

e-Dition



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Welcome New Members: Together Grassroots Advocacy Works!



By **Terry Spradlin**, Executive Director, tspradlin@isba-ind.org

ISBA Welcomes New Members

It has been a pleasure to welcome 298 school board members to the Indiana School Boards Association (ISBA) in 2021. More than 80 percent of our new members have been participating in the **New Board Member Academy** that started in February and features a sequence of live webinars and recorded webinar modules running through June. This is an impressive participation rate for voluntary training and professional development. It is not too late to register to receive the Academy materials and join the program [HERE](#). ISBA sent a “welcome letter” in January to our new members to provide overview information on the Association’s core services available to all school board members. If you missed that communication go to: <https://www.isba-ind.org/new-board-member-information.html>

Advocacy at Work

The 2021 budget session of the Indiana General Assembly is in its “seventh inning stretch” and we are down to approximately four weeks for its completion. The two essential duties of the state

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legislature will be to adopt by the end of session the 2021-2023 state budget and redistrict legislative boundaries based on the 2020 U.S. decennial census. House Bill 1001, the state biennial budget, has cleared the House of Representatives. However, no action has been taken on redistricting (look for this to be a special session matter after the regular session concludes and toward the fall). ISBA has been busy tracking 179 bills from the start of the session. Now, at this juncture of the session, the tracking list is down to 61 bills with the others having died in the bill process. To view the new tracking list, click [HERE](#). ISBA has opposed many bills this session and through the active participation of school board members, joined by other public education advocates and champions, we have been able to prevail in defeating bills or getting bills amended favorably (e.g., Senate Bills 54, 124, 260).

ESA Is NOT Ok Advocacy Campaign

We have more work to do, and our biggest challenge has been the package of bills that proposed to greatly expand school choice programs, including creation of Education Savings/Scholarship Accounts and the expansion of the Choice Scholarship voucher program. These bills, HB 1005 and SB 413, are also included in HB 1001 (the state budget). ISBA anticipates that HB 1005 and SB 413 will not pass out of the second chamber and instead the debate on these issues will be tied and narrowed to the state budget. This strategy makes it harder for legislators to vote against components within this massive and most important bill.

It is incumbent upon us to continue our grassroots advocacy efforts to win support one vote at a time and with the intent to significantly curtail the school choice package passed in the budget.

Our message is getting out there and our united voice is being heard. Thanks to the nearly 170 school boards that have adopted resolutions in opposition to HB 1005 and SB 413. This advocacy campaign has helped earn media coverage of our objections to these bills and is getting the attention of voters and building awareness in communities across the state. If your board has not yet taken this action, it is not too late. Please make this a part of your next board's meeting agenda, even if in April. You can use the ISBA model resolution available with the other "ESA Is NOT Ok" toolkit resources [HERE](#).

ISBA and Indiana School Boards Become National News

Have you seen the Associated Press story with the headline: "School Boards Push Back Against Indiana Voucher Expansions" [HERE](#)? This story is now national news having been covered in newspapers in other states including: the Chicago Tribune, Houston Chronicle, U.S. News & World Reports, San Francisco Chronicle, Connecticut Post, Seattle Post Intelligencer, and the San Antonio Express-News. Impressive!

Will you lend your voice? There is no time like the present to write, email, or call your area legislators to share your perspectives. When lawmakers hear from school board members, that gets their attention. Your voice matters!

Focusing on the Right Things



By **Dr. Michael Adamson**, Director of Board Services, madamson@isba-ind.org

Part of every new board member's tasks as s/he begins an initial term of office is learning what the right things are, things that focus on a board member's role and responsibility as a school trustee and public official. However, while that new board member task is applicable to all first-time board members, veteran board members also have to refocus periodically. There are multiple reasons that even the most veteran and well-grounded board members veer off the governance oversight path. Some of those reasons are gradual and unintentional, but others are intentional departures and for a variety of reasons. None of those reasons justify a departure, but all of them are understandable and require a measure of grace to restore and maintain a proper equilibrium in the board room between board members, and between the board and superintendent.

Governance oversight is an intentional board operating platform, but it competes against most members' innate nature. Having to adopt an oversight perspective, rather than working from a more hands-on approach seems too time consuming and combining that hands-off oversight approach to aligning questions and asking for information through the superintendent as a governing body, rather than investigating and taking initiative as an individual, can be extremely frustrating at times, even for members who understand and value that approach. The problem presented by ignoring the board oversight model might be aligned with personal passion, situation, personality, ego, inexperience, or any combination of these. However, none are sufficient reasons for vigilantism individually. There is never an excuse for collectively abandoning the one governance philosophy that distinguishes board service from those followed by other public official positions.

When a board is properly engaged from a governance oversight perspective, it efficiently requests the information that is most important, provides clear direction for the administration of the district, analyzes data to make the most important decisions, and provides the type of leadership that supports public education at the highest local level. Engagement with fellow board members through discussion and mutual agreement upon direction ensures that the most important things are being addressed, that the administration acutely understands board position, and that clear district expectations are addressed through policy and process.

The challenge for every board is to define your oversight process, build your rules for intentional oversight governance and then FOLLOW them! This is one of those challenges that, if you deliberately accept it and follow through on delivery, you will begin to change the culture of governance where it matters most to all of you, in your own district. If you want to make a difference, if you want to pursue the best opportunities of all students, if you want the change you pursue and implement to be sustainable, effective governance oversight is the right governance template, individually and collectively.

