

HOUSE BILL No. 1400

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-3-1-3; IC 5-11-1-27; IC 5-22-8-2; IC 16-41-37.5-6; IC 20-18-2-2.7; IC 20-19; IC 20-20; IC 20-26; IC 20-28; IC 20-29-2-4; IC 20-30; IC 20-33; IC 20-34; IC 20-35-5-2; IC 20-36-1-1.5; IC 21-12-10-11.

Synopsis: Education mandates. Provides that various provisions in the Indiana Code that relate to schools expire on July 1, 2020. Urges the legislative council to assign to the interim study committee on education during the 2019 interim the study of: (1) how to eliminate, reduce, or streamline the amount of education mandates placed on schools; and (2) the provisions that expire July 1, 2020, or otherwise no longer apply to schools after June 30, 2020. Provides that certain administrative rules that pertain to education expire July 1, 2020. Requires the state department of health, before January 1, 2021, to amend a rule pertaining to indoor air quality to eliminate its application to schools.

Effective: Upon passage.

Cook, Behning

January 14, 2019, read first time and referred to Committee on Education.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1400

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 5-3-1-3, AS AMENDED BY P.L.244-2017,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 3. (a) Within sixty (60) days after the
4 expiration of each calendar year, the fiscal officer of each civil city and
5 town in Indiana shall publish an annual report of the receipts and
6 expenditures of the city or town during the preceding calendar year.

7 (b) **This subsection expires July 1, 2020.** Not earlier than August
8 1 or later than August 15 of each year, the secretary of each school
9 corporation in Indiana shall publish an annual financial report.

10 (c) **This subsection expires July 1, 2020.** In the annual financial
11 report the school corporation shall include the following:

12 (1) Actual receipts and expenditures by major accounts as
13 compared to the budget advertised under IC 6-1.1-17-3 for the
14 prior calendar year.

15 (2) The salary schedule for all certificated employees (as defined
16 in IC 20-29-2-4) as of June 30, with the number of employees at
17 each salary increment. However, the listing of salaries of



individual teachers is not required.

(3) The extracurricular salary schedule as of June 30.

(4) The range of rates of pay for all noncertificated employees by specific classification.

(5) The number of employees who are full-time certificated, part-time certificated, full-time noncertificated, and part-time noncertificated.

(6) The lowest, highest, and average salary for the administrative staff and the number of administrators without a listing of the names of particular administrators.

(7) The number of students enrolled at each grade level and the total enrollment.

(8) The assessed valuation of the school corporation for the prior and current calendar year.

(9) The tax rate for each fund for the prior and current calendar year.

(10) In the general fund, capital projects fund, and transportation fund, a report of the total payment made to each vendor for the specific fund in excess of two thousand five hundred dollars (\$2,500) during the prior calendar year. However, a school corporation is not required to include more than two hundred (200) vendors whose total payment to each vendor was in excess of two thousand five hundred dollars (\$2,500). A school corporation shall list the vendors in descending order from the vendor with the highest total payment to the vendor with the lowest total payment above the minimum listed in this subdivision.

(11) A statement providing that the contracts, vouchers, and bills for all payments made by the school corporation are in its possession and open to public inspection.

(12) The total indebtedness as of the end of the prior calendar year showing the total amount of notes, bonds, certificates, claims due, total amount due from such corporation for public improvement assessments or intersections of streets, and any and all other evidences of indebtedness outstanding and unpaid at the close of the prior calendar year.

(d) **This subsection expires July 1, 2020.** The school corporation may provide an interpretation or explanation of the information included in the financial report.

(e) **This subsection expires July 1, 2020.** The department of education shall do the following:

(1) Develop guidelines for the preparation and form of the



1 financial report.

2 (2) Provide information to assist school corporations in the
3 preparation of the financial report.

4 (f) The annual reports required by this section and IC 36-2-2-19 and
5 the abstract required by IC 36-6-4-13 shall each be published one (1)
6 time only, in accordance with this chapter.

7 (g) **This subsection expires July 1, 2020.** Each school corporation
8 shall submit to the department of education a copy of the financial
9 report required under this section. The department of education shall
10 make the financial reports available for public inspection.

