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By any Means necessary . . .

Ball State president envisions long-term school intervention

Thirty-two amendments were filed ahead of the Second Reading debate on House Bill 1315, the measure addressing fiscally distressed school corporations, but the action mostly revolved around the fate of the school board of the Muncie Community Schools, which would be converted from a five-member elected to a seven-member appointed school board, with all seven members appointed by Ball State University.

Appointed school boards are the clear minority in Indiana, but the MCS school board would be a category all its own as the only school board appointed entirely by non-elected officials.

The author of HB 1315, House Committee on Ways and Means Chair Tim Brown (R) of Crawfordsville, who led the charge last year for state intervention in the Muncie Community Schools, committed during Second Reading dialogue to an amendment requiring a majority of the appointed school board members to reside within the boundaries of the school district – but that hardly satisfied Democrats. Whether appointed or elected, retorted Rep. Sue Errington (D) of Muncie, all school board members should reside within the school district limits.

HB 1315 passed on Third Reading 65-26 (with only Rep. Karlee Macer (D) of Indianapolis crossing party lines and voting for it) and now heads to the Senate where it will be sponsored by Senate Committee on Appropriations Chair Ryan Mishler (R) of Bremen and Sen. Eric Bassler (R) of Washington.

The current elected school board of the Muncie Community Schools had its authority stripped when the Distressed Unit Appeal Board (DUAB) voted in December to tender complete control of the district to an emergency manager.

The key question at this point, according to Ball State University President Geoffrey Means, is whether you prefer control with an Emergency Manager under contract who may not necessarily have a long-term interest in the future of the community, or whether you prefer an institution who has been in the community for more than a hundred years and hopes to be here long into the future. “We want the Muncie schools not just to survive but to thrive,” he says.

House Democrats warned during the Second Reading proceedings that oversight by Ball State University could extend indefinitely . . . and President Means says that’s by design.

This has to be a long-term solution, he says.

“If this is passed, we will engage with the community to get the community’s input about how we might exercise this responsibility,” says Means.

Ball State requested two years to write an action plan, which Chairman Brown readily supported, says Means. The two-year period is critical, he adds. This should be a community plan, not Ball State’s plan, he contends.

HB 1315 makes MCS newly eligible to receive an interest-free Common School Fund loan and allows DUAB to provide additional annual financial assistance to the Muncie schools through Fiscal Year 2022 in an amount “at least equivalent to the amount of compensation that would have been provided to an emergency manager.”

For more, please see the following page . . .

Zay’s ways offer hiring help

Up to 10% of teachers could be unlicensed

Superintendent of Public Instruction Jennifer McCormick (R) testified Wednesday before the Senate Committee on Education and Career Development in support of a bill allowing individuals who complete a teacher training program to receive a teaching license even if they do not pass the requisite content area licensing exam.

A teaching license awarded under the waiver provisions of SB 387 would be valid for a maximum of four years. “It’s not ideal, but it’s better than many of the situations we have now,” says Superintendent McCormick, who informed senators the teacher shortage is not a myth and almost 25% of school districts report that they rely on permanent substitute teachers to fill classrooms.

School corporations would be capped at hiring no more than 10% of teachers under the provisions of SB 387. In related language, the bill also allows up to 10% of teachers in a school to be unlicensed.

Tim McRoberts of the Indiana Association of School Principals confirmed that local schools would not be required to hire individuals who received a waiver or who are unlicensed, but that the bill provides another option if they are desperate for people. Caryl Auslander of the Indiana Chamber of Commerce said she was pleased with the language allowing schools to provide differential pay to teachers in STEM and special education. The differential pay would be outside the scope of collective bargaining – a detail drawing the ire of the Indiana State Teachers Association and the American Federation of Teachers Indiana.

Shawn Shriver of the Indiana Association of Colleges for Teacher Education said the decision on whether a candidate receives a waiver should be made by the teacher preparation program. The bill’s author, Sen. Andy Zay (R) of Huntington, strenuously disagreed. Shriver also opposed the proposed changes to the workplace specialist license. The license, he says, was never intended to be used for STEM subject areas.

The exams teachers must pass as a condition of licensure are indeed a problem, confirmed Committee Chair Dennis Kruse (R) of Auburn. Indiana’s Technical Advisory Committee is currently conducting a deep-dive review of the exams to understand why the pass rates continue to be so low, he says.

The bill passed out of committee 9-0.

The financial resources available in HB 1315 “don’t provide long-term salvation, but they give us a runway,” says President Mearns.

The idea is that the loan will buy MCS enough time to implement the kinds of “innovative academic programs and comprehensive support services” that will not just stem the hemorrhaging of enrollment but attract new students, too, adds Mearns.

HB 1315 provides that the Ball State University Board of Trustees would adopt a resolution accepting responsibility for the Muncie Community Schools, after which DUAB would release MCS from state takeover status and would terminate the employment of the Emergency Manager. After Ball State appoints the new school board, its first task would likely be to hire a new superintendent.

HB 1315 also exempts MCS from nearly all of the education laws on the books except for 17 code citations specifically listed in the bill. Notably, the collective bargaining statute would not apply. The Indiana State Teachers Association UniServ 7 tweeted out “HB1315 allows the students of Muncie to be used as a class project for BSU.”

In an Action Alert prior to the Third Reading vote on February 1, the Indiana State Teachers Association wrote: “Muncie teachers have been willing to address the financial issues that Muncie schools faced. The teachers were whistleblowers, in effect, helping to uncover the true financial picture and malfeasance that existed in the school system. And once uncovered, made multiple concessions to help make corrections. Instead of being thanked, HB 1315 would disrespect and punish the teachers by stripping them of their collective voice.”

Roy Weaver, interim dean of the Ball State University Teachers College, said in a statement, “No one at Ball State feels teachers are responsible for the challenges facing MCS. ... Ball State will engage MCS teachers to learn more about their concerns, challenges, and ideas for the future. Teachers must be part of the solution.”

Beyond Muncie, portions of the bill deal with the Gary Community School Corporation, as HB 1315 would diminish the GCSC elected school board by converting it into an advisory committee limited to four public meetings a year. Democrats complain that it’s wrong to kick elected officials out of office in the middle of their terms. HB 1315 also requires the GCSC emergency manager to hold a monthly public forum to provide residents with an update.

