INDIANA EDUCATION EMPLOYMENT RELATIONS BOARD

Nonrule Policy Document No. 2019-1:
Procedures for Entities that May Determine Whether to be Subject to IC 20-29

I. Purpose and Scope

Muncie Community School Corporation and certain transformation zone schools are permitted to determine whether to opt into teacher bargaining. This guidance provides stability and certainty for impacted parties. This policy applies only to those school employers that are permitted to determine whether to be subject to IC 20-29, including under IC 20-23-18-3(e) and IC 20-31-9.5-9.5(d) (Covered Entity).

II. Policy

1. Covered Entities must provide a Notice of Intent Whether to be Subject to IC 20-29 (Notice of Intent) to the Indiana Education Employment Relations Board (IEERB) and any teacher exclusive representative by July 1 of each year.
2. A sample of the Notice of Intent will be available on IEERB's website. IEERB will also email all Covered Entities information on this process.
3. Once provided, a Notice of Intent may not be changed or revoked until June 30 of the subsequent year.
4. Failure to provide Notice of Intent by July 1 of each year will result in the continuation of the bargaining unit and bargaining status from the prior year, with the exception of unit changes unrelated to Covered Entity status.
5. IEERB will maintain a list of the bargaining status of all Covered Entities.
6. If the Notice of Intent necessitates a change in the bargaining unit, the Covered Entity must provide proper notice so that all bargaining unit changes are finalized by September 1.
7. In the event a Covered Entity ratifies a two-year collective bargaining agreement, the Notice of Intent will be valid until the expiration of the collective bargaining agreement.
8. The Executive Director shall have the ability to provide deadline extensions of the Notice of Intent and bargaining unit changes for school employers who do not become Covered Entities until after July 1.
9. When a school employer is no longer covered by this policy, the school employer shall work with the Executive Director to timely execute any necessary bargaining unit changes.

III. Effectiveness

This policy was adopted by the IEERB Board at its March 14, 2019, public board meeting and shall be effective until rescinded by the IEERB Board.

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