

## MEMORANDUM

**TO:** Local Education Agency Superintendents

**FROM:** Dr. Andrew Melin, Chief Innovation Officer  
Dr. Chris Kates, Director of Leadership and Innovation

**DATE:** 6/7/19

**Re:** HEA 1001 - Teacher Appreciation Grants Policy Submission

### **Background:**

Per IC 20-43-10-3.5(c), the following Teacher Appreciation Grant (TAG) eligibility requirements apply to all local education agencies (LEAs), including school corporations as well as charter schools and virtual charter schools. HEA 1001 outlines requirements for school corporations which must be met in order to qualify for the Teacher Appreciation Grant (TAG).

During the state fiscal year in which the TAG is awarded, the school corporation must have:

- Adopted an annual policy concerning the distribution of the TAG;
- Submitted the policy to the IDOE for approval by the date specified; and
- Received approval of the policy.

### **Policy Guidance:**

- The TAG policy must provide that the amount of a stipend awarded to a teacher rated as Highly Effective must be at least 25% greater than the amount of a stipend awarded to a teacher rated as Effective.
- The TAG policy may differentiate between school buildings.
- A stipend to an individual teacher in a particular year is not subject to collective bargaining, but is discussable, and is in addition to the minimum salary or increases in the salary set under I.C.20-28-9-5.
- The governing body may provide that an amount not exceeding 50% of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining, but is discussable.
- **New for SY 19 -20:** A school may allocate up to twenty percent (20%) of the grant received to provide a supplemental award to teachers with less than five (5) years of service (who are rated as effective or as highly effective). The supplemental award amount received by the teachers with less than 5 years' experience would be in addition to the award amount paid to all eligible teachers.

## **Interlocal Cooperation (Ind. Code 36-1-7-1 et seq.)**

Interlocal cooperations are separate legal entities that are formed by written agreement by two or more school corporations that delegate to the interlocal cooperation certain powers and duties such as the authority to provide inter-district special education service. Teachers who work for an interlocal cooperation are employees of the interlocal cooperation, not the school corporations for whom the interlocal services. Teachers employed by the interlocal cooperation are eligible to receive the stipend under the Teacher Appreciation Grant. In the past, the Department distributed annual performance funds—attributable to teachers employed by an interlocal—directly to the interlocal cooperatives. However, based on changes in the manner in which the grant is calculated, the Department will distribute the grant award to the school districts that are members of the interlocal cooperation. This is because the Department will not be able to accurately determine which students are attributable to the teachers employed by the interlocal.

Based on this change, the governing bodies of interlocal cooperations are highly encouraged to begin discussions immediately with their school corporation member districts to determine the manner and amount of the grant that will be distributed to the interlocal cooperation. The governing body of an interlocal cooperation must then, in turn, distribute the funds in accordance with the procedures outlined in Indiana Code 20-43-10-3.5 and this guidance document. This means that interlocal cooperations, like school corporations, must adopt a policy as outlined in this guidance document.

### **Joint services and cooperative programs:**

Under Indiana Code 20-26-10 and IC 20-37 *et seq.*, school corporations may enter into agreements to provide joint or cooperative services such as special education and career and technical education. These cooperative and joint services are managed by one corporation acting as the lead corporation and the other school corporations acting as participating corporations. Agreements between the lead and participating corporations include provisions for the transfer of state funds from the participating to the lead corporation for the service provided.

Because teachers working within the cooperative or joint service program are employed by the lead corporation, the lead corporation will be required to include those effective and highly effective teachers in the distribution of the Teacher Appreciation Grant. Unfortunately, there is no way for the Department to determine in which corporation and in which building any individual teacher provides services. Many cooperative and joint service teachers work in multiple districts and in multiple buildings throughout the school year.

It is advised that the school corporation that administers and supervises the joint or cooperative programs collaborate with each participating school in order to determine how funds will be paid fairly to those effective and highly effective teachers employed by the lead corporation and providing services to participating school corporations' students. Joint service and cooperative agreements may need to be amended in order to fairly distribute the Teacher Appreciation Grant award received by each lead and participating school corporation to the qualifying teachers employed by the lead corporation.

### **Submission:**

Each individual local educational agency (including charter schools) must submit the TAG policy to [TAG@doe.in.gov](mailto:TAG@doe.in.gov) by close of business September 13<sup>th</sup>, 2019.

- Please attach the TAG policy as a pdf file.
  - Please name the pdf file LEAnumber.LEACorpName.TAGPolicy.
  - The email subject line should read: LEAnumber.LEACorpName.TAGPolicy.
  - For instance,
    - *0000.SmithtownCommunitySchools.TAGPolicy*
  
- Body of email must include a primary and secondary contact (name, title, email, and phone number for each contact).
  - For instance,
    - *Primary contact: Dr. John Smith, Assistant Superintendent, [jsmith@schools.gov](mailto:jsmith@schools.gov), 812-444-4444*
    - *Secondary contact: Ms. Sarah Smith, HR Administrative Assistant, [ssmith@schools.gov](mailto:ssmith@schools.gov), 812-444-4445*

### **Approval:**

The Office of Leadership & Innovation staff will review all policies upon receipt and provide notification of approval as warranted.

### **Distribution & Final State Accountability Grades:**

Pursuant to Indiana Code 20-43-10-3.5(b), schools in Indiana may qualify for a teacher appreciation grant (TAG) if one or more licensed teachers employed in the classroom or directly providing virtual education were rated as effective or highly effective, using the most recently completed teacher ratings. Under subsection (f) of that section, the department is to distribute the TAGs to qualifying schools by December 5 of that state fiscal year. Once a school receives their TAGs, they must distribute the stipends to individual teachers within twenty (20) business days. Any portion not distributed before February must be returned to the State. IC 20-43-10- 3.5(j). However, the department may waive the December 5 deadline to distribute the TAGs if it determines that a waiver and extension of the deadline are in the public interest. Id. at subsection (k).

The majority of schools use the school's state accountability grade in calculating individual teacher ratings in their teacher rating formula. As a result, in order to determine which teachers are rated as effective or highly effective, the school must have a final state accountability grade.



**Dr. Jennifer McCormick**  
Superintendent of Public Instruction

DEPARTMENT OF EDUCATION

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In order to provide schools with flexibility and assistance in this issue, it is the position of the department that it will exercise the waiver found in IC 20-43-10-3.5(k) for those schools that have petitioned for review of their state accountability grades. In order to effectuate this policy, before distributing TAGs, the department will determine if any qualifying schools have petitioned for review of their accountability grade. If so, the department will not distribute those TAGs until the schools receive a final state accountability grade. Department staff will communicate the same to affected schools. Once a school does receive a final accountability grade, the department will immediately distribute the TAGs to the particular school.

**Questions:**

If you have any questions, please contact [Dr. Chris Kates](#), Director of Leadership & Innovation