**2019 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](http://iga.in.gov/legislative/2019/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.

2019 Data on Bills/legislation (Hannah News Service)

* Number of bills introduced in both houses:  **1,358**
* Number of bills to advance out of original house: 419 (31%)
* Number of bills to survive 3rd reading in 2nd house: 310 (23%)
* Number to survive both houses eligible to become law: **293** (22% of original #)

[**HEA 1001—State Budget**](http://iga.in.gov/legislative/2019/bills/house/1001)

Summary: This is the budget bill for the entire state of Indiana. Gov. Holcomb signed the $34.6 Billion budget into law on April 28, 2019. Education makes up over half of the state budget and $763 million was added for K-12 education. Education highlights of importance are included below.

Practice: Items of importance include funding ADM for Kindergarten students enrolling after Aug 1 (no change to Aug 1 enrollment date). A second “count” day was added back Feb) will adjust per-pupil funding for schools. ADM will be figured by using the average of the fall and spring count dates. Increased funding for preschoolers with disabilities and English-language learners was added as well as funding added to examine funding for high-poverty districts.

[**HEA 1002—Career and Technical Education**](http://iga.in.gov/legislative/2019/bills/house/1002)

Summary: This bill is very large and includes many details. Among other things, the bill organizes the Governor’s workforce cabinet, outlines several grants, moves the Perkins federal money from under IDOE control to the Governor’s workforce cabinet, deals with licensing of CTE instructor’s, puts requirements on career curriculum into your school improvement plan, changes requirements for PGP points, creates wording for CTE courses, provides for “Industry Collaboration Organizations (ICO) which can help fund CTE in schools, and sets the parameters for the 15 person, School Accountability Panel.

Practice: Basically gives the Governor’s workforce cabinet a lot of authority over money, licensing and curriculum of CTE in our schools. It also states that any license renewal begun after July 1, 2019, using PGP points must have 15 of the hours tie back into business related activities. The Accountability panel will meet and make recommendations for High School accountability to the State Board of Education. The panel “shall consider” metrics of post-graduation success. A principal will be appointed as one of the fifteen members. The panel has a deadline of October 30, 2019 to make recommendations. This will be a focus of IASP this spring and summer.

[**HEA 1003—School Corporation Expenditure Targets**](http://iga.in.gov/legislative/2019/bills/house/1003)

Summary: School budget issue. Purpose is to drive more money at the local level into the classroom. School corporations will be asked to not transfer more than 15% of their money from the “education fund” to the “operations fund.” No mandates and no penalties currently exist in this legislation. Reporting requirements for the IDOE.

Practice: This bill is more of a central office mandate. You will hear your business managers and superintendents’ talk about this.

[**HEA 1004—School Safety**](http://iga.in.gov/legislative/2019/bills/house/1004)

Summary: This bill was designed to be the comprehensive safety bill of the session. The most controversial part of the bill, having students fill out the Youth Risk Assessment, was removed due to protests of conservative groups. Mental health funding was removed as conservative groups worried about privacy issues. Also in the bill were accommodations for smaller schools to benefit from the Secured School Fund matching grants and active shooter drill mandates.

Practice: At the building level, the biggest take-away will be the active shooter drills. You must conduct one within the first 90 “calendar” days of the first semester. No mandate exists on how the drill must be run. Local decisions will drive the extent of the drill in your district.

[**HEA 1005—State Superintendent of Public Instruction**](http://iga.in.gov/legislative/2019/bills/house/1005)

Summary: Last year, legislation changed the position from an elected one to an appointed position by the Governor. This legislation moves that effective date from 2025 to 2021.

Practice: Beginning January of 2021, the Governor of Indiana (which could be a Republican OR a Democrat) will choose the Superintendent of Public Instruction. The position will become part of the Governor’s cabinet and will be titled, “State Secretary of Education.”

[**HEA 1008—Teacher Career Ladders**](http://iga.in.gov/legislative/2019/bills/house/1008)

Summary: This is an optional program for schools. Schools will be able to receive a grant to institute a program. $3.5 million was appropriated for the 19/20 school year. The grant is capped at 30 school corporations (including charter schools) for 3 consecutive years. The types of programs could be funded are TAP systems, the Opportunity Culture teacher performance model, a program approved by a national school employee organization, or a Teacher performance model program that includes elements outlined in the legislation.

Practice: The premise of this legislation is to build in leadership opportunities for teachers who wish to remain in the classroom but want more career opportunities than just being able to move into guidance or administrative positions. This legislation gives schools flexibility to build a system that can give teachers more leadership experience and boost teacher pay. The guidelines for developing your own system are outlined in section 3 on page 2 of the HEA.

