

HOUSE BILL No. 1354

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-10.1-2; IC 10-21-1; IC 20-49-10.

Synopsis: School mental health funding. Allows grants from the Indiana safe schools fund, the Indiana secured school fund, and the school corporation and charter school safety advance program to be used to provide funding for school based: (1) mental health services; and (2) social emotional wellness services. Reconciles the versions of: (1) IC 10-21-1-2; and (2) IC 10-21-1-4; that were enacted by the 2019 general assembly.

Effective: July 1, 2020.

Beck

January 15, 2020, read first time and referred to Committee on Ways and Means.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1354

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-2-10.1-2, AS AMENDED BY P.L.211-2019,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 2. (a) The Indiana safe schools fund is established
4 to do the following:
5 (1) Promote school safety through the:
6 (A) use of dogs trained to detect drugs and illegal substances;
7 and
8 (B) purchase of other equipment and materials used to
9 enhance the safety of schools.
10 (2) Combat truancy.
11 (3) Provide matching grants to schools for school safe haven
12 programs.
13 (4) Provide grants for school safety and safety plans. However, a
14 grant from the fund may not be used to employ a school resource
15 officer (as defined in IC 20-26-18.2-1) or a law enforcement
16 officer (as defined in IC 35-31.5-2-185).
17 (5) Provide educational outreach and training to school personnel



- 1 concerning:
- 2 (A) the identification of;
- 3 (B) the prevention of; and
- 4 (C) intervention in;
- 5 bullying.
- 6 (6) Provide educational outreach to school personnel and training
- 7 to school safety specialists and school resource officers
- 8 concerning:
- 9 (A) the identification of;
- 10 (B) the prevention of; and
- 11 (C) intervention in;
- 12 criminal organization activities.
- 13 (7) Provide grants for school wide programs to improve school
- 14 climate and professional development and training for school
- 15 personnel concerning:
- 16 (A) alternatives to suspension and expulsion; and
- 17 (B) evidence based practices that contribute to a positive
- 18 school environment, including classroom management skills,
- 19 positive behavioral intervention and support, restorative
- 20 practices, and social emotional learning.
- 21 **(8) Provide grants for school based mental health services to**
- 22 **students or form partnerships with mental health providers**
- 23 **to provide school based mental health services to students.**
- 24 **(9) Provide grants for school based social emotional wellness**
- 25 **services to students or form partnerships with social**
- 26 **emotional wellness providers to provide school based social**
- 27 **emotional wellness services.**
- 28 (b) The fund consists of amounts deposited:
- 29 (1) under IC 33-37-9-4; and
- 30 (2) from any other public or private source.
- 31 (c) The institute shall determine grant recipients from the fund with
- 32 a priority on awarding grants in the following order:
- 33 (1) A grant for a safety plan.
- 34 (2) A safe haven grant requested under section 10 of this chapter.
- 35 (3) A safe haven grant requested under section 7 of this chapter.
- 36 (d) Except as provided in subsection (e), upon recommendation of
- 37 the council, the institute shall establish a method for determining the
- 38 maximum amount a grant recipient may receive under this section.
- 39 (e) A school corporation selected to participate in the school
- 40 intergenerational safety pilot project by the department under
- 41 IC 20-20-46-5 is eligible to receive a grant from the fund in an amount
- 42 described in IC 20-20-46-4 in addition to a grant requested by the



1 school corporation under section 6 of this chapter.

2 SECTION 2. IC 10-21-1-2, AS AMENDED BY P.L.197-2019,
3 SECTION 3, AND AS AMENDED BY P.L.50-2019, SECTION 2,
4 AND AS AMENDED BY P.L.153-2019, SECTION 1, AND AS
5 AMENDED BY P.L.272-2019, SECTION 3, IS CORRECTED AND
6 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

7 Sec. 2. (a) The Indiana secured school fund is established to provide:

8 (1) matching grants to enable school corporations, ~~and~~ charter
9 schools, *and accredited nonpublic schools* to establish programs
10 under which a school corporation, ~~or~~ charter school, *or accredited*
11 *nonpublic school* (or a coalition of schools) may:

12 ~~(A)~~ (A) employ a school resource officer, *employ a law*
13 *enforcement officer*, or enter into a contract or a memorandum
14 of understanding with a:

15 ~~(A)~~ (i) local law enforcement agency;

16 ~~(B)~~ (ii) private entity; or

17 ~~(C)~~ (iii) nonprofit corporation;

18 to employ a school resource officer *or a law enforcement*
19 *officer*;

20 ~~(2)~~ (B) conduct a threat assessment of the buildings within a
21 school corporation or *the buildings that are* operated by a
22 charter school *or accredited nonpublic school*; ~~or~~

23 ~~(3)~~ (C) purchase equipment and technology to:

24 ~~(A)~~ (i) restrict access to school property; or

25 ~~(B)~~ (ii) expedite notification of first responders; ~~or~~

26 ~~(4)~~ (D) *implement a student and parent support services plan*
27 *as described in section ~~4(a)(5)~~ 4(a)(6) of this chapter*; ~~and~~

28 **(E) provide school based mental health services to students**
29 **or form partnerships with mental health providers to**
30 **provide school based mental health services to students; or**
31 **(F) provide school based social emotional wellness services**
32 **to students or form partnerships with social emotional**
33 **wellness providers to provide school based social emotional**
34 **wellness services; and**

35 (2) *one (1) time grants to enable school corporations, charter*
36 *schools, and accredited nonpublic schools with the sheriff for the*
37 *county in which the school corporation, charter school, or*
38 *accredited nonpublic school is located, to provide the initial set*
39 *up costs for an active event warning system.*

40 (b) *A school corporation or charter school may use money received*
41 *under a matching grant for a purpose listed in subsection (a) to*
42 *provide a response to a threat in a manner that the school corporation*



1 *or charter school sees fit, including firearms training or other*
 2 *self-defense training.*

3 ~~(b)~~ (c) The fund shall be administered by the department of
 4 homeland security.

5 ~~(c)~~ (d) The fund consists of:

- 6 (1) appropriations from the general assembly;
- 7 (2) grants from the Indiana safe schools fund established by
- 8 IC 5-2-10.1-2;
- 9 (3) federal grants; and
- 10 (4) amounts deposited from any other public or private source.

11 ~~(d)~~ (e) The expenses of administering the fund shall be paid from
 12 money in the fund.

13 ~~(e)~~ (f) The treasurer of state shall invest the money in the fund not
 14 currently needed to meet the obligations of the fund in the same
 15 manner as other public money may be invested. Interest that accrues
 16 from these investments shall be deposited in the fund.

17 ~~(f)~~ (g) Money in the fund at the end of a state fiscal year does not
 18 revert to the state general fund.

19 SECTION 3. IC 10-21-1-4, AS AMENDED BY P.L.197-2019,
 20 SECTION 5, AND AS AMENDED BY P.L.50-2019, SECTION 4,
 21 AND AS AMENDED BY P.L.153-2019, SECTION 2, IS
 22 CORRECTED AND AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The board may award a
 24 matching grant to enable a school corporation, ~~or~~ charter school, *or*
 25 *accredited nonpublic school* (or a coalition of schools applying jointly)
 26 to:

- 27 (1) establish a program to employ a school resource officer;
- 28 (2) *employ a law enforcement officer;*
- 29 ~~(2)~~ (3) provide school resource officer training described in
- 30 IC 20-26-18.2-1(b)(2);
- 31 ~~(3)~~ (4) conduct a threat assessment; ~~or~~
- 32 ~~(4)~~ (5) purchase equipment to restrict access to the school or
- 33 expedite the notification of first responders; *in accordance with*
- 34 *section 2(a) of this chapter; or*
- 35 ~~(5)~~ (6) *implement a student and parent support services plan in*
- 36 *the manner set forth in IC 20-34-9;*
- 37 (7) **provide school based mental health services to students or**
- 38 **form partnerships with mental health providers to provide**
- 39 **school based mental health services to students; or**
- 40 (8) **provide school based social emotional wellness services to**
- 41 **students or form partnerships with social emotional wellness**
- 42 **providers to provide school based social emotional wellness**