Language originally in the bill allowing for the revocation of the license of a school superintendent who presides while a school district’s fiscal condition deteriorates was removed in the House Committee on Ways and Means. New language was added in its place allowing the Indiana Association of Public School Superintendents (IAPSS) to recommend disciplinary action to the Indiana Department of Education if a school corporation stays on the “watch list” for four years in a row.

The bill also deals with the creation of a framework that could be used to identify other traditional public school corporations for state takeover.

HB 1315 authorizes the development of a dashboard of indicators for diagnosing a school’s fiscal health. The dashboard would be published “periodically” on the DUAB website or the state’s Management and Performance Hub (MPH). The initial publication must be by January 1, 2019.

The bill lists more than 20 indicators that may be included in the dashboard . . . but conspicuously omitted from the list are revenue losses associated with the property tax caps and competition from charter schools or vouchers.

HB 1315 directs DUAB to prepare an annual “watch list” of school corporations deemed to be on the verge of fiscal hardship. The bill does not require DUAB to contact a school corporation prior to placing it on the watch list.

DUAB would be required to report to the State Budget Committee the factors and thresholds that cause school corporations to be placed on the watch list - but the bill does not require that these standards be communicated to school boards or superintendents.

Additionally, the bill allows the emergency manager of a distressed school corporation to break the contracts mid-year of up to five percent of teachers.

IN Elementary & Secondary Ed

IN General . . .

- The Indiana Department of Education announces a new web portal, EducateIN.org, directed at prospective educators and designed to increase positive public perceptions about the teaching experience in Indiana.
- U.S. Secretary of Education **Betsy DeVos** notified Superintendent of Public Instruction **Jennifer McCormick** (R) in a letter dated January 19 that Indiana’s plan for implementing the Every Student Succeeds Act has been approved. The final plan submitted by the Indiana Department of Education on January 8 did not include the signature of Governor **Eric Holcomb** (R).
- Calculator usage on the ISTEP exam continues to bedevil schools. The Grade 10 Winter Retest resulted in 88 invalidations when general education students were provided handheld calculators during non-calculator test sessions. The Indiana Department of Education has since updated the ISTEP calculator policy for all grades in an effort to help minimize test invalidations in the upcoming Spring ISTEP administration. Part 1 begins February 26.
- The *Education Week* Quality Counts 2018 report card assigns Indiana a grade of C- for School Finance. The analysis is based on four indicators of spending and four indicators reflecting the degree to which education funding is equitably distributed across school districts within the state.





● Coinciding with the release of a Council for Economic Education report on K-12 economic and financial education, the Indiana Council for Economic Education (ICEE) will host a news conference at the office of the Indiana Bankers Association (IBA) on February 16 featuring ICEE Executive Director **Jeff Sanson** and IBA Executive Vice President **Paul Freeman** discussing the challenges facing economic and financial education here in Indiana.

● The Executive Committee of the Indiana High School Athletic Association (IHSAA) considers options for responding to the significant increase in the number of ejections, including consideration of publicly posting each school's sportsmanship score and highlighting the best and worst sportsmanship scores in the state. For the period from August 1-January 18, the number of ejections is up year-over-year by 19 percent.

	2017-18	2016-17
Ejections (Coaches)	36	28
Ejections (Players)	334	286
Ejections (Fans)	14	8
Total Ejections	384	322

IN Administration . . .

● Superintendent **Scott Deetz** of the Madison-Grant United School Corporation notifies the community that "Beginning in early 2018, our Junior/Senior High School building will operate on solar power. Through an agreement with our electricity provider, Indiana Michigan Power (IMP), we will be able to supplement our energy consumption from IMP with our solar production, sell our excess electricity to IMP, and still purchase power from IMP when needed. Long term, the Madison-Grant Junior/Senior High School property will not have rising energy costs, which allows us to reinvest the savings back into our schools!"

● East Washington School Corporation Superintendent **Dennis Stockdale** responds to chatter about the potential annexation of the schools in the Town of Borden from the West Clark Community Schools. "As Borden considers all of its options for its educational future, Borden has approached EWSC about the possibility of becoming part of the East Washington district. At this time, Borden has asked to receive information about programs currently offered at East Washington Before ANY serious discussions would occur, East Washington would have several community based discussions on possible impacts on East Washington's school and community. Due diligence must be taken to consider possible positive and negative impacts that would occur as a result of any decision. This is a very long process that could take several years. Any speculations of a decision at this time would be and are premature."

● In response to a determination by the Distressed Unit Appeal Board (DUAB) that the emergency manager assigned to the Gary Community School Corporation should fill a vacancy on the school board, the Gary legislative delegation requests an advisory opinion from Attorney General **Curtis Hill** (R) on whether or not the emergency manager is authorized to fill a vacancy on the GCSC school board.

□ "We support the emergency manager's effort to turn the academic and financial status of the district around, however, we want to ensure that the voice and votes of the community are respected," says Sen. **Eddie Melton** (D) of Merrillville.

IN Budgets & Finance . . .

● Hoosier schools receive approximately \$78.69 per student in textbook reimbursement for 2017-2018, according to calculations made by the Indiana Department of Education's Office of School Finance.

● The Whitko Community School Corporation Board of Trustees votes to close Whitko Middle School in Larwill.

□ Beginning with the 2018-2019 school year, grades 7-12 will be housed in Whitko High School in South Whitley, and sixth grade will shift to the elementary level. The building in Larwill will continue to serve as an administration building and will be used for after school activities for middle school students. Whitko expects to acquire portable classrooms for the high school facility to accommodate the additional grade levels in the short term.

● The Hamilton Southeastern Schools learns that local Tax Increment Financing (TIF) districts capture approximately \$1.1 million annually in property tax revenue that otherwise would go the school system.

● Moody's Investors Service upgrades to A1 from A2 the issuer rating on the Lake Central School Corporation, in part because the district realized its fourth consecutive general fund surplus in fiscal year 2016, bringing the available general fund balance to \$6 million, or 10.6% of revenue, a marked improvement over its fiscal year 2012 deficit reserve position of negative \$976,000. Including additional reserves in the district's rainy day and debt service funds, the available operating fund balance totaled \$20.5 million, or a healthy 25.7% of operating fund revenues, at the close of fiscal year 2016.