[**HEA 1009—Teacher Residency Grant Pilot Program**](http://iga.in.gov/legislative/2019/bills/house/1009)

Summary: Another bill to help with teacher retention and recruitment. The program will allow school corporations to venture into partnerships with higher education teacher prep programs. It will provide stipends to program participants and teacher mentors as well as pay for administrative costs of the program incurred by higher education institutions.

Practice: This was funded with $1 million for the 19/20 school year. No funding was given for 20/21. At that time, the program will exist based off of grants and donations.

[**HEA 1063—School Safety Equipment**](http://iga.in.gov/legislative/2019/bills/house/1063)

Summary: “Bleeding Control Kits.” Schools must have a provision in their school safety plan for the bleeding control kits. It must specify where the kits are kept. Initial kits are going to be donated to schools. Staff must be trained.

Practice: The law states that at least five (5) staff members in each building must be trained in how to use the kits. There is no language in legislation how kits are be paid for after initial donation of kits. It does state that the kit must be replaced if used.

[**HEA 1089—Education Matters**](http://iga.in.gov/legislative/2019/bills/house/1089#document-3fd1717a)

Summary: This bill originally had several components but was reduced to only two by the end of the session. One deals with employment of individuals who wish to have their child attend a closed enrollment school. The other deals with seizure management training.

Practice: By law, an employee of a “closed enrollment” school was allowed to enroll their child in the school without legal settlement. This bill now requires that employee to be earning at least $8,000 salary to qualify. The other component of this bill, which does not go into effect until July 1, 2020, requires training for anyone who has “direct, ongoing contact” with a student who has a Seizure Management plan. The training is good for five (5) years.

[**HEA 1400—Education Studies**](http://iga.in.gov/legislative/2019/bills/house/1400)

Summary: This act will create a study committee to look at how to “eliminate, reduce, or streamline the number of education mandates placed on schools.” It sets up a three year rotation to look at the trainings and mandates and to make recommendations on whether to keep them, update them or eliminate them.

Practice: The schedule for the study committee to review the different categories is as follows:

* Teacher trainings (2019)
* School policies and procedures (2020)
* Date reporting requirements (2021)
* Curriculum requirements (2022)

[**HEA 1628—Pre K Pilot Program**](http://iga.in.gov/legislative/2019/bills/house/1628)

Summary: The pilot program that has existed with only certain counties being eligible is being opened up to ALL counties in the state. Money that had been appropriated has not been expended. No additional money is being appropriated, it will just be eligible for more counties to request it.

Practice: Good that it is extended to all counties…bad that no more funding was added, but what funds were available was not being used.

[**HEA 1629—Various Education Matters**](http://iga.in.gov/legislative/2019/bills/house/1629)

Summary: Another “miscellaneous” bill. A portion of the bill is designed to limit record requests that consume School Corporation’s time. It also creates an “Education Dispute Resolution” (EDR) working group to try and develop recommendations to streamline issues involving disputes with special education and other groups. FAFSA wording was also added back into this act.

Practice: For high schools, the FAFSA language requires the Commission for Higher Ed (CHE) to put together a model notice for schools to help promote the FAFSA for parents and students. Beginning in 2020-2021, each school corporation is required to provide this notice to students in grade 12 and parents, or you may develop your own notice. We would encourage you to try and increase FAFSA submission rates, especially in the lower socio-economic population. The original language made the FAFSA a graduation requirement; we hope that by assisting CHE with this effort legislators aren’t tempted to add to this administrative task!

[**SEA 29-School Materials for Juvenile Detainees**](http://iga.in.gov/legislative/2019/bills/senate/29)

Summary: The intent is to keep a child, who is detained in a juvenile facility, up to speed educationally. This requires the school to provide school materials for the student if they are detained for more than seven days. This also included language that was originally included in a different bill in regard to providing work for a student that is suspended.

Practice: Schools are only required to provide the work for detained juveniles IF the juvenile detention facility or the child’s parent requests the work. The work may be provided in a digital format. In regard to the suspended child, the wording says that a child is “required” to complete all assignments and school work assigned during the suspension and that the principal (or designee) must ensure the student receives notice of work. It also allows for the student to make up missed tests and quizzes when the student returns to school.

