

# The Week in Review

March 19, 2021

## (1) IMPORTANT NOTES:

- a. Lawmakers have announced that the 2021 General Assembly will adjourn by April 21, a full week prior to its statutory deadline.
- b. It appears HB 1005 (expansion of vouchers/creation of education scholarship accounts) will not go forward as it has not been scheduled for the final hearing of Senate Education.
  - i. Please note that the exact same language in HB 1005 was added to HB 1001 in the House several weeks ago. The issue of expanding private school funding is very much alive in the state's budget bill and ISTA continues to ask that you contact your lawmakers to oppose these provisions (See below description of HB 1001).
- c. [Please register](#) for the following upcoming ISTA Legislative Briefings
  - i. Monday, March 29 at 5 p.m. ET
  - ii. Monday, April 12 at 5 p.m. ET
  - iii. Monday, April 19 at 5 p.m. ET

## (2) This Past Week at the Statehouse

- a. **SB 2:** 100% funding for 2020 – 21 School Year (Sen. Raatz/Rep. Slager)
  - i. Senate concurred with House amendments 44-4.
  - ii. Bill moves to governor for signature and enactment.
- b. **Bills heard in committee**
  - i. House Education:
    - **SB 196:** Course Access (Sen. Raatz/Rep. Behning)
      - Passed out of committee and will be eligible for 2nd reading vote on House floor Monday.
      - The bill was amended to remove all course access language and what remains deals with CORE 40 course alternatives/apprenticeships.
      - ISTA is neutral.
    - **SB 55:** Referenda (Sen. Bohacek/Rep. Teshka)
      - Sen. Bohacek worked with ISTA and Indiana School Boards Association to find agreeable language that will help ensure referenda funding goes toward publicized purposes.
      - Held for further consideration.
    - **SB 414:** Early Warning System (Sen. Raatz/Rep. Behning)
      - Several amendments were presented on this bill.
      - Held for further consideration.
  - ii. Senate Education
    - **HB 1266:** Education Building & Transportation Authorities (Rep. Clere/Sen. Donato)



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- Requires the Indiana Department of Education to issue a request for information concerning the possible establishment of educational building and educational transportation authorities that would operate K – 12 school buildings and other educational experience centers and K – 12 transportation.
  - ISTA opposes potential contracting out.
  - Additional groups are opposing now.
  - HB 1266 was held for possible amend and vote next week.
  - **HB 1313: Students with Disabilities** (Rep. Clere/Sen. Kruse)
    - Passed out of committee 13-0 and will be eligible for 2nd reading vote on Senate floor Monday.
    - Informing prior students with special needs of certain training and education opportunities.
    - ISTA supports.
  - **HB 1438: Course Access** (Rep. Cook/Sen. Raatz)
    - Passed out of committee 11-2 and will be eligible for 2nd reading vote on Senate floor Monday.
    - Added an amendment to enable a school corporation to be a provider for course access courses which improves the bill.
    - ISTA opposes course access as it has been a vehicle to enable outside providers to provide courses to public school students and to divert funding for those courses away from public schools.
  - **HB 1564: Secretary of Education Technical Corrections** (Rep. Behning/Sen. Baldwin)
    - Passed out of committee 12-1 and will be eligible for 2nd reading vote on Senate floor Monday.
    - ISTA is neutral. This is strictly a technical corrections bill.
  - **HB 1397: Career and Technical Education (CTE)** (Rep. Goodrich/Sen. Raatz)
    - Original bill ISTA opposed due to defunding language. That language was removed from the bill.
    - ISTA is neutral.
    - HB 1397 was held for possible amend and vote next week and recommitted to Senate Appropriations.
- iii. House Ways & Means
- **SB 51: Medicaid Reimbursement Expansion** (Sen. Zay/Rep. Karickhoff)
    - Permits Family and Social Services Administration to apply for a Medicaid state plan amendment to allow



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school districts to seek Medicaid reimbursement for an expanded set of serviced.

- ISTA supports.
- SB 51 was held for possible amend and vote next week.

