection (b), if a school corporation fails to conduct the minimum number of student instructional days during a school year as required under section 3 of this chapter, the department shall reduce the August tuition support distribution to that school corporation for a school year by an amount determined as follows:

STEP ONE: Determine the remainder of:
(A) the amount of the total tuition support allocated to the school corporation for the particular school year; minus
(B) that part of the total tuition support allocated to the school corporation for that school year with respect to student instructional days one hundred seventy-six (176) through one hundred eighty (180).

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred eighty (180).

STEP THREE: Determine the lesser of five (5) or the remainder determined under STEP TWO.

STEP FOUR: Divide the amount subtracted under STEP ONE (B) by five (5).

STEP FIVE: Multiply the quotient determined under STEP FOUR by the number determined under STEP THREE.

STEP SIX: Subtract the number determined under STEP THREE from the remainder determined under STEP TWO.

STEP SEVEN: Divide the remainder determined under STEP ONE by one hundred seventy-five (175).

STEP EIGHT: Multiply the quotient determined under STEP SEVEN by the remainder determined under STEP SIX.

STEP NINE: Add the product determined under STEP FIVE to the product determined under STEP EIGHT.

(b) If fewer than all of the schools in a school corporation fail to conduct the minimum number of student instructional days during a school year as required under section 3 of this chapter, the reduction in August tuition support required by this section shall take into account only the schools in the school corporation that failed to conduct the minimum number of student instructional days and only the grades for which the required number of student instructional days was not conducted.

SECTION 15. IC 20-32-5.1-12, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 12. (a) The department shall establish policies and procedures that foster, to the extent possible, the scoring of student responses of an open ended writing assessment on a statewide assessment by Indiana teachers. The teacher may not grade student
department's notice and any relevant individual reports prepared by the department within thirty (30) days after the public meeting.

SECTION 21. [EFFECTIVE JULY 1, 2021 (RETROACTIVE)] (a)
The definitions in IC 20 apply throughout this SECTION.

(b) Notwithstanding IC 20-31-8 and 511 IAC 6.2-10, the state board shall assign to a school or school corporation a "null" or "no letter grade" for the 2021-2022 school year. However, the most recent results of the school's ILEARN assessment must be included on the school's Internet web site.

(c) Notwithstanding IC 20-31-8 and 511 IAC 6.3-1, the state board shall assign an adult high school a "null" or "no letter grade" category for the 2021-2022 school year.

(d) This SECTION expires January 1, 2025.

SECTION 22. An emergency is declared for this act.
House Enrolled Act 1130

Open Meetings

The bill contains the following:

- Public comment at school board meetings.

- School board meetings when a "disaster emergency" is declared.
SECTION 1. IC 5-14-1.5-3, AS AMENDED BY P.L.134-2012, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) Except as provided in section 6.1 of this chapter, all meetings of the governing bodies of public agencies must be open at all times for the purpose of permitting members of the public to observe and record them.

(b) A secret ballot vote may not be taken at a meeting.

(c) A meeting conducted in compliance with section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication does not violate this section.

(d) This subsection applies only to the governing body of a school corporation. The governing body:

(1) shall allow a member of the public who is physically present at the meeting location, including a meeting conducted under section 3.5 of this chapter, to provide oral public comment; and

(2) may allow a member of the public to provide oral public comment during a meeting conducted under section 3.7 of this chapter.

A governing body may adopt reasonable rules to govern the taking of oral public comment at a meeting. The governing body may set a limit on the total amount of time for receiving oral public comment on a topic.

(e) Nothing in this section prohibits a governing body from taking reasonable steps to maintain order in a meeting, including removal of any person who is willfully disruptive of the meeting.

SECTION 2. IC 5-14-1.5-3.7, AS ADDED BY P.L.88-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3.7. (a) This section applies only if: As used in this section, "disaster emergency" means:

(1) the governor declares a disaster emergency declared by the governor under IC 10-14-3-12; or

(2) the executive (as defined in IC 36-1-2-5) of a political subdivision declares a local disaster emergency declared by the executive (as defined in IC 36-1-2-5) of a political subdivision under IC 10-14-3-29.

(b) Notwithstanding section 3.5 or 3.6 of this chapter, the members of a governing body are not required to be physically present at a meeting until if:

(1) the a disaster emergency or local disaster emergency is terminated; is in effect for all or part of the area within the governing body's jurisdiction; and

(2) because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency, meeting in person:

(A) would be impractical; or

(B) would present an imminent risk to the health or safety of the members of the public and the governing body who attend the meeting.
House Enrolled Act 1251
Various Education Matters

The bill contains the following:

- Amends the definition of "appropriate vehicle" for transportation purposes to a vehicle with not more than 15 passengers rather than 8 passengers.

- Creates the adjunct teacher program.
SECTION 3. IC 20-18-2-1.7, AS ADDED BY P.L.216-2021, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1.7. (a) "Appropriate vehicle" means a vehicle that:

(1) is owned by a school corporation or contracted for by the school corporation; and
(2) has a seating capacity of not more than eight (8) fifteen (15) passengers, including the driver.
(b) The term includes a car, truck, sport utility vehicle, or minivan, or van.