□ According to Moody's, "The district closed fiscal 2017 on June 30. Although audited financial information is not available, the district estimates ending the year with a general fund deficit of \$1.7 million driven largely by a 27th pay period. If fully realized, this would bring general fund reserves to \$4.3 million, or 7.5% of estimated general fund revenues. The fiscal 2018 budget projects a further draw of \$374,000 due to growing personnel expenditures and expected increases in utility costs, though these assumptions are conservative and positive variances are anticipated."

● S&P Global Ratings lowered its underlying rating to 'A' from 'A+' on the North Harrison Community School Corporation's existing debt, reflecting "weakened available reserves and operating pressures, which have included higher than expected insurance premiums in addition to a 27th pay period, which increased the corporation's labor costs during the 2016 year, and led to an operating deficit."



IN Non-Public Schools . . .

● Indiana ranks fourth in the nation for the share of K-12 students enrolled in voucher, tax-credit, or education savings account programs, according to EdChoice. Indiana's 3.4% share ranked behind Arizona (5.0%), Florida (4.7%), and Wisconsin (3.60%).

● Indiana's Choice Scholarship Program ranks 30th in the country among all school choice programs for purchasing power, as the average amount of a school voucher (\$4,146) represents 43% of the average per-pupil spend of Indiana's public schools, according to EdChoice.

● Indiana ranks sixth nationwide in total spending on school choice programs, with the \$159.0 million that Indiana spent on school vouchers and tax credit scholarships in 2015 representing 1.60% of Indiana's total K-12 expenditures, reports EdChoice. School choice programs account for more than one percent of total K-12 expenditures in seven states.

● Indiana's Tax Credit Scholarship Program ranks 13th nationally for student eligibility as 60% of Hoosier students are eligible, while Indiana's Choice Scholarship Program ranks 18th with 50% of families with children eligible. Five states now have a school choice program with 100% eligibility, including the Illinois tax credit program and Ohio's Cleveland Scholarship Program.

● Expect the Senate to take up floor action this week on SB 33, legislation authored by Sen. **Jack Sandlin** (R) of Indianapolis, a former law enforcement officer, that would allow licensed gun owners to carry that firearm onto church property, even if that property has a school, provided they are attending a worship service, serving as an employee, or volunteering at the church. A church's permission would be required, and there may be an amendment offered by the author to allow churches to opt out. The Senate Committee on the Judiciary voted 7-2 for the bill last week. The idea originated from clergy in Sen. Sandlin's district who expressed concern to him about recent church shootings.

□ Moms Demand Action for Gun Sense in America, part of Everytown for Gun Safety, testified against the measure in committee.

□ Some State House wags have dubbed the measure "Indiana's Stand Your Holy Ground bill."

IN Charter Schools . . .

● Indianapolis Classical Schools completes a financing package to pay for a \$10.3 million renovation of the Heslar Naval Armory, reports the *Indianapolis Business Journal*. Riverside High School is currently operating in a church owned by Marian University and plans to relocate to the Naval Armory upon completion of the renovations prior to the 2018-2019 school year.

● The New England Patriots of charter schools? Indiana reigns supreme for a record third year in a row with the top charter school law in the country, according to the National Alliance for Public Charter Schools.

● The Xavier School of Excellence in South Bend is notified by Ball State University that its charter will not be renewed.

□ Ball State also approves renewals/extensions for:

- 21st Century Charter School at Gary - 4 years
- Dr. Robert H. Faulkner Academy - 5 years
- Inspire Academy - 4 years
- Mays Community Academy - 1 year
- Options Charter School Noblesville - 5 years

IN Programs & Curriculum . . .

● The Mississinewa Community Schools adds a high school Trap Shooting Team.

● The Indiana Small and Rural Schools Association partners with VIPKID to recruit Hoosier teachers to provide 1-to-1 online English lessons to students in China. Participating teachers can earn up to \$22 an hour. Teachers provide the North American elementary school experience to kids in China through a curriculum that combines EFL teaching best practices with the common core academic standards.

● Students in the Knox Community Schools will give up their MacBook Air devices now that the school board approves the purchase of Chrome Books at a cost of about \$300 each.

● Matchbook Learning would take over the operation of Wendell Phillips School 63, under an "Innovation Restart" recommendation from the Indianapolis Public Schools to the IPS Board of Commissioners. The school received a fifth consecutive F grade in November 2017.

● The Indianapolis Public Schools proposes to convert and expand the Thrival Academy pilot program to Innovation School status. The pilot program is providing 20 IPS 11th-grade students the opportunity to study abroad in Thailand for three months during the 2017-18 school year.

● In an interview with *The 74*, Indianapolis Public Schools Superintendent **Lewis Ferebee** explains that the district is rethinking its high school experience and expanding career and technical education options to help students "achieve what we consider the 3 Es - ensuring that upon graduation every student is enrolled in college, enlisted in the military, or employed at a livable wage." Dr. Ferebee affirms his belief in the power of giving communities ownership over the instructional model for their school; defines true school choice to include transportation at no cost for all families; and offers that IPS has room for improvement in measuring the return on investment of its choice programs.

● The East Central Educational Service Center receives a \$490,800 grant from the U.S. Department of Agriculture to provide computer servers, video conferencing units, and software to allow schools to share foreign language, science, technology, engineering, and math classes.

● Funding from a Lilly Endowment grant allows the Warsaw Community Schools to hire a social emotional learning coordinator.



- Some 260 high school administrators and coaches from more than 95 high schools attended a one-day forum at the Ritz Charles in Carmel sponsored by the Indianapolis Colts as part of the InSideOut initiative. The participants received training on creating school-specific implementation action plans to help reclaim the educational purpose of sports . . . and dispel the mentality that the only thing that matters is winning.

IN Policy . . .

- The Franklin Community School Corporation determines that crowdfunding activities aimed at raising funds for a specific classroom or school activity may be permitted with the specific approval of the school board.

- The M.S.D. of Washington Township postpones until August-September 2017 a final decision on adjusting school start times.

