



Dear ISBA Members:

Here is your Week #3 ISBA Weekly Legislative Update for the 2022 short session of the Indiana General Assembly.

Bill Tracking List

You can view the ISBA Bill Tracking List [HERE](#). Bills must pass out of the committee of assignment next week on Tuesday by noon in the House of Representatives, and on Thursday by noon in the Senate to remain eligible in the bill process. The second and third reading deadlines will quickly follow, and we will officially reach the midpoint of this session when the Senate adjourns for the day on February 1 (its third reading deadline).

Partisan School Board Election Bills

No action occurred this week on any of the seven (7) bills introduced to move Indiana to partisan school board elections. As shared previously, the bills vary in scope from candidate discretion to self-identify party affiliation on the general election ballot, mandatory declaration of party affiliation on the general election ballot, adding a primary and requiring school board candidates to meet same election requirements as other local partisan offices, or permitting local

determination to move to partisan elections. The bills include: [HB 1182](#), [HB 1042](#), [HB 1145](#), [HB 1240](#), [HB 1305](#), [SB 144](#), and [SB 279](#). We thank Representative Thompson and Senator Greg Walker for their openness to input from ISBA that influenced the drafting of their bills (HB 1042 and SB 279).

Other Key Bill Information

[HB 1072](#) **School Referendum Levies** (Author: Representative Behning). This bill would require school corporations to distribute monies from operating and safety referendums (conducted after June 30, 2022) to each charter school attended by students who reside within the boundaries of the school corporation. An amendment was taken that would repeal the \$1 charter school building law for just Indianapolis Public Schools. ISBA, IAPSS, IASBO, and IUSA were among the organizations that testified against the bill. The bill passed out of the House Ways and Means Committee on Thursday by a vote of 13-8. The bill will be eligible for second reading on the House floor on Tuesday.

[HB 1107](#) **Various Education Matters** (Author: Representative Clere). This bill adds provisions to the Indiana Code that would: (1) require schools to report to the Department of Education information regarding employees who have been physically injured by a student; (2) prioritize use of ESSER dollars to fund a program that addresses out of school factors that affect student learning; (3) shift the burden of proof in special education due process hearings to school corporations under certain circumstances; and (4) prohibit nondisclosure, nondisparagement, or confidentiality statements in settlement agreements in special education disputes. ISBA worked with the author and other education organizations on the special education provisions and is neutral on the bill. HB 1107 passed out of the House Education Committee and is eligible for second reading on the House floor.

[HB 1130](#) **Public Comment at Meetings** (Author: Representative O'Brien). This bill was presented to the House Government and Regulatory Reform Committee on Wednesday. The bill, as amended by the Committee, will require school boards to provide an opportunity for oral public comment by members of the public who are physically present at the meeting. School boards will be

allowed to adopt reasonable rules to govern public comment, but must allot at least three minutes to those who speak. The bill will also limit a governing body's authority to conduct a virtual meeting during a public health emergency to circumstances wherein the danger, threat, or emergency conditions make meeting in person impractical or present an imminent risk to the health or safety of the members of the public and the governing body. ISBA embraces parental involvement and community engagement in schools as model practices for good governance and public transparency. This bill meets these principles and therefore ISBA supports the bill. HB 1130 passed out of the House Government and Regulatory Reform Committee on Wednesday by a unanimous vote and is eligible for second reading on the House floor.

[HB 1251](#) Various Education Matters (Representative Behning). This bill, among many provisions, requires the State Board of Education (SBOE) to make findings relating to academic standards needed to meet certain skills or traits it has identified. Requires the Indiana Department of Education to: (1) develop academic standards that incorporate the findings of the SBOE; and (2) reduce or consolidate the total amount of all academic standards for each grade level by 66 percent for Grades 9-12 by June 1, 2023, and for Grades K-8 by June 1, 2024. The SBOE would then be required to update the ILEARN statewide assessment to reflect the new standards by March 1, 2025. Another section of the bill creates an Adjunct Teacher Permit Program allowing governing bodies to issue an employment agreement with candidates who meet certain criteria. The employment agreement may allow for part-time or full-time employment that would not be subject to collective bargaining. This bill was heard in the House Education Committee on Wednesday but held for further action. It is back on the committee's agenda for amendment and vote on Monday.

[SB 17](#) Material Harmful to Minors (Author: Senator Tomes). This bill proposes to eliminate the ability of school employees and public library employees to assert the defense of educational purposes in cases where the employees may be charged with the crime that prohibits the dissemination of material harmful to minors (see IC 35-49-3-3). The Senate Education Committee heard over three

hours of testimony on this bill, but no vote was taken.

4th Annual ISBA State House Day

We are nearing capacity for **the 4th Annual ISBA State House Day on February 15**, to be held at the Indianapolis Downtown Marriott, 350 W. Maryland Street, Indianapolis. We are asking board presidents and legislative liaisons for every school board to attend. If you cannot make it, please ask another board representative from your school board to attend. Please reserve your spot today to ensure your seat! If you have any questions, please email me at: tspradlin@isba-ind.org. Please RSVP your attendance via email to Talia Bynm at: tbynm@isba-ind.org.

Thank you for your efforts and contributions to engage in the ISBA Legislative Action Network and grassroots advocacy on behalf of the more than 1 million public school students and effective school board governance.

Sincerely,



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