

## 2021 Legislative Priorities

### FUNDING & PROGRAMS

**Ensure all modes of teaching and learning provided through our public schools qualify for 100% funding for the entire 2020 – 21 school year.**

COVID-19 has necessitated public schools offer services in person, in school buildings, at homes through remote learning and through a hybrid model that includes both in-person and remote settings.

As soon as the 2019 – 20 school year ended, districts began developing plans for the beginning of the 2020 – 21 school year. Some school districts opted for delaying the restart, while some went to remote learning or hybrid models with in-person and remote instruction. These were local decisions, made in consultation with state and local health department recommendations. In June, Gov. Eric Holcomb and certain legislative leaders publicly commented that because of the pandemic, public schools would qualify for 100% funding regardless of the model the district chose.

However, in August, President Pro Tempore Rodric Bray disseminated a letter to school leaders noting there is no guarantee in Indiana law providing schools 100% funding if more than 50% of the instruction is provided through distance learning. The letter advised districts to make their re-entry plans with an understanding of Indiana law. This sent a chill throughout the public education community as it tried to navigate both public health and school budget concerns for the start of the school year.

ISTA and virtually all public-school advocacy groups opposed the August message. On Sept. 2, the Indiana State Board of Education (SBOE), operating under emergency powers granted to it under Executive Order 05-20, modified one of its rules (511 IAC 1-3). [The modification](#) would enable districts to conduct the September student count on time and to count kids who were otherwise not in virtual learning prior to the pandemic (specifically, February 2020) as 100% fundable regardless of the manner by which they would receive their education.

This move provided a satisfactory response for the short term, but lawmakers must act in the 2021 legislative session to make clear that this solution will cover the entire school year.



### **Prioritize public education going forward with at least inflationary increases and consider additional funding mechanisms.**

Indiana's basic tuition support, including complexity funding, has not served schools well – especially post-Great Recession. In seven of the last 12 years, the statewide average increase was below recognized inflation levels. Consequently, upwards of two-thirds of districts received funding less than inflation. Over the years, the impact is incremental, compounding and unsustainable.

It is likely not going to be enough to simply hold the line this next biennium. Standing still means falling behind. For years, Indiana included in its funding mechanism a de-ghoster and minimum guarantee. Both mechanisms acknowledged that kids don't migrate between school systems in neat bundles of classrooms and enabled districts to adjust staffing and other program costs over a reasonable amount of time. Especially during COVID-19, where merely locating children has become a challenge, districts need to be able to operate with some level of funding confidence.

### **Advocate for teacher compensation.**

There is no longer debate on the issue of teacher compensation in Indiana. Hoosier teacher salaries fall last within our region (IL, KY, MI, OH and WI) and rank poorly nationwide. The Governor's Task Force on Teacher Compensation studied the issue over the course of a year and a half. Recommendations are expected in December. It is likely that lawmakers will need to address Indiana's overall tax structure in order to meaningfully respond to pandemic impacts. Improving teacher compensation must remain a legislative priority.

### **Fund health and safety measures in school during pandemic and beyond.**

Social distancing costs money for masks, plexiglass, temperature-taking, COVID-19 testing, contact tracing, food distribution protocols, sanitizing practices, transportation, lesson planning and dissemination, simple hygiene concerns and the increased time required of every task. Ensuring students and staff are safe as they participate in K – 12 programs is a fundamental obligation of the state. Whether these funds are leveraged from federal assistance or from the state, districts cannot be expected to cut into education program funds to pay for these unforeseen expenditures.

### **Eliminate the digital divide.**

COVID-19 exposed several deficiencies in Indiana associated with the breadth of public services it provides. As districts, teachers and students were forced into remote learning environments, technology inequities in Indiana became glaring. Gaps in devices and connectivity continue with rural and urban districts having the highest percentages of households without internet access. These devices are no longer luxuries. They are vital to the delivery of socially-just K – 12 programs. Eliminate the digital divide by



supporting a state grant fund and federal subsidies for the expansion of broadband and devices to ensure all students have equal access.

### **Address remediation support and resources.**

Additional learning opportunities are needed for students who have fallen behind during the pandemic. If standardized testing does anything positive, it should provide educators and parents with a snapshot from which additional and focused learning opportunities are implemented. This is how Indiana's statewide testing program, the A+ Program for Educational Excellence, began in 1987. It created a statewide spring test (I-STEP) but required summer remediation programs for an identified and funded set of students. The test was diagnostic, and the interventions and supports were immediate. Over the years, policymakers replaced assistance with accountability in the form of handing out letter grades to schools and districts for student test scores. In Indiana's budget bill, "remediation testing" replaced "remediation programs" as the line item and now funds more local testing of students. Public education is a civil right and the prioritization of creating student remediation programs must be addressed in Indiana.