IN Referenda . . .

- The Lake Central School Corporation will hold a referendum May 8 on a 17¢ property tax increase to raise approximately \$7 million annually to preserve basic functions as well as ensure students have access to a full range of graduation pathways. “As the state of Indiana has changed the way schools receive operational support away from local property taxes and as the General Assembly has essentially provided only meager increases over the past 10 years or so, it has become increasingly difficult for our administrative team to maintain optimal class size, retain some of our best and brightest young teachers and be innovative,” school board president **Don Bacso** tells the *Times of Northwest Indiana*. Superintendent **Larry Veracco** explained “Under both the employability skills requirement and the postsecondary-ready competencies categories, we will need to beef up the current supports we offer students. For us to meet the new requirements of a diploma, we will need to add courses and teachers, and staff members must be freed up or hired to organize and ensure the internships meet the standards set by the State Board of Education.”

- The Crown Point Community School Corporation approves a referendum May 8 to renew its operating referendum at a maximum rate of 21¢.

- The Cannelton City Schools anticipates revisiting an operating referendum this Fall to renew the 41¢ property tax levy that voters defeated in May 2016 by three votes.

- The Smith-Green Community School Corporation Board of Trustees approves a referendum to be held in May to raise \$0.628 per \$100 of assessed value for basic operations for the next eight years.

IN Construction & Facilities . . .

- The Zionsville Community Schools proposes two separate General Obligation bond issues totaling \$7 million to finance the repair, replacement, and upgrade of HVAC systems impacting more than one million square feet of facility space. The school board could award bids as soon as April, with work to commence June 1.

- The Franklin Township Community School Corporation hires The Skillman Corporation to conduct a comprehensive assessment of facilities needs, identify proposed solutions for each identified need, and develop cost estimates. The facilities assessment is expected to be completed by the end of 2018.

- The Monroe County Community School Corporation will review a \$7.5 million bond issue to finance an energy project at Templeton Elementary School and pay an architect to design a replacement for Tri-North Middle School, reports the *Bloomington Herald-Times*. Planning for the new Tri-North Middle School is expected to last about one year, with construction tentatively slated to start in Spring 2019.

- The school board of the North Montgomery School Corporation commits to a \$34 million renovation project to enhance the safety, security, and infrastructure of all five school buildings. Construction at the elementary schools should get underway later this Fall. A home valued at \$200,000 can expect to pay about \$66 more per year in property taxes.

- The West Lafayette Community School Corporation authorizes KJG Architects and Schmidt & Associates to begin the bidding process for the construction of an Aquatic Center at the junior/senior high school. Bids are expected to be presented to the school board in June.

- The Hamilton Southeastern Schools will open bids on February 22 for renovations to New Britton Elementary School, including the creation of a new school bus loading/unloading area.

- The M.S.D. of Bluffton-Harrison school board votes 3-2 to renovate the football stadium by constructing a new press box, rebuilding and relocating the home bleachers to the opposite side of the field, and constructing a new track starting area.

IN Transition . . .

- The Indiana Department of Education rolled out a humble reorganization with the New Year. At the senior leadership level, Dr. **Ken Folks** moves from chief of governmental affairs to chief academic officer. **Kelly Wittman**, who had been serving as chief academic officer, will now serve in the role of senior advisor. Dr. **Mark Keen** shifts from senior advisor to special projects manager in the area of School Improvement. **Amanda McCammon** will fill the role of chief of the newly created division of Workforce & STEM Alliances. Her title had been director of PK-16. Support specialists who previously fell under the PK-16 division have been re-assigned to either the School Improvement division or Workforce & STEM Alliances. IDOE is currently hiring for a Director of CTE, Director of STEM, and Computer Science Specialist.

- **John Williams** joins the Administrator Assistance Emergency Manager team overseeing the Muncie Community Schools as chief of staff. Williams is a retired superintendent from Rushville and Delphi.



- **Brett Boggs** announces his pending retirement effective June 30 as superintendent of the Tippecanoe Valley Schools.

- Clarifying an item from last issue, Tri-Creek School Corporation Superintendent **Debra Howe** intends to retire, and not resign, on June 30.

- The New-Albany Floyd County Consolidated School Corporation officially approves **Brad Snyder** as the new superintendent.

- Changes in the Franklin Township Community School Corporation:

- Franklin Township Middle School East Principal **Chase Huotari** moves to principal of Franklin Central High School.

- Franklin Central High School Principal **Kevin Koers** moves to Chief Academic Officer of secondary education.

- Bunker Hill Principal **Kent Pettet** is named to Chief People Officer.

- Adams Principal **Lynlie Schoene** becomes Chief Innovation Officer.

- South Creek Principal **Toni Stevenson** becomes Chief Academic Officer for elementary education.

- Franklin Township Middle School West Principal **Matt Vandermark** has been named principal of Franklin Township Middle School East.

- Franklin Township Middle School West Assistant Principal **Catherine Whitson** has been promoted to principal of FTMS East.

- Governor **Eric Holcomb** (R) signs on to the Governors' Partnership for K-12 Computer Science, a group of bipartisan state leaders (now numbering 15) committed to advancing policy and funding to expand access to, and increase equity in, K-12 computer science education.

- **Stephanie Wang** leaves IndyStar after five years of reporting on diversity, education, politics, and what she describes as "everything else under the sun." She is joining Chalkbeat as the Indiana bureau chief.

- She replaces fellow IndyStar alum **Scott Elliott**, the founding bureau chief of Chalkbeat Indiana, who moved up the food chain at the national nonprofit news outlet to lead Chalkbeat's expansion work, including new site evaluation, selection, and development, along with journalist recruiting and hiring.

- Hoosier **Karega Rausch** is serving as interim director of the National Association of Charter School Authorizers.

- Former Fortville Elementary School Principal **Heather Noesges** takes on a new position as the director of elementary education for the Mt. Vernon Community School Corporation.

IN Government . . .

- The Indiana House of Representatives voted unanimously in favor of legislation authored by Rep. **Ron Bacon** (R) of Chandler to require coaches to undergo training to recognize the signs of heat exhaustion.

