

## 2022 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](#) for complete information. Many pieces of legislation affect only a handful of schools. The summaries that follow are general in regard to how they influence education around the state.

#### **HEA 1041: Participation in School Sports**

**Summary:** Designated an athletic team or sport as one of the following: (1) A male, men's or boy's team or sport, (2) A female, women's or girls' team or sport, (3) A coeducational or mixed team or sport. It prohibits a male, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, from participating on a athletic team or sport designated as being a female, women's or girls' athletic team or sport. Goes into effect July 1, 2022

**Practice:** This was a very controversial bill during the session. The American Civil Liberties Union (ACLU) has vowed to take legal action if the bill becomes law and the Indiana Attorney General's office has promised to defend it in court. Similar versions of this bill have been passed in other states and some have already had challenges filed in court.

#### **HEA 1093: Education Matters**

**Summary:** This bill contained many pieces. The specifics of this bill amends language involving the "Early Learning Advisory Committee (ELAC), makes changes on the school resource officer (SRO) language, prohibits certain parties from incentivizing enrollment, makes changes in the charter school board duties, provides some new "E-learning" language, gives the DOE the authorization to study "machine scoring", provides that teachers must discuss student's statewide assessment data with parents at parent/teacher conferences, and, provides the SBOE the ability to assign a "null" or "no letter grade" for the 2021-2022 school year. Goes into effect July 1, 2022.

Practice: The two biggest take-aways in this legislation is the “null” letter grade for school accountability and the changes in E-learning days. This is important to note. Section 13 of the bill outlines the new requirements. A school may only use three “virtual student instructional” days (unless granted a waiver by the IDEO) that do not meet the newly established requirements; (1) 100% teacher synchronous instruction, or (2) a hybrid of 50% teacher synchronous instruction coupled with asynchronous instruction during the instructional minutes of the school day.

### **HEA 1130: Open Meetings**

Summary: Requires local school boards to accept public testimony at School Board meetings. It does allow the board to set time limits on testimony and to take steps to maintain order at board meetings. Goes into effect July 1, 2022.

Practice: This is one that we saw coming after last summer’s disruptions at some meetings around the states. SB 83 also deals with public comment at Board meetings so we will monitor how the guidance comes forward.

### **HEA 1251: Various Education Matters**

Summary: This “omnibus” bill ended up containing many pieces of legislation. It places many requirements on the DOE. It requires the IDOE to apply to the USDOE for “assessment flexibility.” The request must offer a plan to test only in grades 3, 5, 8, & 11. It also requires the DOE to prepare a report in regard to implementing a parent/teacher compact program. The department will also conduct a research study in regard to academic standards and how they may be streamlined. This legislation also creates the “adjunct teacher” process. It also amends language in regard to using an “appropriate vehicle” to transport students. Goes into effect July 1, 2022.

Practice: In regard to the building level, the adjunct teacher provision may be most impactful. The school board may issue an “adjunct teacher permit” to an individual who; (1) has at least four years of experience in the content area (2) has the expanded criminal history check done (3) can be full or part time, (4) must have a mentor teacher assigned to support in pedagogy, (5) must complete certain safety trainings, (6) may NOT provide Special Education instruction, (6) local body may establish stricter requirements than outlined in law.

## **SEA 2: Various Education Matters**

**Summary:** The major function of this bill was to correct an oversight in regard to funding ADM. When quarantines started mounting, the 85% funding for virtual students became an issue for full time students. This bill corrects that so schools will receive 100% for the students enrolled full time in their schools, regardless of the quarantines. The bill also will now require the IDOE to conduct a study/collect data in regard to early (December) graduates. This bill went into effect upon passage.

**Practice:** Whether or not schools get ADM funding for early graduates has been an up and down cycle over the last few years. We have continued to lobby for this support. This bill now puts in language for the DOE to mine the data in order to help the legislature make a decision to fund those students. The 2023 session will be a budget session so hopefully the information provided to the legislation will sway their decision.