11 (h) As used in this subsection, "bonds" means any bonds, notes, or
12 other evidences of indebtedness, whether payable from property taxes,
13 other taxes, revenues, fees, or any other source. However, the term does
14 not include notes, warrants, or other evidences of indebtedness that
15 have a maturity of not more than five (5) years and that are made in
16 anticipation of and to be paid from revenues of the school corporation.
17 Notwithstanding any other law, a school corporation may not issue any
18 bonds unless the school corporation has filed the annual financial
19 report required under subsection (b) with the department of education.
20 The requirements under this subsection for the issuance of bonds by a
21 school corporation are in addition to any other requirements imposed
22 under any other law. This subsection applies to the issuance of bonds
23 authorized under any statute, regardless of whether that statute
24 specifically references this subsection or the requirements under this
25 subsection.

26 SECTION 2. IC 5-11-1-27, AS AMENDED BY P.L.184-2015,
27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 UPON PASSAGE]: Sec. 27. (a) As used in this section, "legislative
29 body" has the meaning set forth in IC 36-1-2-9.

30 (b) As used in this section, "material" means a significant or
31 consequential amount, as determined by the state examiner and
32 approved by the audit committee.

33 (c) As used in this section, "personnel" means an officer or
34 employee of a political subdivision whose official duties include
35 receiving, processing, depositing, disbursing, or otherwise having
36 access to funds that belong to the federal government, state
37 government, a political subdivision, or another governmental entity.

38 (d) As used in this section, "political subdivision" has the meaning
39 set forth in IC 5-11-10.5-1. **However, after June 30, 2020, the term**
40 **does not include a school corporation.**

41 (e) In the compliance guidelines authorized under section 24 of this
42 chapter, the state board of accounts shall define and the audit



committee shall approve not later than November 1, 2015, the acceptable minimum level of internal control standards and internal control procedures for internal control systems of political subdivisions, including the following:

- (1) Control environment.
- (2) Risk assessment.
- (3) Control activities.
- (4) Information and communication.
- (5) Monitoring.

The internal control standards and procedures shall be developed to promote government accountability and transparency.

(f) Not later than November 1, 2015, the state board of accounts shall develop or designate approved personnel training materials as approved by the audit committee, to implement this section.

(g) After June 30, 2016, the legislative body of a political subdivision shall ensure that:

- (1) the internal control standards and procedures developed under subsection (e) are adopted by the political subdivision; and
- (2) personnel receive training concerning the internal control standards and procedures adopted by the political subdivision.

(h) After June 30, 2016, the fiscal officer of a political subdivision shall certify in writing that:

- (1) the minimum internal control standards and procedures defined under subsection (e) have been adopted by the political subdivision; and
- (2) personnel, who are not otherwise on leave status, have received training as required by subsection (g)(2).

The certification shall be filed with the state board of accounts at the same time as the annual financial report required by section 4(a) of this chapter is filed. The certification shall be filed electronically in the manner prescribed under IC 5-14-3.8-7.

(i) After June 30, 2016, if the state board of accounts finds during an audit of a political subdivision that:

- (1) the political subdivision has not adopted the internal control standards and procedures required under subsection (g)(1); or
- (2) personnel of the political subdivision have not received the training required under subsection (g)(2);

the state board of accounts shall issue a comment in its examination report for the political subdivision. If, during a subsequent audit, the state board of accounts finds a violation described in subdivision (1) or (2) has not been corrected, the political subdivision has sixty (60) days after the date the state board of accounts notifies the political



subdivision of its findings to correct the violation. If a violation is not corrected within the required period, the state board of accounts shall forward the information to the department of local government finance.

(j) All erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the state board of accounts. For all material variances, losses, shortages, or thefts, the state board of accounts shall:

(1) determine the amount of funds involved and report the amount to the appropriate government and law enforcement officials;

(2) determine the internal control weakness that contributed to or caused the condition; and

(3) make written recommendations to the appropriate legislative body or appropriate official overseeing the internal control system addressing:

(A) the method of correcting the condition; and

(B) the necessary internal control policies and internal control procedures that must be modified to prevent a recurrence of the condition.

(k) The legislative body or the appropriate official overseeing the internal control system shall immediately implement the policies and procedures recommended by the state board of accounts under subsection (j)(3)(B).