SECTION 9. IC 20-27-9-5, AS AMENDED BY P.L.155-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 5. (a) A special purpose bus or an appropriate vehicle may be used:

(1) by a school corporation to provide regular transportation of a student between one (1) school and another school but not or between the student's residence and the school;
(2) to transport students and their supervisors, including coaches, managers, and sponsors to athletic or other extracurricular school activities and field trips;
(3) by a school corporation to provide transportation between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;
(4) to transport homeless students under IC 20-27-12;
(5) by a school corporation to provide regular transportation of an individual described in section 4 or 7 of this chapter between the individual's residence and the school; and
(6) to transport students to career and technical education programs under IC 20-27-12.1.
(b) The mileage limitation of section 3 of this chapter does not apply to special purpose buses.
(c) The operator of a special purpose bus or appropriate vehicle must be at least twenty-one (21) years of age, be authorized by the school corporation, pass an expanded criminal history check and expanded child protection index check as provided under IC 20-26-5-10, and meet the following requirements:
(1) Except as provided in subdivision (2)(B) and in addition to the license required under this subdivision, if the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid:
   (A) operator's;
   (B) chauffeur's;
   (C) public passenger chauffeur's; or
   (D) commercial driver's;
license.
(2) If the special purpose bus:
   (A) has a capacity of more than fifteen (15) passengers; or
   (B) is used to provide transportation to an individual described in subsection (a)(3) or (a)(5);
the operator must meet the requirements for a school bus driver set out in IC 20-27-8.
(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the committee.
(e) An owner or operator of a special purpose bus, other than a special purpose bus owned or operated by a school corporation or a nonpublic school, is subject to IC 8-2-1.

SECTION 10. IC 20-27-9-12, AS AMENDED BY P.L.99-2007, SECTION 174, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 12. (a) As used in this section, "child care center" means a nonresidential building where at least one (1) child receives child care from a provider licensed under IC 12-17.2-4:
(1) while unattended by a parent;
(2) for regular compensation; and
(3) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.
(b) This subsection does not apply to a person with a developmental or physical disability who is provided transportation by a school corporation by means of a special purpose bus as provided in section 5(a)(3) of this chapter. An individual or entity who transports children in the care of a:
(1) preschool operated by a school corporation;
(2) public elementary school; or
(3) public secondary school;
on a public highway (as defined in IC 9-25-2-4) within or outside Indiana shall transport the children only in a school bus. However, a special purpose bus, or an appropriate vehicle. The school bus, special purpose bus, or appropriate vehicle may be used for transportation of the children to activities other than or for regular transportation between the residences of the children and the school.
(e) This section does not prohibit the use of a public transportation system for the transportation of children if the motor carriage used is designed to carry at least twenty (20) passengers.

(f) This section does not prohibit a:

1. preschool operated by a school corporation;
2. public elementary school;
3. public secondary school; or
4. child care center;

from contracting with a common carrier for incidental charter bus service for nonregular transportation if the carrier and the carrier's motor coach comply with the Federal Motor Carrier Safety Regulations as prescribed by the United States Department of Transportation Federal Highway Administration.

(g) Notwithstanding section 17 of this chapter, a person who violates this section commits a Class B infraction.

SECTION 11. IC 20-28-5-27 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 27. (a) In an effort to fill a vacant teaching position, offer a new program or class, or supplement a program currently being offered, the governing body of a school corporation may issue an adjunct teacher permit to an individual if the following minimum requirements are met:

1. The individual has, within the immediately preceding five (5) years, at least four thousand (4,000) clock hours of experience in the content area in which the individual intends to teach.
2. The school corporation conducts an expanded criminal history check and expanded child protection index check concerning the individual as required under IC 20-26-5-10.
3. The individual has not been convicted of a felony listed in section 8(c) of this chapter or described in section 8(d) of this chapter or the individual's conviction has been reversed, vacated, or set aside on appeal.

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

(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 an employment agreement for employment with the individual as a part-time or full-time teacher of the school corporation;
2. the individual who holds the adjunct permit may teach in any content area in which the school corporation allows the individual to teach based on the individual's experience described in subsection (a).
(3) the individual must be assigned a teacher mentor for support in pedagogy; and

(4) 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).

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

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

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

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

(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.

(h) A school corporation shall post a vacant adjunct teacher position on the department's online adjunct teacher portal established under IC 20-19-3-25.
(i) A school corporation may notify the parents of students enrolled in the school corporation of a vacant adjunct teacher position.

(j) The governing body of a school corporation shall announce any vacant adjunct teacher positions at meetings of the governing body.

SECTION 12. IC 20-28-6-2, AS AMENDED BY P.L.43-2021, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) Except as provided under section 7.3 of this chapter, a contract entered into by a teacher and a school corporation must:

(1) be in writing;
(2) be signed by both parties; and
(3) contain the:

(A) beginning date of the school term as determined annually by the school corporation;
(B) number of days in the school term as determined annually by the school corporation;
(C) total salary to be paid to the teacher during the school year;
(D) number of salary payments to be made to the teacher during the school year; and
(E) number of hours per day the teacher is expected to work, as discussed pursuant to IC 20-29-6-7.

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

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

(2) IC 20-28-9-9 through IC 20-28-9-11.
(4) IC 20-28-9-14.

(d) A governing body shall provide the blank contract forms, carefully worded by the secretary of education, and have them signed. The contracts are public records open to inspection by the residents of each school corporation.
(e) An action may be brought on a contract that conforms with subsections (a)(1), (a)(2), and (d).

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

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

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

SECTION 14. IC 20-28-6-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 7.3. (a) A contract entered into between a school corporation and an individual who holds an adjunct teacher permit issued by the governing body of a school corporation under IC 20-28-5-27 must:

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

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