### **Develop supports for trauma sensitive education and mental health.**

Linked to remediation programs are programs that address children who experience adverse conditions, either in an acute situation or chronically. Post-COVID, the degree to which students feel insecure, powerless, unequal and less ready to learn will be studied for generations. The programs needed to address students impacted by trauma include:

- **Staffing** – Support categorical funding to increase the number of guidance counselors, social workers, nurses and psychologists.
- **Training** – Support professional development for staff to identify signs of trauma and mental health disorders.
- **Comprehensive Study** – Establish an interim study committee specifically around COVID-19 consequences for children.

### **Build racial and social equity into the Complexity Index in the school funding formula.**

For years, lawmakers have focused on equal funding per student, even as we know students do not enter classrooms with equal backgrounds, life experiences, cognitive ability, emotional stability or opportunity. The addition of a Complexity Index (CI), which can be a weight or a monetary factor, in a school funding formula is designed to help lessen the disparities that exist between students through no fault of their own. Indiana has had a CI in its school funding formula for many years. However, the substance of the CI has been amended significantly over the years, and these changes have impacted its effectiveness. From 2009 – 19, the share of public K – 12 education funding provided by Indiana for helping its at-risk students declined from nearly 20% to under 10%.



Concerns over Indiana's current complexity index center on both the funding amounts (\$3,650 per student) and the efficacy of the factors used. Indiana must settle on a set of relevant complexity factors that capture the fullest picture of poverty, adverse childhood experiences, English language limitations, social justice imperatives and other special needs.

## STANDARDIZED TESTING

### **Eliminate or reduce Indiana's commitment to standardized testing.**

Few issues have galvanized Indiana's educators and parents more than the topic of standardized testing. Indiana spends upwards of \$40 million each year on testing instruments (state tests and remediation testing). Now, with the pandemic and its complicating factors, including necessitating multiple program interruptions, Indiana must reset its priorities on the process of teaching and learning.

- **Waiver** – Seek a federal waiver of the testing requirements for the 2020 – 21 school year.
- **Hold Harmless** – At the very least, schools, students and teachers should be held harmless for the test results over the next two years.

## COLLECTIVE BARGAINING/MEMBER RIGHTS

### **Expand scope of bargaining.**

Collective bargaining ensures qualified, licensed teachers are in every classroom and incentivizes teachers to stay in the profession. An experienced educator who commits to the profession creates stability for kids. When educators can advocate on behalf of students through bargaining, students win. Yet in 2011, the Indiana General Assembly restricted subjects of collective bargaining to salary, wages and wage-related benefits. The pandemic has wreaked further havoc on working conditions and workloads. Indiana's already increased teacher shortage continues to worsen.

- **Workloads** – One of the most challenging and ultimately rewarding jobs has been shaken by COVID-19 and increased the difficulties of delivering education. Personal and professional lines have not only been blurred – they have been erased. Adherence to statutes that were never written with a pandemic in mind are nonsensical exercises that serve to further discourage the workforce. Common sense, flexibility and a healthy respect for professionals and the work they do are needed. Toward those ends, the following should be supported:
  - The governor should continue to issue necessary executive orders to reinforce the concept of flexibility through the pandemic.



- The SBOE should approve common sense waivers of instructional time requested by school districts to ensure that employment expectations for educators are reasonable in terms of time teaching and time needed to support teaching.
  - Lawmakers should enact a law guaranteeing a 30-minute preparation period for teachers during each day without additional assigned responsibilities to enable teachers to effectively plan and prepare lessons.
  - Lawmakers should clearly outline in statute that pandemic-based flexibility is not punishable but supported.
- **Hours and working conditions impact student learning** – Teachers’ working conditions are kids’ learning conditions. With bargaining limited to salary and wages, the hours worked for those wages and the conditions under which those wages are earned are not bargainable. Restore collective bargaining rights regarding both hours and working conditions that impact student learning. Teachers are the experts of what kids need. Give teachers a voice to help their students get the support they need to succeed.
- **Local subjects of bargaining** – Support permitting additional subjects of bargaining at the local level. This proposal would enable individual school districts to expand the topics that are bargainable. The experience gleaned could inform lawmakers as to how this benefits all parties.

### **Restrict claims of deficit finance.**

Year-in and year-out, many districts leave state funding meant for teaching and learning unspent in education fund cash balance accounts and local rainy-day funds. These decisions ultimately hurt kids. Amend Indiana’s deficit finance definition to prohibit schools from engaging in maneuvers during bargaining that artificially and harmfully remove program funding from the negotiating table.

## **RACIAL & SOCIAL JUSTICE**

Historically both funding and education policy in Indiana schools have had disparate impact on students of color. This is true with each of ISTA's policy priorities. ISTA will seek to enact public policies that address systemic racism within our preK-12 education system including but not limited to funding inequities, school policies, employment, curriculum, and professional practices.

## **RETIREMENT**

### **Provide a cost-of-living adjustment (COLA).**

Provide a COLA for retirees. Indiana’s public sector retirees have not seen a true COLA since 2009.



**Maintain a defined benefit plan.**

Maintain and protect Indiana's defined benefit/annuity hybrid plan for all teachers as an incentive to remain in the profession rather than exacerbating the teacher shortage by worsening retirement benefits.

