

HOUSE BILL No. 1379

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-17.2-3.5-8.5; IC 20-24-6-2; IC 20-31-5-6; IC 20-51-4-1.

Synopsis: Child abuse training. Requires: (1) child care providers that receive reimbursement vouchers; (2) public schools, including charter schools; and (3) nonpublic schools that receive choice scholarship students; to provide training to staff concerning the recognition of the warning signs that a child is being abused.

Effective: July 1, 2015.

Riecken

January 14, 2015, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1379



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 12-17.2-3.5-8.5, AS ADDED BY P.L.171-2014,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 8.5. (a) A provider shall provide to all employees
4 and volunteers of the provider:
5 (1) the written material prepared and made available by the
6 division under subsection (c); **and**
7 (2) **training concerning the written material.**
8 (b) An employee or a volunteer of a provider who has reason to
9 believe that a child in the provider's care is a victim of child abuse or
10 neglect shall make a report as required under IC 31-33-5.
11 (c) The division shall do the following:
12 (1) Prepare written material specifying the following:
13 (A) The duty to report known or suspected child abuse or
14 neglect under IC 31-33-5.
15 (B) That knowing failure to make a report required by:



1 (i) IC 31-33-5-1; or

2 (ii) IC 31-33-5-2;

3 is a Class B misdemeanor under IC 31-33-22-1.

4 **(C) Warning signs of a child who is being abused.**

5 (2) Make the written material under subdivision (1) available to
6 providers.

7 SECTION 2. IC 20-24-6-2, AS ADDED BY P.L.1-2005, SECTION
8 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
9 2015]: Sec. 2. (a) Individuals must choose to be teachers at a charter
10 school voluntarily, and a charter school must voluntarily choose those
11 individuals to be its teachers.

12 **(b) An individual who chooses to be employed by a charter
13 school must receive training in the recognition of warning signs of
14 a child who is being abused.**

15 SECTION 3. IC 20-31-5-6, AS AMENDED BY P.L.268-2013,
16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 6. (a) This section does not apply to a school that
18 is designated in the top category or designation of school improvement
19 under IC 20-31-8-4 in the year immediately preceding the year in
20 which the school's initial plan is implemented. A plan must contain the
21 following components for the school:

22 (1) A list of the statutes and rules that the school wishes to have
23 suspended from operation for the school.

24 (2) A description of the curriculum and information concerning
25 the location of a copy of the curriculum that is available for
26 inspection by members of the public.

27 (3) A description and name of the assessments that will be used
28 in the school in addition to ISTEP program assessments.

29 (4) A plan to be submitted to the governing body and made
30 available to all interested members of the public in an easily
31 understood format.

32 (5) A provision to maximize parental participation in the school,
33 which may include providing parents with:

34 (A) access to learning aids to assist students with school work
35 at home;

36 (B) information on home study techniques; and

37 (C) access to school resources.

38 (6) For a secondary school, a provision to do the following:

39 (A) Offer courses that allow all students to become eligible to
40 receive an academic honors diploma.

41 (B) Encourage all students to earn an academic honors
42 diploma or complete the Core 40 curriculum.



- 1 (C) Reduce the number of graduation exam waivers granted to
 2 graduates.
- 3 (7) A provision to maintain a safe and disciplined learning
 4 environment for students and teachers that complies with the
 5 governing body's plan for improving student behavior and
 6 discipline developed under IC 20-26-5-32, **including training**
 7 **teachers and other staff members in the recognition of**
 8 **warning signs of a child who is being abused.**
- 9 (8) A provision for the coordination of technology initiatives and
 10 ongoing professional development activities.
- 11 (b) If, for a purpose other than a plan under this chapter, a school
 12 has developed materials that are substantially similar to a component
 13 listed in subsection (a), the school may substitute those materials for
 14 the component listed in subsection (a).
- 15 SECTION 4. IC 20-51-4-1, AS ADDED BY P.L.92-2011,
 16 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 1. (a) Except as provided under subsections (b)
 18 through (h), it is the intent of the general assembly to honor the
 19 autonomy of nonpublic schools that choose to become eligible schools
 20 under this chapter. A nonpublic eligible school is not an agent of the
 21 state or federal government, and therefore:
- 22 (1) the department or any other state agency may not in any way
 23 regulate the educational program of a nonpublic eligible school
 24 that accepts a choice scholarship under this chapter, including the
 25 regulation of curriculum content, religious instruction or
 26 activities, classroom teaching, teacher and staff hiring
 27 requirements, and other activities carried out by the eligible
 28 school;
- 29 (2) the creation of the choice scholarship program does not
 30 expand the regulatory authority of the state, the state's officers, or
 31 a school corporation to impose additional regulation of nonpublic
 32 schools beyond those necessary to enforce the requirements of the
 33 choice scholarship program in place on July 1, 2011; and
- 34 (3) a nonpublic eligible school shall be given the freedom to
 35 provide for the educational needs of students without
 36 governmental control.
- 37 (b) This section applies to the following writings, documents, and
 38 records:
- 39 (1) The Constitution of the United States.
 40 (2) The national motto.
 41 (3) The national anthem.
 42 (4) The Pledge of Allegiance.



