



Indiana Department of Education

Glenda Ritz, NBCT
Indiana Superintendent of Public Instruction

MEMORANDUM

TO: Superintendents and Principals

FROM: Indiana Department of Education

DATE: October 20, 2015

RE: Annual Performance Grant to Teachers (formerly the School Performance Awards) hired by special education cooperatives, interlocals, joint services, or career and technical education centers.

Please review the following information regarding the distribution of the \$30 million Annual Performance Grant to Teachers hired by special education cooperatives, interlocals, joint services ("special education provider"), and career and technical education centers ("CTE Center"). Pursuant to IC 20-43-10-3 the Department shall disburse \$30 million to school corporations for Annual Performance Grant to Teachers in accordance with the formula prescribed in IC 20-43-10-3.

Additionally, the Department shall award Annual Performance Grant to teachers hired by "The lead school corporation or interlocal cooperation administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7. . . ."

IMPORTANT NOTICE REGARDING COOPERATIVE AND INTERLOCAL COOPERATIONS

Interlocal Cooperation:

Under Indiana Code 36-1-7 *et. seq.* school corporations may enter into an agreement to create a separate legal entity and delegate to it certain powers and duties such as the authority to provide inter-district special education service. Because an interlocal cooperation is considered a separate legal entity and an LEA for some funding purposes, the Department will distribute the Annual Performance Grant amount directly to each interlocal cooperation that is created under IC 36-1-7. The grant must be used to pay cash stipends to all teachers who are rated as effective or as highly effective and employed by the interlocal cooperation. The governing body of an interlocal cooperation must distribute the funds in accordance with the procedures outlined in Indiana Code 20-43-10(f) (2).

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 lead corporation with the other school corporations, referred to as participating corporations... The agreement between the lead and the participating corporations includes 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 Annual Performance Grant funds. Unfortunately, there is no way for the Department to determine in which corporation and which building any individual teacher teaches. Many cooperative and joint services teachers work in multiple districts and 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 Annual Performance Grant award received by each lead and participating school corporation to the qualifying teachers employed by the lead corporation. The Annual Performance Grant statute does not provide guidance on how the grant funds should be apportioned between the lead and participating schools. The governing body for each cooperative or joint service program will need to determine these procedures prior to the distribution in January of 2016.

If you have questions, please email performanceaward14@doe.in.gov.