[**SEA 132—Civics**](http://iga.in.gov/legislative/2019/bills/senate/132)

Summary: This legislation began as a graduation requirement for all students to pass the exam provided by the US Citizenship and Immigration Services. It was amended in the House Education committee to require that the online exam be given in the US Government course. The act also requires an “enhanced” study of the Holocaust in US History courses.

Practice: You will need to update your social studies curriculums to meet the requirements of this act. The [exam is available online](https://www.uscis.gov/us-citizenship/naturalization-test) and can be administered quickly. This bill ended much better than it started!

[**SEA 281—Administrator Contracts**](http://iga.in.gov/legislative/2019/bills/senate/281)

Summary: Legislation was passed two years ago that put these restrictions on superintendent contracts. This act expands the act to assistant superintendents, principals and assistant principals. No administrative contract can be longer than three (3) years moving forward and you only have to be offered a one year contract to begin. Also limits a buyout to one year worth of your salary or $250,000, whichever is smaller.

Practice: Prior to SEA 281, Indiana Code required that your initial building administrator contract have a length of 2 years. This language is now revised and your initial contract could be between 1-3 years. This original contract can be extended for up to 3 years. IASP recommends seeking an initial 2-year agreement to safeguard your position, especially in a new school corporation.

[**SEA 325—Student Mental Health**](http://iga.in.gov/legislative/2019/bills/senate/325)

Summary: This is the bill where the mental health allowances were placed. This bill adds additional purposes for which matching grants can be made under the Secured School fund. All the language and funding was removed from HEA 1004 and placed here. However, all references to mental health were stripped from the bill.

Practice: The bill allows for funding from the Secured School Fund to help schools implement a student and parent support services plan to develop and implement student and parent support services to support parents caring for at-risk students. The items that must be included in the Plan are listed on page 4 of the act. The act also called for an interim study committee to study the implementation of trauma informed approaches in school districts and how community partners can help provide systems of care for students.

[**SEA 567 - Education Matters**](http://iga.in.gov/legislative/2019/bills/senate/567)

Summary: This act was originally all about the virtual education programs. It still contains information on new requirements and restrictions of virtual schools, including what defines a virtual student and school. However, the bill also contains a new definition of the old “homeschool exemption” located in Code 20 of the Indiana code. We sent out an alert when this was added. A late amendment helped make the bill better, but still something that could be concerning to high schools. The overall intent was to impact high schools who they thought were recommending students withdraw to home school versus having the student drop out or be expelled.

Practice: On page 16 of the bill, the language regarding a student who withdraws to homeschool is outlined. Two steps exist. First, if a cohort is 100 students or less there is a 10% marker on homeschool withdrawals that are not counted as dropouts. If a school’s cohort is above 100 students, the marker is 5%. Second, a determination is made as to whether or not the students are NOT on track to graduate, THEN; the high school must submit a request to the SBOE in a manner they prescribe, in order to determine if the students stay in the cohort (and therefore count as a dropout). We have included a [blog post on our website](http://www.iasp.org/2019/05/23/sea-567-changes-in-homeschool-exemption/) to help understand the process. We still have many questions and concerns with this law. The effective date is July 1, 2019. However, the legislation DID NOT designate which cohort this law would go into effect with. Is it the 2020 cohort? The 2023 cohort? Also, vagueness surrounds the term “on track to graduate.” What will that determination look like? It is probably safe to conclude that the IDOE and SBOE will combine to put some structures around these questions. With that being said, we will forward any communications we receive in regard to this law and how it will impact your schools and graduation rates.

Notable bills that did not survive

**HB 1253—Specialized Weapons and Other Training**

Summary: This was Rep. Lucas’ firearms training bill with would have allowed state funding for school employees. It fell to the wayside on the last couple days of the session. Rep. Lucas felt the conference committee changes made it a “gun control” bill and he would put his name on it.

**HB 1404—School Accountability**

Summary: This was the HS accountability bill which included the post-secondary measurements. Good work by you (members in the field) contacting legislators to lobby against this legislation. It’s not over, as noted in HB 1002, but at least we now have more time to organize and testify in front of the State Board of Education. Stay tuned!

**HB 1640—Education Matters**

Summary: This bill dealt with flexibility for performance qualified schools and whether or not the flexibility would be extended to all schools. It also contained the language on requiring schools to offer cursive writing.

**SB 508—School Employee Training Requirements.**

Summary: This was the Senate version of the deregulation of trainings for staff. It specifically changed the training of the following programs to once every five years; bullying, criminal organization, child abuse and neglect, youth suicide awareness, and human trafficking. The thought is that since HEA 1400 is going to look at all mandates, perhaps this was unnecessary legislation?