

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 2017 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 387

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-18-2-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 2.3. "Career specialist permit" refers to a permit described in 511 IAC 16-4-6 or its successor rule.**

SECTION 2. IC 20-28-5-20 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 20. The department shall post for each calendar year on the department's Internet web site the pass rate of the content area examination for each postsecondary educational institution regarding individuals who:**

- (1) graduated from the teacher preparation program of the postsecondary educational institution; and**
- (2) took the content area examination.**

SECTION 3. IC 20-28-5-21 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 21. To be eligible for a career specialist permit to teach in a secondary school, an applicant must meet one (1) of the following:**

- (1) The applicant:**
 - (A) has a bachelor's degree with a cumulative grade point average of at least 3.0 on a 4.0 scale (or its equivalent if another grading scale is used) in the content area in which**



the applicant intends to teach;

(B) has passed the approved content area examination in the content area in which the applicant intends to teach;

(C) demonstrates proficiency in the area of pedagogy under procedures prescribed by the department; and

(D) has, within the immediately preceding five (5) years, at least six thousand (6,000) clock hours of documented occupational experience in the content area in which the applicant intends to teach.

(2) The applicant:

(A) meets the requirements under subdivision (1)(A) or (1)(B);

(B) demonstrates proficiency in the area of pedagogy under procedures prescribed by the department; and

(C) has, within the immediately preceding seven (7) years, at least ten thousand (10,000) clock hours of documented occupational experience in the content area in which the applicant intends to teach.

SECTION 4. IC 20-28-9-1.5, AS AMENDED BY P.L.228-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: 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, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan **if under any of the following circumstances:**

(1) The teacher:

(A) teaches an advanced placement 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:

(1) (i) a dual credit course; or

(2) (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.

In addition, a supplemental payment may be made to an elementary school teacher who earns a master's degree in ~~math or reading and~~ **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 thirty-three and one-third percent (33.33%) 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 under subsection (b)(4). A school corporation shall base a differentiated amount under this subsection on any academic needs 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.

(d) A school corporation may provide differentiated increases or increments under subsection (b), and in excess of the percentage specified in subsection (b)(1), in order to reduce the gap between the school corporation's minimum teacher salary and the average



of the school corporation's minimum and maximum teacher salaries.

~~(d)~~ **(e)** Except as provided in subsection ~~(d)~~; **(f)**, a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

~~(d)~~ **(f)** Subsection ~~(e)~~ **(e)** does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two (2) full school years under this subsection.

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

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

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

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

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



plan.

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

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 20 apply throughout this SECTION.

(b) Not later than November 1, 2018, the department shall issue a request for proposals for an educator licensing examination, which must include accessible examination preparation resources that are aligned with the educator licensing examination. The examination may include a pedagogy performance assessment.

(c) This SECTION expires July 1, 2021.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" refers to the department of education established by IC 20-19-3-1.

(b) The department shall prepare a report that includes the following information:

(1) A list and description of each examination available in Indiana that is or could be used for teacher licensing.

(2) For each examination under subdivision (1), whether the individual taking the examination is responsible for paying the cost of the examination.

(c) The department shall, not later than September 1, 2018, submit the report described in subsection (b) to the legislative council in an electronic format under IC 5-14-6.

(d) This SECTION expires July 1, 2019.

SECTION 7. [EFFECTIVE JULY 1, 2018] (a) As used in this SECTION, "department" refers to the department of education established by IC 20-19-3-1.

(b) Not later than August 1, 2018, the department shall provide a notice to each school corporation regarding the changes to career specialist permit requirements and to the laws regarding teacher salaries, as added by this act, including the following:

(1) The requirements to be eligible for a career specialist permit under IC 20-28-5-21.

(2) That school corporations may provide:

(A) supplemental payments as provided under IC 20-28-9-1.5(a); and

(B) differentiated amounts of salary increases or increments as provided under IC 20-28-9-1.5(c).

The department may provide the notice under this subsection in an electronic format.



(c) This SECTION expires July 1, 2019.

SECTION 8. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "state board" refers to the state board of education established by IC 20-19-2-2.1.

(b) As used in this SECTION, "technical advisory committee" refers to the committee contracted with by the state board to:

- (1) study educator licensing examinations; and**
- (2) make recommendations to and consult with the state board regarding the committee's findings relating to educator licensing examinations.**

(c) The state board shall submit to the legislative council, in an electronic format under IC 5-14-6, memorandums and reports provided by the technical advisory committee to the state board regarding educator licensing examinations.

(d) This SECTION expires January 1, 2019.

SECTION 9. 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 387 — CC 1

