



March 2, 2018

ENGROSSED HOUSE BILL No. 1356

DIGEST OF HB 1356 (Updated February 28, 2018 1:53 pm - DI 84)

Citations Affected: IC 20-20; IC 20-34; noncode.

Synopsis: Bullying. Provides that a school corporation is not required to report the number of incidents of bullying in the school corporation's annual school performance report. Provides that information reported by a school corporation relating to the number of incidents of bullying that occur may not be used in calculation of a school's annual school improvement grade. Provides that the department of education (department) must annually send notification via electronic mail or a letter to each school corporation explaining: (1) the school corporation's obligation to submit a report to the department containing the number of bullying incidents involving a student; and (2) that the department may conduct an audit of the school corporation to ensure that bullying incidents are accurately reported. Provides that the department may conduct an audit of a school corporation to ensure that bullying incidents are accurately reported. Provides that the department must report discrepancies of an audit on the department's Internet web site. Requires the department to conduct a statewide survey concerning the improvement of school corporation reporting of incidents of bullying involving a student to the department. Requires, not later than November 1, 2018, the department to submit a report to the general assembly.

Effective: Upon passage.

Porter, Behning, Klinker

(SENATE SPONSORS — KRUSE, BASSLER, MELTON, STOOPS)

January 16, 2018, read first time and referred to Committee on Education.
January 29, 2018, amended, reported — Do Pass.
January 31, 2018, read second time, ordered engrossed. Engrossed.
February 5, 2018, read third time, passed. Yeas 87, nays 3.

SENATE ACTION

February 7, 2018, read first time and referred to Committee on Education and Career Development.
March 1, 2018, reported favorably — Do Pass.

EH 1356—LS 7126/DI 116



March 2, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1356

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 20-20-8-8, AS AMENDED BY P.L.242-2017,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 8. (a) The report must include the following
4 information:
5 (1) Student enrollment.
6 (2) Graduation rate (as defined in IC 20-26-13-6) and the
7 graduation rate excluding students that receive a graduation
8 waiver under IC 20-32-4-4.
9 (3) Attendance rate.
10 (4) The following test scores, including the number and
11 percentage of students meeting academic standards:
12 (A) All state standardized assessment scores.
13 (B) Scores for assessments under IC 20-32-5-21 (before its
14 expiration on July 1, 2018), if appropriate.
15 (C) For a freeway school, scores on a locally adopted
16 assessment program, if appropriate.
17 (5) Average class size.

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- 1 (6) The school's performance category or designation of school
 2 improvement assigned under IC 20-31-8.
 3 (7) The number and percentage of students in the following
 4 groups or programs:
 5 (A) Alternative education, if offered.
 6 (B) Career and technical education.
 7 (C) Special education.
 8 (D) High ability.
 9 (E) Limited English language proficiency.
 10 (F) Students receiving free or reduced price lunch under the
 11 national school lunch program.
 12 (8) Advanced placement, including the following:
 13 (A) For advanced placement tests, the percentage of students:
 14 (i) scoring three (3), four (4), and five (5); and
 15 (ii) taking the test.
 16 (B) For the Scholastic Aptitude Test:
 17 (i) the average test scores for all students taking the test;
 18 (ii) the average test scores for students completing the
 19 academic honors diploma program; and
 20 (iii) the percentage of students taking the test.
 21 (9) Course completion, including the number and percentage of
 22 students completing the following programs:
 23 (A) Academic honors diploma.
 24 (B) Core 40 curriculum.
 25 (C) Career and technical programs.
 26 (10) The percentage of graduates considered college and career
 27 ready in a manner prescribed by the state board.
 28 (11) School safety, including:
 29 (A) the number of students receiving suspension or expulsion
 30 for the possession of alcohol, drugs, or weapons; **and**
 31 (B) the number of incidents reported under IC 20-33-9. **and**
 32 ~~(C) the number of bullying incidents reported under~~
 33 ~~IC 20-34-6 by category.~~
 34 (12) Financial information and various school cost factors
 35 required to be provided to the office of management and budget
 36 under IC 20-42.5-3-5.
 37 (13) The number and percentage of each of the following within
 38 the school corporation:
 39 (A) Teachers who are certificated employees (as defined in
 40 IC 20-29-2-4).
 41 (B) Teachers who teach the subject area for which the teacher
 42 is certified and holds a license.



- 1 (C) Teachers with national board certification.
- 2 (14) The percentage of grade 3 students reading at grade 3 level.
- 3 (15) The number of students expelled, including the percentage
- 4 of students expelled by race, grade, gender, free or reduced price
- 5 lunch status, and eligibility for special education.
- 6 (16) Chronic absenteeism, which includes the number of students
- 7 who have been absent from school for ten percent (10%) or more
- 8 of a school year for any reason.
- 9 (17) Habitual truancy, which includes the number of students who
- 10 have been absent ten (10) days or more from school within a
- 11 school year without being excused or without being absent under
- 12 a parental request that has been filed with the school.
- 13 (18) The number of students who have dropped out of school,
- 14 including the reasons for dropping out, including the percentage
- 15 of students who have dropped out by race, grade, gender, free or
- 16 reduced price lunch status, and eligibility for special education.
- 17 (19) The number of out of school suspensions assigned, including
- 18 the percentage of students suspended by race, grade, gender, free
- 19 or reduced price lunch status, and eligibility for special education.
- 20 (20) The number of in school suspensions assigned, including the
- 21 percentage of students suspended by race, grade, gender, free or
- 22 reduced price lunch status, and eligibility for special education.
- 23 (21) The number of student work permits revoked.
- 24 (22) The number of students receiving an international
- 25 baccalaureate diploma.
- 26 (b) Section 3(a) of this chapter does not apply to the publication of
- 27 information required under this subsection. This subsection applies to
- 28 schools, including charter schools, located in a county having a
- 29 consolidated city, including schools located in excluded cities (as
- 30 defined in IC 36-3-1-7). A separate report including the information
- 31 reported under subsection (a) must be disaggregated by race, grade,
- 32 gender, free or reduced price lunch status, and eligibility for special
- 33 education and must be made available on the Internet as provided in
- 34 section 3(b) of this chapter.
- 35 SECTION 2. IC 20-34-6-1, AS AMENDED BY P.L.213-2015,
- 36 SECTION 201, IS AMENDED TO READ AS FOLLOWS
- 37 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) By July 1 of each year,
- 38 each school corporation shall submit a report to the department
- 39 detailing the following information for the current school year for each
- 40 school in the school corporation and for the entire school corporation:
- 41 (1) The number of arrests of students on school corporation
- 42 property, including arrests made by law enforcement officers,