(3) **Next Week's Committee Schedule** (Additional bills may be scheduled for next week but posted after distribution of this update.)

i. **House Elections, Tuesday**

- **SB 353:** Various Election Matters (Sen. Houchin/Rep. Wesco)
  - Prohibits governor and state election commission from election changes and prohibits the governor from changing election times, etc., during a declared disaster emergency.
  - Restricts a person from providing an absentee ballot application with the driver's license number or last four digits of Social Security number pre-printed on the form.
  - Requires an applicant for an absentee ballot to include the driver's license number or last four digits of their Social Security number on the ballot request.
  - The result is that if what the voter provides does not match the existing database (what they gave prior), the ballot request will be rejected. In certain cases, notification of the rejection is not required. This applies to all absentee application voters.
- ISTA opposes.

ii. **Senate Appropriations, Tuesday**

- **HB 1008:** Learning Recovery/COVID-related Remediation (Rep. McNamara/Sen. Mishler)
  - ISTA is generally supportive, but language needs to be strengthened to prioritize public schools as grant recipients.

iii. **Senate Education, Wednesday**

- **Amend and Vote from Prior Hearing**
  - **HB 1266:** School Building & Transportation Authorities request for information (Rep. Clere/Sen. Donato)
  - **HB 1397:** CTE matters (Rep. Goodrich/Sen. Raatz)
  - **HB 1553:** Higher education matters (Rep. Behning/Sen. K Walker)
- **Amend and Vote New Bills**
  - **HB 1514:** School Accountability (Rep. Cook/Sen. Raatz)
  - **HB 1549:** Education Matters (Rep. Behning/Sen. Raatz)

iv. **House Education, Wednesday**

- **Possible Amend and Vote from Prior Hearing**



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- **SB 55:** Referenda (Sen. Bohacek/Rep. Teshka)
- **SB 414:** Early Warning System (Sen. Raatz/Rep. Behning)
- **Amend and Vote New Bills**
  - NOT POSTED YET.
- v. **House Ways & Means, Wednesday**
  - **SB 54:** FAFSA Awards (Sen. Leising/Rep. Behning)
  - ISTA is neutral.
- vi. **School Funding Subcommittee of Senate Appropriations, Thursday**
  - K – 12 school funding testimony.
  - Charter school grants.
  - ELL issues.
- vii. **House Employment, Pensions and Labor Committee will likely hear SB 251 (dues deduction) next week but as of the printing of this update was not posted.**

## (4) Next Monday Floor Schedule

### a. Senate

- i. Not posted at time of distribution.

### b. House

- i. **SB 196:** Course Access (Sen. Raatz/Rep. Cook)
  - Eligible for 2nd reading.

## (5) Review of Bills with [Current Calls to Action](#)

- a. **HB 1001:** Budget and School Funding (Rep. T. Brown) – Urge lawmakers to prioritize public education and remove provisions in HB 1001 that divert funding away from public schools, where 90% of students attend, to benefit private schools and providers. Ask that legislators increase their commitment to public schools, particularly in the first year of the biennium, where the proposal calls for an inflationary increase that at best maintains and does not improve. Passed the House 65-30.
- b. **Calls to action on HB 1001 can be through email or (new) Twitter!**
- c. HB 1001 includes the following privatization provisions:
  - i. Expansion of vouchers
    - Increases the voucher amount to a uniform 90% of per student support (currently, there are three levels based on income – 50%, 70% and 90%).
    - Increases income eligibility guidelines to 300% by the 2nd year.
    - Adds a ninth path to vouchers by being a student in foster care.
  - ii. Creates a new voucher-like ESA program diverting per student tuition support for students with special needs, students of active duty military and children in foster care to debit accounts to be used to fund outside provider services.