- Educators would have to complete one hour of training on human trafficking every other year, under House Bill 1230, which would also update the statutory definition of cyber bullying to include bullying that occurs through mobile devices and require the Indiana Department of Education to maintain a web link to a resource on cyberbullying prevention. "In my opinion I don't think giving up another hour of my life to save the life of a kid is too much of an ask," says the author, Rep. **Wendy McNamara** (R) of Evansville, the principal of an Early College High School. The bill passed 91-0.

- Schools would be required to develop a plan to reduce disproportionality in suspension and expulsion, exercise positive discipline practices aimed at understanding and addressing the underlying causes of misbehavior, minimize the use of exclusion as a punishment, and limit referrals to law enforcement, under House Bill 1421, which is supported by the Urban League and the NAACP and authored by House Committee on Education Chair Rep. **Bob Behning** (R) of Indianapolis. The bill narrowly advanced out of committee 8-5 after taking on an amendment with recommendations from the Indiana Small and Rural Schools Association and the Indiana School Boards Association, but school employee groups remain concerned that the legislation would undermine their ability to maintain control.

- The House votes 88-3 to approve HB 1398, legislation authored by House Committee on Education Chair Rep. **Bob Behning** (R) of Indianapolis, authorizing the State Board of Education to approve a "Coalition of Continuous Improvement School Districts" that would be exempt from pesky state laws and rules around seat time, teacher licensing, and mandatory curricula, among others. The State Board would initially be limited to approving a single coalition of between four and eight schools. HB 1398 also lists laws that a coalition may not suspend, including those related to teacher salaries, collective bargaining, student safety, and special education. The bill originated from the Batesville Community School Corporation.

- The statutory requirement that high schools offer two of any combination of dual credit or Advanced Placement courses would be changed by House Bill 1420 to require schools to offer at least one dual credit, AP, or Cambridge International course.

- The House Committee on Ways and Means voted 20-1 on Monday to advance House Bill 1426. This bill would direct the State Board of Education to consolidate the four high school diploma types into a single diploma with four designations. The U.S. Department of Education indicated in a conference call that was hosted in the Governor's Office - and which had to be postponed due to the brief federal government shutdown - that the proposal aligns with the federal definition of "regular high school diploma" in the Every Student Succeeds Act (ESSA) and would ensure that Hoosier students who earn the equivalent of a general diploma are properly included in high school graduation rate calculations.



- HB 1426 also:
 - directs the State Board of Education to adopt Core 40 curriculum models that include alternatives to Algebra II;
 - eliminates the end of course assessments;
 - establishes a process and standards for students to receive a waiver from graduation pathways requirements;
 - requires the State Board of Education to retain a third-party collaborator to assist school corporations with the development of locally created graduation pathways;
 - requires school corporations seeking to develop locally created graduation pathways to work with the SBOE's third-party collaborator;
 - requires high schools to administer a nationally recognized college entrance exam and a separate high school science exam;
 - and eliminates the requirement that students take the ACCUPLACER exam if they are identified as likely to need remediation in college.
- Schools would have to integrate employability skills into their curriculum, according to Senate Bill 297. Employability skills identified by the Indiana Department of Workforce Development include communication, teamwork, problem solving, initiative, self-discipline, organization, technology savvy, integrity, professionalism, and time management, among others. Authored by Sen. **Jeff Raatz** (R) of Centerville, SB 297 advanced out of the Senate Committee on Appropriations Thursday morning.
- A civil action or administrative proceeding may not be initiated against a public school without first submitting a written notice to the public school and governing body of the alleged violation and a proposed remedy, under House Bill 1420 authored by House Committee Education Chair **Bob Behning** (R) of Indianapolis. The public school would have 15 days to remedy the alleged violation or make a written offer to resolve the dispute.
- House Bill 1165, which would require schools to hold a public hearing on school bus seat belts prior to making a school bus purchase did not make it out of the House Ways and Means Committee prior to the January 30 deadline. The bill would have also expanded the use of the Safe Schools Fund and the Secured Schools Fund to include the purchase or equipping of school buses with seat belts and would have granted civil and criminal immunity to schools and school bus drivers from liability for the failure of an occupant of a school bus to properly fasten a seat belt.
- Schools would be hit with a new surcharge on their pension contribution rates in an amount not to exceed one percent of payroll, in order to fund post-retirement cost-of-living adjustments and 13th checks, under Senate Bill 373, which emanated from the Pension Management Oversight Commission (PMOC) and passed out of the Senate by a vote of 48-0. SB 373 is authored by Sen. **Greg Walker** (R) of Columbus, and will be sponsored in the House by Rep. **Woody Burton** (R) of Greenwood.

- Senate Bill 428, which would have required schools to participate in Child in Need of Services (CHINS) case conferences with the Department of Child Services, was never called down for Second Reading. The time burden would have been enormous given the more than 20,000 CHINS cases in Indiana.

□ Sen. **Andy Zay** (R) of Huntington authored the bill in response to a case from the Huntington County Community School Corporation in which a six-year-old girl showed up on the first day of class weighing only 22 pounds. School administrators were unable to obtain basic information from DCS about the student's home life even as they feared that she would die on their watch.

□ Sen. Zay declined during a hearing in the Senate Committee on Child and Family Services to offer an amendment supported by the Franklin Township Community School Corporation to allow school employers to obtain information from the Department of Child Services about complaints made against school employees.

- Senate Bill 8, a measure requiring schools to teach cursive writing passed out of the Senate 38-11. The bill, which was authored by Sen. **Jean Leising** (R) of Oldenburg, will be sponsored in the House by Rep. **Jeff Thompson** (R) of Lizton. House co-sponsors are Reps. **Woody Burton** (R) of Greenwood, **Vernon Smith** (D) of Gary, and **Sheila Klinker** (D) of Lafayette.

● The Senate voted 37-12 on Third Reading to adopt SB 65, legislation that would prohibit a school from providing a student with instruction on human sexuality, "including sexual activity, sexual orientation, or gender identity," without written parental consent. The bill flips the traditional standard of consent from opt-out to opt-in. SB 65 will be sponsored in the House by Rep. **Tim Wesco** (R) of Osceola.