Are Agendas Required by the Open Door Law?



By **Lisa Tanselle**, General Counsel, ltanselle@isba-ind.org

Agendas are certainly an important part of a well-organized and efficient meeting. They also serve an important function by informing the public of the business items that will be considered by the school board. But school boards are not required by law to create an agenda for any of their meetings. In fact, the only statutory reference to agendas is found in the Open Door Law, and the pertinent section of the Law merely states that, if a governing body utilizes an agenda, the agenda must be posted outside the building where the meeting will be held. See IC 5-14-1.5-5.

As most school board members know, the Open Door Law requires the board to give notices of its meetings to the public. The required notice must inform the public of the date, time, and place of the meeting. The notice must be given by: (1) posting the date, time, and place of the meeting outside the administrative offices of the school corporation (or if there is no administrative office, the notice must be posted where the meeting will be held); (2) sending the notice to news media organizations that have requested to be given the meeting notices; and (3) if the board has adopted a policy, sending the notice to patrons who have requested to receive the notices by email or posting the notice on the school corporation's website. Additionally, the law requires that notice of any meeting (except an emergency meeting) must be given at least 48 hours in advance of the meeting, and that Saturdays, Sundays, and legal holidays cannot be included in the calculation of the 48 hours.

Many school officials have elected to include the school board's agenda for the meeting with the notice or as part of the notice of the meeting. But it is important to note that, because the agenda is not part of the required notice, the posting of the agenda is not subject to the required 48 hours' notice. Therefore, the agenda can be changed at any time. This conclusion was recently reinforced by the Public Access Counselor in a complaint wherein a patron alleged the Board of School Commissioners of the Indianapolis Public Schools violated the Open Door Law by changing the agenda after it had been posted. (See *Scott v. Indianapolis Public Schools*, Formal Complaint No. 19-FC-19.)

In response to the complaint, the school board acknowledged it added an item to the agenda just before the start of the meeting. The Public Access Counselor concluded, however, there was no violation of the Open Door Law since there was nothing in the Law that prohibited a governing body from amending its agenda for a public meeting. In the opinion, the Public Access Counselor further stated that, while meeting agendas are a worthwhile endeavor, their purpose is not to strictly bind a governing body to the items listed on the agenda.

Thus, while agendas are important, school boards may modify them even after they are posted.

Flexibility Opportunities for Public Schools in Indiana



By **Julie Slavens**, Senior Counsel and Dir. of Policy Services, jslavens@isba-ind.org

The Indiana Department of Education (IDOE) developed and recently released two documents addressing the various state laws and regulations that allow for public schools to be creative and innovative in their curriculum offerings and education programs. The purpose IDOE has for developing these documents is to provide an easy-to-read guide for schools and to “advance a vision for innovation” in providing an education to the students of Indiana to prepare them for the future.

There are two documents provided for school boards and school administrators as resources for various statutes and regulations concerning flexibility opportunities. One is the INnovate Flexibility Inventory for Indiana’s K-12 Schools. This document is designed to provide an overview of the various flexibility options a school has in state law and regulations. It provides a summary of each option with references to the related statutes and state laws. It includes a summary of requirements a school corporation must meet for the stated options. This guide may be found [HERE](#).

After reviewing the Flexibility Inventory and determining the particular flexibility option a school board or school corporation would like to use, the second document provided by IDOE is the INnovate Flexibility Guide for Indiana’s K-12 Schools. This document provides more specific information on the various options available. It provides in-depth information and the particular requirements for each program or option including information on applying for such flexibility if an application is required or how a school corporation may implement the flexibility at its schools. The guide may be found [HERE](#).

The flexibility opportunities covered in these documents include the waiver provisions of HEA 1003 passed by the Indiana General Assembly in 2020, which is the opportunity that provides the greater amount of flexibility for schools, the innovation network schools law, waivers provided for by the state board of education regulations, eLearning days and other virtual learning options, and other available options. If a school board is looking for flexibility from state requirements and mandates or for innovation in providing curriculum offerings to its students, it is recommended the IDOE flexibility resources be reviewed and consulted.

Spring Member Meeting Webinar

WEDNESDAY, MAY 12, 2021 AT 6:00 PM EDT

[CLICK HERE TO REGISTER FOR THE SPRING WEBINAR!](#)

ISBA in the News

- » [School Boards Push Back Against Indiana Voucher Expansions](#)
- » [Who Benefits From School Choice?](#)
- » [Vigo School Board Adopts Resolution Opposing State Bill](#)
- » [122 School Boards Oppose Voucher Expansion](#)
- » [Indiana Schools Bristle At Bill Seeking Efficiencies To Raise Teacher Pay](#)
- » [Indiana House Bill 1005: How Will It Affect Education Funding?](#)

FAST FACTS:

165 SCHOOL BOARDS HAVE PASSED RESOLUTIONS OPPOSING THE LEGISLATIVE PROPOSALS CURRENTLY UNDER CONSIDERATION TO EXPAND THE CHOICE SCHOLARSHIP VOUCHER PROGRAM AND ESTABLISH EDUCATION SAVINGS ACCOUNTS.

THESE 165 SCHOOL DISTRICTS COLLECTIVELY ENROLL 600,000 STUDENTS.

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