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- d. **SB 413:** Expansion of Vouchers (Sen. Raatz) – Expands Indiana’s voucher program, diverting funding from public schools. Urge opposition. SB 413 was assigned to House Education Committee.
  - e. **SB 251:** Dues Deduction Restrictions (Sen. Boots/Rep. Goodrich) — Urge opposition. Assigned to House Employment, Labor and Pensions Committee.
  - f. **HB 1001:** Relating to defunding certain career and technical education (CTE) courses (Rep. T. Brown)
  - g. [Check periodically for new calls to action.](#)
- (6) **Selected Priority Bills Going Forward**
- a. **HB 1001: The Budget/School Formula (Rep. T. Brown)**
    - i. Passed the House 65-30. Assigned to Senate Appropriations.
    - ii. Simple messaging on the funding formula:
      - The budget clearly prioritizes private schools by dedicating \$491M for private school vouchers and ESAs. **While traditional public schools would receive increases of 3% and 1.4% in 2022 and 2023, private schools and ESAs would receive much larger increases of 23.4% and 29.3%.**
    - iii. Includes HB 1005 expansion of vouchers and creation of ESAs.
    - iv. No meaningful improvements to the Complexity Index (CI).
    - v. Straight-lines special ed and academic honors.
    - vi. Defunds certain CTE programs and increases funding for others.
    - vii. Focuses ELL funding on Levels 1 & 2.
    - viii. Expansion of tax credit benefitting scholarship granting organizations.
    - ix. Expansion to 100% funding for all virtual schools.
    - x. Major increase to charter and innovation school grant.
    - xi. Teacher Appreciation Grant straight-lined.
    - xii. Positive: Removal of Early Graduate funding penalty.
    - xiii. Positive: Funds the 13th check plus \$50 over the biennium.
    - xiv. New Revenue: Increases to cigarette tax; e-cigs taxed.

ISTA began developing its legislative position on funding before the December 2020 revenue forecast. Since then, new information has been gleaned both in terms of the state’s fiscal condition and regarding policy decisions through new legislation:

- The state’s December 2020 revenue forecast was cautiously optimistic.
- January 2021 actual revenue outpaced even that December optimism by 15%.
- Unemployment levels have decreased.
- Indiana will have re-amassed its state budget surplus in this FY.



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- HB 1001, as passed by House Ways & Means, diverts large sums of K – 12 dollars from public school funding by expanding existing private choices and creating new ones.
- Indiana ranks 41st in per pupil expenditures nationally.
- Indiana ranks 38th in teacher compensation nationally and last in the Midwest.

ISTA believes that the 1.25% statewide average in year 1 is too low and that the state has the resources to responsibly do better beginning with this biennium. The governor's Teacher Compensation Commission outlined a \$600M hole in funding brought on by years of dealing with "other priorities."

ISTA opposes the defunding of CTE funding for certain programs.

ISTA supports focusing ELL funding on Level 3 where students likely spend the majority of their time as they work toward English comprehension.

ISTA believes that the complexity funding component of the formula must be improved. Indiana's most vulnerable students deserve additional learning opportunities and certainly school districts with concentrations of CI students rely on these funds. Increases to special education and academic honors are warranted.

Stay tuned and stay engaged.

**b. 100% Funding for This School Year**

- i. **SB 2** (Sen. Raatz): The Senate voted to concur with the House amendments and the bill is on the way to the governor for his signature and enactment.

**c. COVID Remediation (Rep. Clere)**

- i. **HB 1008**: Passed House 94-2.
- ii. Supposedly \$150M in state dollars (the federal American Rescue Act allows some funding to go to remediation efforts).
- iii. State funds not included in the budget.
- iv. ISTA generally supports – should prioritize public school programs over other providers.
- v. Bill is being heard Tuesday in Senate Appropriations.

**d. Expansion of Vouchers/Creation of ESA Program (Rep. Behning)**

- i. **HB 1005**: Passed the House 61-39. Assigned to Senate Education Committee.



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- ii. This bill was not scheduled for a hearing in Senate Education and is likely dead. However, the exact content of HB 1005 was inserted into HB 1001 earlier in the session and so the content of HB 1005 is very much alive.
- iii. ISTA opposes.
- e. **Dues Deduction (Sen. Boots)**
  - i. **SB 251:** Passed 27-22. Assigned to House Employment, Pensions and Labor Committee.
  - ii. **Will likely be scheduled for a hearing next week.**
  - iii. Rep. Goodrich is sponsor of SB 251 in the House.
  - iv. Rep. Goodrich authored HB 1546 strictly prohibiting the practice of school employers engaging in dues deduction for teachers altogether.
    - HB 1546 had been assigned to House Education and was not heard.
  - v. ISTA opposes.

ISTA appreciates its members' interest in being informed. If you would like to see all the bills ISTA is following, visit our [Bill Watch](#). Follow ISTA on Twitter [@ISTAmembers](#) for real-time updates.