- The House Committee on Education advanced HB 1356, legislation authored by Rep. **Greg Porter** (D) of Indianapolis to address discrepancies identified by Indianapolis WRTV-TV *Call 6* investigative reporter **Kara Kenney** in the bullying data that schools are required to report to the state.

□ The Indiana Department of Education pushed back on language directing the Department to audit school corporations to ensure that bullying incidents are accurately reported. **David Woodward**, IDOE's director of school building physical security and safety, testified that IDOE would prefer not to have to get into investigating disciplinary incidents at the local level to determine whether they should be coded as bullying, fighting, sexual harassment, or other. Proposed language requiring IDOE to send an annual letter to schools outlining the bullying reporting requirements was amended at Woodward's request to allow IDOE to communicate the same message via email.

□ The bill would also mandate that IDOE survey school corporations by November 2018 about the bullying incident reporting requirements and prepare a report that would assist the General Assembly in revising the requirements.



□ School corporations would no longer be required to publish the number of bullying incidents in their annual performance report – a change that the bill’s author said he hopes will lead to more accurate reporting. School corporations with thousands of students are reporting zero bullying incidents, which anyone can see is a problem, said Rep. Porter. Requiring school web sites to display the number of bullying incidents that occur each year made about as much sense as requiring city web sites to display their homicide rates, said Rep. **Vernon Smith** (D) of Gary.

● The House Education Committee voted 10-0 to approve HB 1399 requiring the State Board of Education to establish content area licenses for elementary school teachers. HB 1399, authored by House Education Committee Chair Rep. **Bob Behning** (R) of Indianapolis, was amended on Second Reading by Rep. **Vernon Smith** (D) of Gary to require the Indiana Department of Education to develop an incentive program to assist and reward teachers who earn an elementary content area license.

● In *Kurtz v. DeKalb Co. Central United School Dist. Bd. of Trustees*, 17-FC-256, the Indiana Public Access Counselor determines that the DeKalb County Central United School District Board of Trustees violated the Open Door Law (ODL) when it met in executive session and interviewed nine prospective candidates for a school board vacancy. Indiana Public Access Counselor **Luke Britt** writes that the ODL exception is clear on this issue: “Interviews of prospective appointees must be conducted at a meeting that is open to the public.” While there is an ODL exception allowing boards to interview prospective employees in executive sessions, that does not extend to a prospective public official.

● In Request for Proposal 18-052, the Indiana Department of Education seeks a vendor to design, develop, and implement a data transparency web application for school report cards. Prospective contractors should have demonstrated experience in data analytics as well as at least three years of experience engaging with an entity in the public sector. The contractor will also need at least three years experience implementing and providing support services for data visualization applications. The deadline for submissions is March 2.

● In Request for Proposal 18-034, the Indiana Department of Education seeks a vendor for a translation system accessible by schools with a bank of customizable required school documents. At a minimum, the system should support four languages: English, Spanish, Arabic, and Chinese, with the ability to provide translations in additional languages as requested. The estimated budget for the project is \$300,000 per year. IDOE anticipates an initial two-year contract, with two one-year renewal options. Responses are due March 5.

IN Courts & Conduct . . .

● Anonymous social media threats precipitated the closure of the Paoli Community Schools on Friday, January 26. Three juveniles were subsequently arrested in Paoli and taken to a juvenile detention facility, pending felony charges of intimidation.

● **Michael Begin, Jr.**, an 18-year-old former student at Jeffersonville High School, has been accused of molesting 17 children between the ages of 3 and 7 while working as a cadet teacher at Thomas Jefferson Elementary School through the high school’s early childhood education program and in the scope of his employment at the Clark County YMCA childcare program. Begin has pleaded not guilty, and a trial has been set for August.

● The East Washington School Corporation ordered students to remain at home for an e-learning day on Thursday, January 25, after administrators received information about threats made to specific high school students that were originally posted on a foreign social media site and later shared via Snapchat.

● The Gibson County Sheriff’s Office arrests an 18-year-old student at Princeton Community High School and charges him with intimidation in connection to what the North Gibson School Corporation told parents was “a potential threat of harm by a student.” An affidavit filed in connection with the case reveals the arrested student allegedly informed another student that he had a list of people he planned to kill at the high school because “somebody has to pay” for things that happened in his life. The district informed parents of the threat via its outbound call system and its Facebook page.

□ The district told parents after the arrest that the school administration received information provided directly to staff about the threat “and reported the matter to local law enforcement. Local law enforcement responded quickly to ensure the safety of students, faculty and staff.” Given the recent school shooting in Marshall County, Kentucky, “and prior to this specific issue, North Gibson School Corporation had made the decision to secure an increased law enforcement presences at our schools. This increased presences went into effect Monday, January 29. We understand there will be questions from parents and our community for further information. Please know the state and federal law restricts our ability as a school district to provide further details about the situation.”

● A father who was escorted by police from his son’s high school basketball game and was subsequently suspended by the high school athletic director from attending three other basketball games, including away games, has filed a lawsuit against the Greater Clark County Schools. **AJ Felter** allegedly made unsportsmanlike comments to the referee. An attorney tells WHAS-TV in Louisville that the school district exceeded its authority when it told Felter that he can’t go to watch his son play in a different county and that “they need to have due process in place if they’re going to ban him.”

● Greenfield-Central High School went on lockdown for about 30 minutes after officials were notified of a Snapchat video of a male pointing a handgun at the school from a vehicle that appeared to be in the school’s parking lot. Three individuals were swiftly apprehended, including the 17-year-old in the video, a second juvenile who was later released, and an 18-year-old male. The gun in the video was confiscated.

IN Higher Education

IN General . . .

- A House Republican constituent survey asks about changes to Indiana's financial aid programs. "Currently, state tax dollars fund college scholarships for low-income students who make good grades and stay out of trouble while in high school. Would you support directing a portion of these funds to scholarships for post-high school career and technical educational programs?"

- **Carol D'Amico**, executive vice president of mission advancement and philanthropy for Indianapolis-based Strada Education, tells EdSurge that one of the more enlightening findings from a new Strada-Gallup survey on career readiness is that school faculty and staff have a strong influence on how students feel about their readiness for the job market.