## **SEA 11: Display of Historical Documents**

**Summary:** Provides that a document of educational and historical significance with acknowledged religious history (document) may be displayed on property owned by the state (including schools). Specific documents are listed in the legislation. Law goes into effect July 1, 2022.

**Practice:** You may display the Mayflower Compact, the Declaration of Independence, Articles I-VI of the Northwest Ordinance, and Washington's Farewell Address.

## **SEA 82: FAFSA**

**Summary:** Requires each school corporation and charter high school to: (1) use the model FAFSA notice prepared by the commission for higher education (commission); and (2) provide the model notice to certain students. Allows a nonpublic school to provide the model notice to certain students. Requires the commission (CHE) to develop an online FAFSA affirmation form and provide information to certain schools to determine which students have completed the FAFSA and the affirmation form. Goes into effect July 1, 2022 and therefore will begin in the 2022-2023 school year.

**Practice:** We have been working with this legislation for several years. The requirement on schools will be providing the notice to students and then using the information gathered from the Commission for Higher Ed (CHE) to reach out to students who have not completed (especially the students in most need of completing FAFSA) to encourage them to complete the filing.

### **SEA 83: Open Meetings**

**Summary:** This legislation requires school boards to allow public comment and specifies that the comment must occur prior to the governing body taking final action on the topic. It also outlines requirements for members of the governing body to NOT be present physically and be able to participate remotely. . This bill also goes into effect on July 1, 2022.

**Practice:** This bill combines with HB 1130 to put parameters around public comments at board meetings. We will continue to monitor how the guidance moves forward.

### **SEA 123: Dyslexia Screening and Intervention**

**Summary:** This bill made some changes to PL 147-2020 which required dyslexia screening in schools. It was originally passed in 2020. It inserts the term “dyslexia screening and intervention” in several places in the existing law. Goes into effect July 1, 2022.

**Practice:** This bill affects only certain schools. When the bill was passed in 2020, certain schools (through waiver) were allowed to not screen. This bill removes that provision. Now it is required by all schools (Traditional public & Charter).

### **SEA 290: Various Education Matters**

**Summary:** Again, a various education matters bill contains many components; (1) DOE shall establish a career coaching pilot program to award grants to schools (effective July 1, 2022), (2) DOE must submit report to general assembly with data from previous five years in regard to graduation waiver rate of each school, graduation pathways used by each school, and percentage of students who graduated with each particular graduation pathway (Goes into effect immediately). And, this is the Senate bill which carries the “null” or “no letter grade” designation for the 2021-2022 school year (Goes into effect immediately).

**Practice:** No work in this bill for schools to conduct!

### **SEA 331: Education Matters**

**Summary:** This bill originally contained only language to clean up some administrative functions of the “Education Savings Accounts” program that was created during the 2021 legislative session. During the conference committee, language was added in regard to the “funding floor” language, also from last year’s session. (All language goes into effect on July 1, 2022).

**Practice:** The 2021 session required schools use the 45% rule to pay teachers. This bill clarified that money expended for participating in a special education cooperative and career and technical education cooperative could be included in that amount. It also created language for a report to be submitted in regard to money expended by school corporations for full time teacher salaries in order to study the process moving forward.

### **SEA 356: Education Matters**

**Summary:** 356 made some changes passed last year in regard to PL 96-2021 that created the additional pathway to teacher licensure (American Board). It also has some allowances for supplemental pay for any teacher. This law goes into effect immediately.

**Practice:** Changes made include; (1) the 26 year old requirement was removed (with one exception in special ed licensure) , (2) A special education license may now be earned with the following requirements: the individual must be at least 26 years of age and employed in a school setting or with another community organization to provide care/instruction for a student with a physical, intellectual, or developmental disability. Also, the person earning this initial practitioners license may not be a teacher of record for a special education student.