(l) A public officer who has actual knowledge of or reasonable cause to believe that there has been a misappropriation of public funds or assets of the public office, including:

(1) information obtained as a result of a police report;

(2) an internal audit finding; or

(3) another source indicating that a misappropriation has occurred;

shall immediately send written notice of the misappropriation to the state board of accounts and the prosecuting attorney serving in the area governed by the political subdivision.

(m) If the attorney general institutes civil proceedings related to this section or under IC 5-11-5-1, the attorney general shall seek, in addition to the recovery of any funds misappropriated, diverted, or unaccounted for, restitution of:

(1) costs incurred by the state board of accounts; and

(2) all costs and reasonable attorney's fees incurred by the attorney general;

in connection with the civil proceedings.

SECTION 3. IC 5-22-8-2, AS AMENDED BY P.L.195-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: Sec. 2. (a) This section:

(1) applies only if the purchasing agent expects the purchase to be less than fifty thousand dollars (\$50,000); and

(2) after June 30, 2020, does not apply to a school corporation.

(b) A purchasing agent may make a purchase under small purchase policies established by the purchasing agency or under rules adopted by the governmental body.

SECTION 4. IC 16-41-37.5-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **This chapter expires July 1, 2020.**

SECTION 5. IC 20-18-2-2.7, AS ADDED BY P.L.286-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.7. (a) "Curricular materials" means systematically organized material designed to provide a specific level of instruction in a subject matter category, including:

(1) books;

(2) hardware that will be consumed, accessed, or used by a single student during a semester or school year;

(3) computer software; and

(4) digital content.

(b) **This section expires July 1, 2020.**

SECTION 6. IC 20-19-2-8, AS AMENDED BY P.L.242-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) In addition to any other powers and duties prescribed by law, the state board shall adopt rules under IC 4-22-2 concerning, but not limited to, the following matters:

(1) The designation and employment of the employees and consultants necessary for the department. The state board shall fix the compensation of employees of the department, subject to the approval of the budget committee and the governor under IC 4-12-2.

(2) The establishment and maintenance of standards and guidelines for media centers, libraries, instructional materials centers, or any other area or system of areas in a school where a full range of information sources, associated equipment, and services from professional media staff are accessible to the school community. With regard to library automation systems, the state board may only adopt rules that meet the standards established by the state library board for library automation systems under IC 4-23-7.1-11(b).

(3) The establishment and maintenance of standards for student



personnel and guidance services.

(4) The inspection of all public schools in Indiana to determine the condition of the schools. The state board shall establish standards governing the accreditation of public schools.

Observance of:

(A) IC 20-31-4;

(B) IC 20-28-5-2;

(C) IC 20-28-6-3 through IC 20-28-6-7;

(D) IC 20-28-11.5; and

(E) IC 20-31-3, IC 20-32-4, IC 20-32-5 (for school years ending before July 1, 2018), IC 20-32-5.1 (for school years beginning after June 30, 2018), and IC 20-32-8;

is a prerequisite to the accreditation of a school. Local public school officials shall make the reports required of them and otherwise cooperate with the state board regarding required inspections. Nonpublic schools may also request the inspection for classification purposes. Compliance with the building and site guidelines adopted by the state board is not a prerequisite of accreditation.

(5) The distribution of funds and revenues appropriated for the support of schools in the state.

(6) The state board may not establish an accreditation system for nonpublic schools that is less stringent than the accreditation system for public schools.

(7) A separate system for recognizing nonpublic schools under IC 20-19-2-10. Recognition of nonpublic schools under this subdivision constitutes the system of regulatory standards that apply to nonpublic schools that seek to qualify for the system of recognition.

(8) The establishment and enforcement of standards and guidelines concerning the safety of students participating in cheerleading activities.

(9) Subject to IC 20-28-2, the preparation and licensing of teachers.

(b) Before final adoption of any rule, the state board shall make a finding on the estimated fiscal impact that the rule will have on school corporations.

(c) This section expires July 1, 2020.

SECTION 7. IC 20-19-2-16, AS ADDED BY P.L.1-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) The state accepts the provisions and benefits of laws enacted by the Congress of the United States that



1 provide for aid to children with disabilities.

2 (b) The state board is designated as the proper authority and may
3 accept any federal funds appropriated to aid in the education of
4 children with disabilities. The state board shall comply with all the
5 requirements of:

6 (1) federal law concerning any federal funds relating to special
7 educational activities; and

8 (2) any amendments to those laws or rules and regulations issued
9 under and in conformity with those laws and not inconsistent with
10 this chapter.

