



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1243 be amended to read as follows:

1           Page 22, between lines 2 and 3, begin a new paragraph and insert:  
2           "SECTION 19. IC 20-28-9-28, AS AMENDED BY P.L.246-2023,  
3           SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2024]: Sec. 28. (a) For each school year in a state fiscal year  
5           beginning after June 30, 2023, a school corporation shall expend an  
6           amount for teacher compensation that is not less than an amount equal  
7           to sixty-two percent (62%) of the state tuition support distributed to the  
8           school corporation during the state fiscal year. For purposes of  
9           determining whether a school corporation has complied with this  
10          requirement, the amount a school corporation expends for teacher  
11          compensation shall include the amount the school corporation expends  
12          for adjunct teachers, supplemental pay for teachers, stipends, and for  
13          participating in a special education cooperative or an interlocal  
14          agreement or consortium that is directly attributable to the  
15          compensation of teachers employed by the cooperative or interlocal  
16          agreement or consortium. **The amount a school corporation expends  
17          on teacher compensation shall also include the amount the school  
18          corporation expends on dropout recovery educational services for  
19          an at-risk student enrolled in the school corporation provided by  
20          an agreement with an eligible school that is directly attributable to  
21          the compensation of teachers employed by the eligible school.**  
22          Teacher benefits include all benefit categories collected by the  
23          department for Form 9 purposes.  
24          (b) If a school corporation determines that the school corporation  
25          cannot comply with the requirement under subsection (a) for a  
26          particular school year, the school corporation shall apply for a waiver  
27          from the department.

1 (c) The waiver application must include an explanation of the  
 2 financial challenges, with detailed data, that preclude the school  
 3 corporation from meeting the requirement under subsection (a) and  
 4 describe the cost saving measures taken by the school corporation in  
 5 attempting to meet the requirement in subsection (a). The waiver may  
 6 also include an explanation of an innovative or efficient approach in  
 7 delivering instruction that is responsible for the school corporation  
 8 being unable to meet the requirement under subsection (a).

9 (d) If, after review, the department determines that the school  
 10 corporation has exhausted all reasonable efforts in attempting to meet  
 11 the requirement in subsection (a), the department may grant the school  
 12 corporation a one (1) year exception from the requirement.

13 (e) A school corporation that receives a waiver under this section  
 14 shall work with the department to develop a plan to identify additional  
 15 cost saving measures and any other steps that may be taken to allow the  
 16 school corporation to meet the requirement under subsection (a).

17 (f) A school corporation may not receive more than three (3)  
 18 waivers under this section.

19 (g) (b) Before November 1, 2022, and before November 1 of each  
 20 year thereafter, the department shall submit a report to the legislative  
 21 council in an electronic format under IC 5-14-6 and the state budget  
 22 committee that contains information as to:

23 (1) the percent and amount that each school corporation expended  
 24 and the statewide total expended for teacher compensation;

25 (2) the percent and amount that each school corporation expended  
 26 and statewide total expended for teacher benefits, including  
 27 health, dental, life insurance, and pension benefits; **and**

28 (3) whether the school corporation met the requirement set forth  
 29 in subsection (a). **and**

30 (4) whether the school corporation received a waiver under  
 31 subsection (d).

32 (c) **The department shall publish the report described in**  
 33 **subsection (b) on the department's website.**

34 (d) **Beginning after June 30, 2024, for each state fiscal year that**  
 35 **a school corporation fails to expend the amount for teacher**  
 36 **compensation as required under subsection (a), the department**  
 37 **shall submit in both a written and an electronic format a notice to**  
 38 **the school corporation's:**

39 (1) **superintendent;**

40 (2) **school business officer; and**

41 (3) **governing body;**

42 **that the school corporation failed to meet the requirements set**  
 43 **forth in subsection (a) for the applicable state fiscal year.**

44 (e) **If a school corporation's governing body receives a notice**  
 45 **from the department under subsection (d), the school corporation**  
 46 **shall do the following:**

- 1           **(1) Publicly acknowledge receipt of the notice from the**
- 2           **department at the governing body's next public meeting.**
- 3           **(2) Enter into the governing body's official minutes for the**
- 4           **meeting described in subdivision (1) acknowledgment of the**
- 5           **notice.**
- 6           **(3) Not later than thirty (30) days after the meeting described**
- 7           **in subdivision (1), publish on the school corporation's website:**
- 8                 **(A) the department's notice; and**
- 9                 **(B) any relevant individual reports prepared by the**
- 10                **department.**
- 11           **(f) If the department determines a school corporation that**
- 12           **received one (1) or more notices from the department under**
- 13           **subsection (d) has met the expenditure requirements required**
- 14           **under subsection (a) for a subsequent state fiscal year, the school**
- 15           **corporation may remove from the school corporation's website**
- 16           **any:**
- 17                 **(1) notices the school corporation received under subsection**
- 18                 **(d); and**
- 19                 **(2) relevant individual reports prepared by the department**
- 20                 **under subsection (e)(3)."**

21           Renumber all SECTIONS consecutively.  
 (Reference is to EHB 1243 as printed March 1, 2024.)

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Senator RAATZ