1 security guards, school safety specialists, and other school
2 corporation employees, and any citizen arrests.

3 (2) The offenses for which students were arrested on school
4 corporation property.

5 (3) The number of contacts with law enforcement personnel from
6 a school corporation employee that have resulted in arrests of
7 students not on school corporation property.

8 (4) Statistics concerning the age, race, and gender of students
9 arrested on school corporation property and categorizing the
10 statistics by offenses.

11 (5) Whether the school corporation has established and employs
12 a school corporation police department under IC 20-26-16, and if
13 so, report:

14 (A) the number of officers in the school corporation police
15 department; and

16 (B) the training the officers must complete.

17 (6) If the school corporation employs private security guards to
18 enforce rules or laws on school property, a detailed explanation
19 of the use of private security guards by the school corporation.

20 (7) If the school corporation has an agreement with a local law
21 enforcement agency regarding procedures to arrest students on
22 school property, a detailed explanation of the use of the local law
23 enforcement agency by the school corporation.

24 (8) The number of reported bullying incidents involving a student
25 of the school corporation by category. However, nothing in this
26 subdivision may be construed to require all bullying incidents to
27 be reported to a law enforcement agency.

28 (b) By August 1 of each year, the department shall submit a report
29 to:

30 (1) the legislative council;

31 (2) the board for the coordination of programs serving vulnerable
32 individuals established by IC 4-23-30.2-8; and

33 (3) the criminal justice institute;

34 providing a summary of the reports submitted to the department under
35 subsection (a). The report to the legislative council must be in an
36 electronic format under IC 5-14-6.

37 (c) By August 1 of each year, the department must post the reports
38 described in subsections (a) and (b) on the department's Internet web
39 site.

40 **(d) Information reported under subsection (a)(8) may not be**
41 **used in the calculation of a school corporation's improvement**
42 **under IC 20-31-8.**



1 SECTION 3. IC 20-34-6-2 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 2. (a) Not later than June 1, 2018, and each
 4 June 1 thereafter, the department shall send notification via
 5 electronic mail or a letter to each school corporation explaining:

6 (1) the school corporation's obligation to report bullying
 7 incidents under section 1(8) of this chapter; and

8 (2) that the department may conduct an audit of a school
 9 corporation under subsection (b) to ensure the school
 10 corporation's compliance with the requirements of section
 11 1(8) of this chapter.

12 (b) The department may conduct an audit of a school
 13 corporation to ensure that the school corporation is accurately
 14 reporting bullying incidents under section 1(8) of this chapter. If
 15 the department finds discrepancies in the school corporation's
 16 reporting of bullying incidents under section 1(8) of this chapter,
 17 the department shall post a copy of the department's findings on
 18 the department's Internet web site.

19 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) The definitions
 20 in IC 20 apply throughout this SECTION.

21 (b) The department shall conduct a statewide survey concerning
 22 a school corporation's obligation to report incidents of bullying
 23 under IC 20-34-6-1(8). The survey shall request the following
 24 information from school corporations:

25 (1) Situations that may prevent a school corporation from
 26 accurately reporting bullying incidents to the department.

27 (2) Recommendations to improve accuracy or efficiency of a
 28 school corporation's reporting of bullying incidents.

29 (3) Resources that would assist the school corporation to
 30 accurately report bullying incidents to the department.

31 (4) Resources that would assist the school corporation to
 32 efficiently report bullying incidents to the department.

33 (5) Any information requested by the department to improve
 34 the accuracy of bullying incident reporting.

35 (c) The survey described in subsection (b) may be in an
 36 electronic format.

37 (d) The department shall compile the results of the survey under
 38 subsection (b) and prepare a report of the results of the survey and
 39 may include recommendations by the department of suggested
 40 legislative changes that may assist in improving the accuracy of
 41 reporting of incidents of bullying involving a student reported by
 42 a school corporation under IC 20-34-6-1(8).



1 **(e) Before November 1, 2018, the department shall report the**
2 **department's findings to the general assembly in an electronic**
3 **format under IC 5-14-6. The department shall post the report on**
4 **its Internet web site.**

5 **(f) This SECTION expires January 1, 2019.**

6 **SECTION 5. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 4, after "send" insert "**notification via electronic mail or**".

and when so amended that said bill do pass.

(Reference is to HB 1356 as introduced.)

BEHNING

Committee Vote: yeas 6, nays 2.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1356, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1356 as printed January 29, 2018.)

KRUSE, Chairperson

Committee Vote: Yeas 11, Nays 0