- 1 **services;**
 2 in accordance with section 2(a) of this chapter.
 3 (b) A matching grant awarded to a school corporation, ~~or~~ charter
 4 school, *or accredited nonpublic school* (or a coalition of schools
 5 applying jointly) may not exceed the lesser of the following during a
 6 two (2) year period beginning on or after May 1, 2013:
 7 (1) The total cost of the program established by the school
 8 corporation, ~~or~~ charter school, *or accredited nonpublic school* (or
 9 the coalition of schools applying jointly).
 10 (2) *Except as provided in subsection (d), the following amounts:*
 11 (A) *Fifty thousand dollars (\$50,000) per year, in the case of a*
 12 *school corporation, or charter school, or accredited*
 13 *nonpublic school that:*
 14 (i) *has an ADM of at least one thousand (1,000); and*
 15 (ii) *is not applying jointly with any other school*
 16 *corporation, or charter school, or accredited nonpublic*
 17 *school.*
 18 (B) *Thirty-five thousand dollars (\$35,000) per year, in the*
 19 *case of a school corporation, or charter school, or accredited*
 20 *nonpublic school that:*
 21 (i) *has an ADM of less than one thousand (1,000); and*
 22 (ii) *is not applying jointly with any other school*
 23 *corporation, or charter school, or accredited nonpublic*
 24 *school.*
 25 (C) *Fifty thousand dollars (\$50,000) per year, in the case of*
 26 *a coalition of schools applying jointly.*
 27 (A) *Thirty-five thousand dollars (\$35,000) per year, in the*
 28 *case of a school corporation, charter school, or accredited*
 29 *nonpublic school that:*
 30 (i) *has an ADM of at least one (1) and less than one*
 31 *thousand one (1,001) students; and*
 32 (ii) *is not applying jointly with any other school*
 33 *corporation, charter school, or accredited nonpublic*
 34 *school.*
 35 (B) *Fifty thousand dollars (\$50,000) per year, in the case of a*
 36 *school corporation, charter school, or accredited nonpublic*
 37 *school that:*
 38 (i) *has an ADM of more than one thousand (1,000) and less*
 39 *than five thousand one (5,001) students; and*
 40 (ii) *is not applying jointly with any other school*
 41 *corporation, charter school, or accredited nonpublic*
 42 *school.*



1 (C) *Seventy-five thousand dollars (\$75,000) per year, in the*
 2 *case of a school corporation, charter school, or accredited*
 3 *nonpublic school that:*

4 (i) *has an ADM of more than five thousand (5,000) and less*
 5 *than fifteen thousand one (15,001) students; and*

6 (ii) *is not applying jointly with any other school*
 7 *corporation, charter school, or accredited nonpublic*
 8 *school.*

9 (D) *One hundred thousand dollars (\$100,000) per year, in the*
 10 *case of a school corporation, charter school, or accredited*
 11 *nonpublic school that:*

12 (i) *has an ADM of more than fifteen thousand (15,000); and*

13 (ii) *is not applying jointly with any other school*
 14 *corporation, charter school, or accredited nonpublic*
 15 *school.*

16 (E) *One hundred thousand dollars (\$100,000) per year, in the*
 17 *case of a coalition of schools applying jointly.*

18 (c) *Except as provided in subsection (d), the match requirement for*
 19 *a grant under this chapter is based on the ADM, as follows:*

20 (1) *For a school corporation, charter school, or accredited*
 21 *nonpublic school with an ADM of less than five hundred one*
 22 *(501) students, the grant match must be twenty-five percent (25%)*
 23 *of the grant amount described in subsection (b).*

24 (2) *For a school corporation, charter school, or accredited*
 25 *nonpublic school with an ADM of more than five hundred (500)*
 26 *and less than one thousand one (1,001) students, the grant match*
 27 *must be fifty percent (50%) of the grant amount described in*
 28 *subsection (b).*