- 1 (5) The Constitution of the State of Indiana.
 2 (6) The Declaration of Independence.
 3 (7) The Mayflower Compact.
 4 (8) The Federalist Papers.
 5 (9) "Common Sense" by Thomas Paine.
 6 (10) The writings, speeches, documents, and proclamations of the
 7 founding fathers and presidents of the United States.
 8 (11) United States Supreme Court decisions.
 9 (12) Executive orders of the presidents of the United States.
 10 (13) Frederick Douglas' Speech at Rochester, New York, on July
 11 5, 1852, entitled "What to a Slave is the Fourth of July?".
 12 (14) Appeal by David Walker.
 13 (15) Chief Seattle's letter to the United States government in 1852
 14 in response to the United States government's inquiry regarding
 15 the purchase of tribal lands.
- 16 (c) An eligible school may allow a principal or teacher in the
 17 eligible school to read or post in the school building or classroom or at
 18 a school event any excerpt or part of a writing, document, or record
 19 listed in subsection (b).
- 20 (d) An eligible school may not permit the content based censorship
 21 of American history or heritage based on religious references in a
 22 writing, document, or record listed in subsection (b).
- 23 (e) A library, a media center, or an equivalent facility that an
 24 eligible school maintains for student use must contain in the facility's
 25 permanent collection at least one (1) copy of each writing or document
 26 listed in subsection (b)(1) through (b)(9).
- 27 (f) An eligible school shall do the following:
- 28 (1) Allow a student to include a reference to a writing, document,
 29 or record listed in subsection (b) in a report or other work product.
 30 (2) May not punish the student in any way, including a reduction
 31 in grade, for using the reference.
 32 (3) Display the United States flag in each classroom.
 33 (4) Provide a daily opportunity for students to voluntarily recite
 34 the Pledge of Allegiance in each classroom or on school grounds.
 35 A student is exempt from participation in the Pledge of
 36 Allegiance and may not be required to participate in the Pledge of
 37 Allegiance if:
 38 (A) the student chooses to not participate; or
 39 (B) the student's parent chooses to have the student not
 40 participate.
 41 (5) Provide instruction on the constitutions of:
 42 (A) Indiana; and



- 1 (B) the United States.
- 2 (6) For an eligible school that enrolls students in grades 6 through
- 3 12, provide within the two (2) weeks preceding a general election
- 4 five (5) full recitation periods of class discussion concerning:
- 5 (A) the system of government in Indiana and in the United
- 6 States;
- 7 (B) methods of voting;
- 8 (C) party structures;
- 9 (D) election laws; and
- 10 (E) the responsibilities of citizen participation in government
- 11 and in elections.
- 12 (7) Require that each teacher employed by the eligible school
- 13 present instruction with special emphasis on:
- 14 (A) honesty;
- 15 (B) morality;
- 16 (C) courtesy;
- 17 (D) obedience to law;
- 18 (E) respect for the national flag and the Constitution of the
- 19 State of Indiana and the Constitution of the United States;
- 20 (F) respect for parents and the home;
- 21 (G) the dignity and necessity of honest labor; and
- 22 (H) other lessons of a steadying influence that tend to promote
- 23 and develop an upright and desirable citizenry.
- 24 (8) Provide good citizenship instruction that stresses the nature
- 25 and importance of the following:
- 26 (A) Being honest and truthful.
- 27 (B) Respecting authority.
- 28 (C) Respecting the property of others.
- 29 (D) Always doing the student's personal best.
- 30 (E) Not stealing.
- 31 (F) Possessing the skills (including methods of conflict
- 32 resolution) necessary to live peaceably in society and not
- 33 resorting to violence to settle disputes.
- 34 (G) Taking personal responsibility for obligations to family
- 35 and community.
- 36 (H) Taking personal responsibility for earning a livelihood.
- 37 (I) Treating others the way the student would want to be
- 38 treated.
- 39 (J) Respecting the national flag, the Constitution of the United
- 40 States, and the Constitution of the State of Indiana.
- 41 (K) Respecting the student's parents and home.
- 42 (L) Respecting the student's self.



- 1 (M) Respecting the rights of others to have their own views
 2 and religious beliefs.
- 3 (9) Provide instruction in the following studies:
- 4 (A) Language arts, including:
- 5 (i) English;
- 6 (ii) grammar;
- 7 (iii) composition;
- 8 (iv) speech; and
- 9 (v) second languages.
- 10 (B) Mathematics.
- 11 (C) Social studies and citizenship, including the:
- 12 (i) constitutions;
- 13 (ii) governmental systems; and
- 14 (iii) histories;
- 15 of Indiana and the United States, including a study of the
 16 Holocaust and the role religious extremism played in the
 17 events of September 11, 2001, in each high school United
 18 States history course.
- 19 (D) Sciences.
- 20 (E) Fine arts, including music and art.
- 21 (F) Health education, physical fitness, safety, and the effects
 22 of alcohol, tobacco, drugs, and other substances on the human
 23 body.
- 24 **(10) Provide training for teachers and other staff members in**
 25 **the recognition of warning signs of a child who is being**
 26 **abused.**
- 27 (g) An eligible school, charter school, or public school shall not
 28 teach the violent overthrow of the government of the United States.
- 29 (h) Nothing in this section shall be construed to limit the
 30 requirements of IC 20-30-5.

