



## SENATE BILL 1 – TEACHER EVALUATIONS AND LICENSING 3RD READING ROLL CALL IN THE SENATE: 29 – 20

### Advisory Board

- Eliminates the Advisory Board of the Division of Professional Standards of the DOE and transfers its mandates to the State Board of Education.
  - Currently, the board advises the Superintendent of Public Education, the State Board of Education, DOE and the Division of Professional Standards on matters concerning teacher education, licensing and professional development.
- Repeals references to the advisory board and the existing staff performance evaluation provisions.

### Charter School

- Changes the language back to its original form, which would require all current charter school teachers to be certified—not just 50%.

### License Revocation

- Requires the DOE to revoke the license of a licensed school employee if the employee is convicted in another state or under federal statutes of an offense that is comparable to the felonies for which the employee's license would be revoked if committed in Indiana.
- Adds homicide to the list of offenses for which a teacher may lose their license.

### Performance Evaluation

- Establishes an annual staff performance evaluation that categorizes teachers as highly effective, effective, improvement necessary, or ineffective.
  - Requires the State Board of Education to adopt rules before January 31, 2012 that establish the criteria that define each performance category, the measures that define: student performance, what actions constitute a negative impact on student performance and training evaluators.
  - Directs the State Board to collaborate with the DOE to develop a model plan and performance evaluation tool and release it to school corporations. However, school corporations can develop and utilize their own plan and evaluation tool.
- Stipulates that the plan include an objective measure of student achievement and growth using statewide assessment results whenever possible.
  - Directs the Board and the DOE to ensure the availability of ongoing training for evaluators on how to properly conduct an evaluation.
- Specifies that a teacher who receives an unfavorable rating is entitled to develop a remediation plan.

### Contract Cancellations: based on performance, not seniority

I would like to establish three classifications of teachers:

- Established - a teacher who served under a contract as a teacher in public schools before July 1, 2012, and enters into a teacher's contract for future service at a school corporation before that date.
- Professional – a teacher who is not an established teacher and who, as a probationary teacher, receives either an effective or highly effective evaluation for at least three years in a five year or shorter time period.
- Probationary – a teacher who does not fit into one of the above categories.

In addition, after June 30, 2012, cancellations due to justifiable decreases in teaching positions shall be determined on basis of performance and not solely on the basis of seniority.

- Teachers shall be granted due process before their contract is cancelled.
- Pending a final decision on cancellation, a teacher may be suspended from duty without pay. Compensation shall be made immediately if the governing body returns the teacher to work.
- The above items cannot be altered in a collective bargaining agreement.

### Salary Schedule

- Requires a teacher's salary to be based on the teacher's experience, performance evaluation ratings and assignments to instructor leadership positions.
- Specifies that a teacher rated ineffective or improvement necessary may not receive a raise or increment for the following year.
- Requires that increases or increments in a local salary scale must be based upon evaluation, assignment to instructor leadership positions, and academic needs of students in the corporation.

I would like to delete language that would have prohibited a salary increase due to attainment of additional degrees. Instead, we should allow for the number of years of experience and/or attainment of additional content-area degrees or credit hours to account for no more than a combined 33 percent of the calculation used to determine a teacher's increase.

### Hiring Staff

I would like to restore the existing language to allow the governing body the ability for final approval of hiring and firing decisions.

- Superintendents will be responsible for selecting and discharging principals, central office administrators, business managers, superintendents of building and grounds, janitors, physicians, dentists, nurses and athletic coaches
- Principals will be responsible for selecting and discharging teachers, teachers' aides, assistant principals, building administrative staff and librarians

## **SENATE BILL 575 – TEACHER COLLECTIVE BARGAINING**

### **3RD READING ROLL CALL IN THE SENATE: 30 – 19**

### Temporary Teacher

- Extends the use of temporary teacher contracts to hiring for positions funded by grants.

### Cancellation

- Provides that the statutory procedures for refusing to continue or canceling a teacher contract may not be modified by a collective bargaining agreement.
- Allows a teacher who has been suspended from duty pending the cancellation of a contract to be suspended without pay.

### Contracts

- Provides that an agreement may not extend beyond the end of a state budget biennium.
- Provides that collective bargaining begins not later than May 1.

I would like to require the school board to establish a standard policy to meet and confer with school employees regarding school and school corporation policies. The communications shall take place in an open meeting and on a professional, student-focused, and learning-centered basis.

- Provides that after June 30, 2011 a collective bargaining agreement may not include:
  - o Provisions that limit a school employer's ability to restructure schools that do not meet federal or state accountability standards, or that limit a school employer's ability to enter into programs that offer postsecondary credit or dual credits to students
  - o School calendar (other than the total number of days a teacher may work)
  - o Teacher evaluation procedures and criteria
  - o Teacher dismissal procedures and criteria

I would like to see a change to strike the June 30th date and make this effective upon passage. In addition, I would also like to see a change that adds retroactive pay increases or increments and prohibits anything other than salary, wages or benefits from being included in the collective bargaining agreement.

### Unfair Labor Practice

- Provides that if a complaint that is filed alleging an unfair practice is found to be frivolous, the complaining party is liable for costs and attorneys' fees.

### Committee Representation

- Limits the number of teachers the exclusive representative may appoint to serve on statutory or locally created committees of a school corporation.

### Fact-Finding Changes

- I would like to delete all references to "arbitration" and replaces with "fact-finding."
- In addition to requiring fact-finding if either party declares an impasse or an existing agreement expires, and establishes a process for the fact-finding:
  - o If, after at least 60 days following the beginning of bargaining, either party declares an impasse, the board shall appoint a mediator or fact-finder.
  - o A mediator or fact-finder is required to hold public hearings
  - o Provides that if the parties cannot reach an agreement following fact-finding, the fact-finder shall issue a report suggesting the terms of the contract.