11 **(c) This section expires July 1, 2020.**

12 SECTION 8. IC 20-19-3-9.4, AS AMENDED BY P.L.93-2016,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 UPON PASSAGE]: Sec. 9.4. (a) Beginning January 1, 2010, the
15 department may obtain and maintain student test number information
16 in a manner and form that permits any person who is authorized to
17 review the information to:

18 (1) access the information at any time; and

19 (2) accurately determine:

20 (A) where each student is enrolled and attending classes; and

21 (B) the number of students enrolled in a school corporation or
22 charter school and residing in the area served by a school
23 corporation;

24 as of any date after December 31, 2009, occurring before two (2)
25 regular instructional days before the date of the inquiry.

26 Each school corporation and charter school shall provide the
27 information to the department in the form and on a schedule that
28 permits the department to comply with this section. The department
29 shall provide technical assistance to school corporations and charter
30 schools to assist school corporations and charter schools in complying
31 with this section.

32 (b) Beginning with the 2015-2016 school year, each school
33 corporation and charter school shall annually:

34 (1) determine, on a form prescribed by the department, whether
35 a student who attends an adult high school (as defined under
36 IC 20-24-1-2.3) or a student's parent or a member of the same
37 household is a member of:

38 (A) the armed forces of the United States who is on active
39 duty;

40 (B) the reserve component of a branch of the armed forces of
41 the United States; or

42 (C) the national guard; and



(2) provide to the department a list of the students who have been identified under subdivision (1).

The information collected by a school corporation or charter school under subdivision (1) is considered confidential and shall be collected by the school corporation or charter school under guidelines for maintaining confidentiality established by the department. The department shall assign each student identified under subdivision (1) a unique identifier, which may be a modification of the student's test number assigned under subsection (a), by which data concerning military connected students may be disaggregated, including information concerning attendance records and academic progress.

(c) This section expires July 1, 2020.

SECTION 9. IC 20-19-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 8. School Deregulation

Sec 1. As used in this chapter, "education mandate" means a requirement of an educational entity included in the Indiana Code or an administrative rule. The term includes all:

- (1) training requirements;**
- (2) professional development requirements;**
- (3) state board or department:**
 - (A) policies;**
 - (B) procedures;**
 - (C) data reporting requirements; and**
 - (D) survey requirements.**

Sec. 2. As used in this chapter, "study committee" refers to the interim study committee on education established by IC 2-5-1.3-4.

Sec. 3. (a) The legislative council is urged to assign to the study committee during the 2019 interim the study of:

- (1) how to eliminate, reduce, or streamline the amount of education mandates placed on schools; and**
- (2) the following provisions that expire on July 1, 2020, or otherwise no longer apply to schools after June 30, 2020, including any recommendations to the general assembly as to whether the provision should expire or whether the provision may be improved to lessen the administrative burden placed on schools:**

IC 5-3-1-3(b) through IC 5-3-1-3(e) and IC 5-3-1-3(g) (publication of annual report).

IC 5-11-1-27 (local governmental internal controls; personnel training; violations; reporting



1 misappropriations).
 2 IC 5-22-8-2 (purchases below fifty thousand dollars
 3 (\$50,000)).
 4 IC 16-41-37.5 (indoor air quality in schools).
 5 IC 20-18-2-2.7 (definition of curricular materials).
 6 IC 20-19-2-8 (adoption of administrative rules by the state
 7 board).
 8 IC 20-19-2-16 (federal aid concerning children with
 9 disabilities).
 10 IC 20-19-3-9.4 (disclosure of student test number
 11 information).
 12 IC 20-20-8 (school corporation annual performance
 13 report).
 14 IC 20-20-33 (alternative education program grants).
 15 IC 20-20-40-13 (restraint and seclusion; notice
 16 requirement; training; elements of the restraint and
 17 seclusion plan).
 18 IC 20-26-3-5 (constitutional or statutory exercise of
 19 powers; written policy).
 20 IC 20-26-5-1 (power and purpose to conduct various
 21 education programs).
 22 IC 20-26-5-10 (adoption of criminal history background
 23 and child protection index check policy; implementation of
 24 policy).
 25 IC 20-26-5-31 (school corporation police; autism and
 26 Asperger's syndrome training).
 27 IC 20-26-5-34.2 (bullying prevention; training for
 28 employees and volunteers).
 29 IC 20-26-5-34.4 (child suicide awareness and prevention
 30 policy).
 31 IC 20-26-13 (graduation rate determination).
 32 IC 20-26-16-4 (school corporation police department
 33 minimum training requirements).
 34 IC 20-26-18 (criminal gang measures).
 35 IC 20-26-18.2 (school resource officers).
 36 IC 20-28-3-4.5 (training on child abuse and neglect).
 37 IC 20-28-3-6 (youth suicide awareness and prevention
 38 training).
 39 IC 20-28-3-7 (training on human trafficking).
 40 IC 20-28-5-1 (department's responsibility for licensing
 41 teachers).
 42 IC 20-28-5-3(c) (cardiopulmonary resuscitation training).