□ According to the survey of 32,000 college students from 43 four-year institutions, students who answered "yes" that at least one professor, faculty, or staff member initiated a conversation with them about their career options were more likely to express feelings of career readiness. Thirty-nine percent of those students responded that they are confident they will graduate with the knowledge and skills they need to be successful in the job market, and 41% said they are confident they will graduate with the knowledge and skills they need to be successful in the workplace. In comparison, for students who didn't have a faculty or staff member initiate a conversation with them about their career options, the response was 25% for the job market and 28% for the workplace.

□ "We tend to think in higher ed, that's the job of career services," Dr. D'Amico told EdSurge. "Well, we learned that most students don't access the career services department. So it's really everybody's job at the university or college." The former state and federal Department of Education official says college leaders should think about how to equip faculty and other personnel at the college "to not just provide career advice, but to make sure that students have access to the right information, so that they can make good decisions for themselves."

- Ball State University will launch a pilot program for gender inclusive housing in 2018-2019 by setting aside about 60 spaces with private bathrooms. Any student who is respectful of gender identity issues can live in gender inclusive housing. A student must have a like-minded roommate secured before applying.

- The number of first-time, full-time, associate degree-seeking, Indiana resident students who graduated on time from Ivy Tech Community College improved to a record-high of 7.0% for the 2015 cohort, up from 2.3% for the 2010 cohort.

- Arizona State University ramps up Indianapolis-area radio advertising for its 100% online programs.

- A new 30-second television spot from IUPUI will air locally during the Super Bowl and again later this month (February 9-25) during the Winter Olympics. The theme of the commercial: "People always tell you what not to do. Find out what you can do at IUPUI."

- After a three-month prohibition on social events with or without alcohol, Ball State University lifts the moratorium for 12 of its 13 fraternities on February 1. According to the *Muncie Star Press*, the pause remains in effect for Phi Gamma Delta but is likely to be lifted soon. Reports of alcohol, fighting, hazing, excessive noise, and sexual misconduct went way down while the pause was in effect. Moving forward, a new Task Force on Greek Culture including chapter advisors, alumni, and the presidents all Greek organizations will be responsible for conducting policy and procedural reviews and providing feedback on risk management practices.

IN Enrollments . . .

- Indiana colleges and universities enrolled 17,812 undergraduate non-residents in Fall 2016, and saw 7,555 undergraduate residents enroll in out-of-state colleges and universities - a net inflow of 10,257 students. Only Arizona, Pennsylvania, and Iowa experienced a larger net in migration, according to the National Center for Education Statistics.

IN Rankings . . .

- The Purdue University Krannert School of Business ranks 55th and the Indiana University Kelley School of Business ranks 57th in the *Financial Times* Global MBA Ranking for 2018.

IN Administration . . .

- More than 190 Indiana University departments already use Salesforce Marketing Cloud for personalized student and employee engagement, and now IU will go all-in to expand Salesforce to all of IU. The university-wide implementation will consolidate multiple CRM systems, enabling constituents to interact on a single platform regardless of their location or affiliation with IU. The new Salesforce.org agreement will include a broad set of Salesforce products such as Salesforce Community Cloud, Marketing Cloud, Sales Cloud and Service Cloud aimed at transforming experiences across IU.

IN Programs & Policy . . .

- Vincennes University will introduce beginning in Fall 2018 a Certified Secure Computer User (CSCU) curriculum within the Introduction to Computer Concepts course, which is part of Indiana's Core Transfer Library. The curriculum will be available to students in VU's dual credit programs, Project Excel, and Early College and covers such topics as identity theft, fraud, phishing scams, virus and backdoors, email hoaxes, online sex offenders, hacking attacks, and social engineering. After the course, students will also be eligible to attempt the CSCU certification exam and achieve industry-recognized certification before they graduate high school. Vincennes also recently integrated EC-Council's Certified Ethical Hacker (CEH) program into its Bachelor's in Technology and Bachelor's in Homeland Security degrees.



- The Purdue University Faculty Senate passed a resolution thanking faculty members at Michigan State University and the University of Nebraska for their opposition to the acquisition of Kaplan University.

- The Kenzie Academy coding school officially opens its doors in Indianapolis with a welcome ceremony attended by Governor **Eric Holcomb** (R).

- Grace College launches an undergraduate engineering program in Fall 2018 offering a Bachelor of Science in Mechanical Engineering, Bachelor of Science in Mechanical Engineering Management, and Bachelor of Science in Design Engineering Technology. All three degrees have received approval from the Higher Learning Commission.

- Former Zimmer Biomet Engineer **Fred Wentorf** will serve as chair of the Grace College Department of Engineering. He has worked at Zimmer Biomet since 2007 and earned his Ph.D. in biomedical engineering from the University of Minnesota. Grace previously partnered with Trine University to offer a bachelor of science in mechanical engineering but the growing demand for engineers and increased interest from students convinced Grace to pursue its own engineering program.

- The Grace Department of Engineering will provide a variety of internship and co-operative experiences as part of each bachelor degree program. Program chair Wentorf is also exploring partnerships with local school districts to provide another avenue of learning and application for college students while giving back to the community and “hopefully inspiring a younger group of aspiring engineers.”

IN Construction & Facilities . . .

- Anderson University will host a ribbon-cutting ceremony and reception on February 14 for a new Situation Room for the Security Studies Program modeled after the room in the White House.

- The AU Situation Room will give students classroom space to respond to mock crises and a video conferencing setup will allow more opportunities to hear from National Security experts.

IN Research & Technology . . .

- The Indiana University School of Medicine brought in more than \$135 million in research funding from the National Institutes of Health (NIH) in federal fiscal year 2017, a new school record. This represents a 40% increase in NIH funding over the past four years and a more than 13% increase compared to 2016. In total, the school brought in over \$316 million in research funding from all sources in calendar year 2017.

- Indiana University is one of 17 universities in North America that vowed to refuse to accept research money from The Foundation for a Smoke-Free World due to the group's close ties to the tobacco industry.

IN Transition . . .

- University of Southern Indiana Vice President for Government and University Relations **Cindy Brinker** will be retiring at the end of 2018. Her last official day at USI will be June 30, and she will serve her last six months on sabbatical. Brinker joined USI in 1979 as director of human resources.