29 (3) *For a school corporation, charter school, or accredited*
 30 *nonpublic school with an ADM of more than one thousand*
 31 *(1,000) students or a coalition of schools applying jointly, the*
 32 *grant match must be one hundred percent (100%) of the grant*
 33 *amount described in subsection (b).*

34 (d) *A school corporation, charter school, or accredited nonpublic*
 35 *school may be eligible to receive a grant of up to:*

36 (1) *one hundred thousand dollars (\$100,000) if:*

37 (A) *the school corporation, charter school, or accredited*
 38 *nonpublic school receives a grant match of one hundred*
 39 *percent (100%) of the requested grant amount; and*

40 (B) *the board approves the grant request; or*

41 (2) *for a school corporation, charter school, or accredited*
 42 *nonpublic school described in subsection (c)(1) or (c)(2), a grant*



1 of up to fifty thousand dollars (\$50,000) if:

2 (A) the school corporation, charter school, or accredited
3 nonpublic school receives a grant match of fifty percent (50%)
4 of the requested grant amount; and

5 (B) the board approves the grant request.

6 ~~(c)~~ (e) A school corporation, ~~or~~ charter school, or accredited
7 nonpublic school may receive only one (1) matching grant under this
8 section each year.

9 ~~(d)~~ (f) The board may not award a grant to a school corporation, ~~or~~
10 charter school, or accredited nonpublic school under this chapter
11 section unless the school corporation, ~~or~~ charter school, or accredited
12 nonpublic school is in a county that has a county school safety
13 commission, as described in IC 5-2-10.1-10.

14 SECTION 4. IC 20-49-10-4, AS ADDED BY P.L.211-2018(ss),
15 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2020]: Sec. 4. (a) The school corporation and charter school
17 safety advance program is established. The purpose of the program is
18 to make advances to school corporations or charter schools (or one (1)
19 or more coalitions of public schools applying jointly) for:

20 (1) equipment purchases or capital improvements necessary to
21 improve school security;

22 (2) the provision of school based mental health services to
23 students or the formation of partnerships with mental health
24 providers as described in section 5(a)(2) of this chapter; or

25 (3) the provision of school based social emotional wellness
26 services to students or the formation of partnerships with
27 social emotional wellness providers as described in section
28 5(a)(3) of this chapter.

29 (b) The state board, in consultation with the secured school safety
30 board established by IC 10-21-1-3, shall administer the program.

31 (c) The total amount of advances that the state board may make
32 under this chapter during the state biennium beginning July 1, 2017,
33 and ending June 30, 2019, may not exceed thirty-five million dollars
34 (\$35,000,000).

35 SECTION 5. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss),
36 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2020]: Sec. 5. (a) Advances made under this chapter may be
38 used to:

39 (1) purchase equipment or make capital improvements needed to:

40 ~~(1)~~ (A) restrict access to schools;

41 ~~(2)~~ (B) expedite the notification of first responders; or

42 ~~(3)~~ (C) improve school security;



- 1 **(2) provide school based mental health services to students or**
- 2 **form partnerships with mental health providers to provide**
- 3 **school based mental health services to students; or**
- 4 **(3) provide school based social emotional wellness services to**
- 5 **students or form partnerships with social emotional wellness**
- 6 **providers to provide school based social emotional wellness**
- 7 **services.**
- 8 (b) The maximum amount of an advance that a school corporation
- 9 or charter school may receive under this chapter may not exceed five
- 10 hundred thousand dollars (\$500,000).
- 11 (c) The maximum amount of the advance that the state board may
- 12 approve under section 6(c) of this chapter is the lesser of:
- 13 (1) the maximum amount of an advance that may be awarded as
- 14 established by subsection (b); or
- 15 (2) the amount needed to cover costs approved by the secured
- 16 school safety board that are in excess of the amount awarded by
- 17 the secured school safety board under IC 10-21-1-4 and the
- 18 amount committed as a match by the school corporation or charter
- 19 school (or coalition of public schools filing jointly) that applied
- 20 for the grant under IC 10-21-1-5.