- Ivy Tech Community College selects **Travis Haire** to serve as chancellor of the Sellersburg campus, effective February 12. He currently serves as deputy superintendent for the Greater Clark County Schools.

- The National Association of Student Financial Aid Administrators appoints **James Kennedy**, Indiana University's associate vice president for university student services and systems, to the Higher Education Committee of 50, known as Forward50.

- Indiana University School of Medicine - Northwest - Gary (IUSM-NW-G) announces that Associate Dean **Patrick Bankston** will resign his leadership role at the region's only medical school, effective July 1. Bankston will continue as dean of the College of Health and Human Services at Indiana University Northwest, a college he helped found in 2008, with six health and social service-related undergraduate programs. He will also continue his teaching and service roles as a faculty member at IUSM-NW-G.

- IUPUI appoints **Errol Wint** as director of undergraduate admissions. Wint previously served as senior associate director of admissions at the University of Louisville.

- Former Rep. **Rebecca Kubacki** (R) of Syracuse gains appointment to the Ivy Tech Foundation board of directors. She served in the House with Dr. **Sue Ellspermann**, president of Ivy Tech Community College.

- Ball State University alumnus **Jay Marr**, president and chief executive officer of Sullivan University, has been appointed to the board of trustees of the Southern Association of Colleges and Schools Commission on Colleges.

- Barnes & Thornburg LLP attorney **Richard J. Hall** is unanimously re-elected to chair the Ball State University Board of Trustees “even though he has already served the allowed two consecutive two-year terms,” reports the *Ball State Daily News*.

IN Government . . .

- **Teresa Lubbers**, commissioner of the Indiana Commission for Higher Education, schedules the annual State of Higher Education address for Monday, April 9, at 4:00 p.m. in the South Atrium of the State House.

- The Indiana Commission for Higher Education launches its annual statewide Cash for College campaign to encourage high school seniors and college students to file the Free Application for Federal Student Aid (FAFSA) by the state's April 15 deadline.



□ Last year, the Commission moved Indiana's FAFSA filing deadline from March 10 to April 15 to give students more time to file. About four percent more students have applied for the FAFSA this year compared to the same time last year.

● House Bill 1002, the vehicle for the Next Level Talent agenda of Governor **Eric Holcomb** (R), was amended in the House Committee on Ways and Means to expand eligibility for the Workforce Ready Grant to Hoosiers under the age of 25, dissolve the regional boards of trustees of Ivy Tech Community College and replace them with campus-based boards, and suspend faculty qualifications for registered nurse training programs for the next six years. The bill also sunsets the Adult Basic Education program and requires a return on investment study of all workforce development programs prior to the 2019 budget session.

● The Indiana Commission for Higher Education would be required to establish "a uniform online system" for collecting and viewing "staff performance evaluation data at the standard level" linked to "integrated, online professional development support," under Senate Bill 303 authored by Sen. **Jeff Raatz** (R) of Centerville. The proposed system – which would seem to compete with existing third-party products – would be made available for use to school corporations. SB 303 passed out of the Senate Committee on Appropriations Thursday morning.

● During a hearing of the U.S. Senate Committee on Health, Education, Labor, and Pensions (HELP) on re-authorization of the Higher Education Act, U.S. Sen. **Todd Young** (R) indicated that he hopes to incorporate his Innovation Zone Act into the next HEA re-authorization. The Innovation Zone Act would reform and rename the U.S. Department of Education's Experimental Sites Initiative, a program which has been used to try out new approaches to financial aid.

□ Sen. Young has been critical of the lack of evaluation of experimental sites and the failure to collect outcomes data.

IN Courts & Conduct . . .

● The federal Chapter 7 bankruptcy trustee representing ITT Technical Institute agrees to a \$1.5 billion class-action settlement covering students who attended between 2006 and 2016. Final approval from the U.S. Bankruptcy Court for the Southern District of Indiana in Indianapolis is scheduled for June 13.

□ Under the tentative agreement, if at the end of the bankruptcy proceedings there is money in the ITT estate to pay unsecured claims, the student class will receive a proportional share of up to \$1.5 billion. It is not yet known if there will be money left to be distributed to the students, but it appears likely that the amount to be split will be significantly less than \$1.5 billion.

□ The settlement also cancels \$600 million in debt that former students owed directly to ITT Technical Institute, but the settlement does not affect private or federal student loans.

□ Former students still owe almost \$4 billion to the U.S. Department of Education. More than 7,000 former ITT students have submitted borrower defense applications to the U.S. Department of Education to cancel their federal student loans.

● In *Pearson Education Inc. v. Deiter*, No. 1:17-cv-4596-SEB-TAB, Pearson Education files a lawsuit in the U.S. District Court for the Southern District of Indiana alleging that EasyNoteCards.com, owned by Indianapolis resident **Christopher Deiter**, violates copyright law by using Pearson content as part of its service, which allows users to create digital, interactive flashcards. Deiter does not charge visitors for the service, but Pearson claims he profits from advertising.

□ According to the initial complaint filed before Senior Judge **Sarah Evans Barker**, Deiter has refused to remove the offending content despite multiple requests to do so. In particular, Pearson points to the availability on the EasyNoteCards site of pirated copies of Test Banks for several of Pearson's highest profile signature textbooks. The proprietary Test Banks are not intended to be made available to students but rather are to be used by teachers to create in-class pedagogy, tests, and quizzes. Offering the Test Banks to users of the website "undermines the utility and ultimate value of entire academic programs to the academic marketplace, jeopardizing the very adoption of a textbook for a particular class or institution."

□ Deiter claims his actions are consistent with fair use doctrine. However, Pearson contends that fair use does not apply here since complete and exact copies of some Test Banks are involved as opposed to only small portions, and moreover, "Deiter invites use of the EasyNoteCards site for cheating, not for learning." The lawsuit seeks a permanent injunction, the disgorgement of Deiter's profits, statutory damages, and a jury trial. Pearson, represented locally by Barnes & Thornburg LLP, acknowledges that it's not known whether Deiter, as opposed to one or more users, uploaded Pearson's copyrighted works to the EasyNoteCards site, but either way, according to the suit, "Deiter aided and abetted such infringement by continuing to provide the site and facilities necessary for such direct infringement to occur."

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