- 1 IC 20-28-11.5 (staff performance evaluations).
- 2 IC 20-29-2-4 (definition of certificated employee).
- 3 IC 20-30-5 (mandatory curriculum).
- 4 IC 20-30-8 (alternative program for certain students).
- 5 IC 20-33-2-3.2 (definition of attend).
- 6 IC 20-33-2-14 (compulsory attendance; school corporation
- 7 policy; exceptions; service as page or honoree of general
- 8 assembly).
- 9 IC 20-33-5-7 (public schools; curricular material
- 10 assistance; state reimbursement).
- 11 IC 20-33-8-12 (adoption of discipline rules; publicity
- 12 requirement; discipline policy regulations and guidelines;
- 13 delegation of authority; rulemaking powers of governing
- 14 body).
- 15 IC 20-33-8-13.5 (discipline rules prohibiting bullying
- 16 required).
- 17 IC 20-33-8-32 (locker searches).
- 18 IC 20-34-6 (student safety reporting).
- 19 IC 20-34-7 (student athletes: concussions and head
- 20 injuries).
- 21 IC 20-35-5-2 (formation of special education cooperative).
- 22 IC 20-36 (high ability students).
- 23 IC 21-12-10 (Mitch Daniels early graduation scholarship).
- 24 410 IAC 33-4-3 (indoor air quality).
- 25 410 IAC 33-4-7 (policy for animals in the classroom).
- 26 410 IAC 33-4-8 (policy to minimize student exposure to
- 27 chemicals).
- 28 511 IAC 6-9.1 (waiver of curriculum and graduation rules
- 29 for programs for high ability students).
- 30 511 IAC 6-10-4 (postsecondary enrollment program local
- 31 policies).
- 32 511 IAC 6.1-5-9 (required homework policy).
- 33 511 IAC 6.1-5-10 (policy prohibiting retaining student for
- 34 athletic purposes).
- 35 511 IAC 6.2-3.1 (reading plan).
- 36 511 IAC 7-36-9 (medication administration).
- 37 511 IAC 7-42-10 (least restrictive environment and
- 38 delivery of special education and related services).
- 39 511 IAC 7-46-4 (child count data collection).
- 40 511 IAC 16-2-7 (creditable experience for licensing).
- 41 (b) The study committee shall include the study committee's
- 42 recommendations in the study committee's final report.



(c) Notwithstanding IC 4-22-2.5-2, the following rules, sections, and provisions expire on July 1, 2020:

410 IAC 33-4-7 (policy for animals in the classroom).

410 IAC 33-4-8 (policy to minimize student exposure to chemicals).

511 IAC 6-9.1 (waiver of curriculum and graduation rules for programs for high ability students).

511 IAC 6-10-4 (postsecondary enrollment program local policies).

511 IAC 6.1-5-9 (required homework policy).

511 IAC 6.1-5-10 (policy prohibiting retaining student for athletic purposes).

511 IAC 6.2-3.1 (reading plan).

511 IAC 7-36-9 (medication administration).

511 IAC 7-42-10 (least restrictive environment and delivery of special education and related services).

511 IAC 7-46-4 (child count data collection).

511 IAC 16-2-7 (creditable experience for licensing).

The publisher of the Indiana Administrative Code shall remove the rule, section, or provision from the Indiana Administrative Code unless the rule, section, or provision is readopted under IC 4-22-2.5-2.

(d) Before January 1, 2021, the state department of health shall amend 410 IAC 33-4-3 to eliminate its application to schools.

(e) This chapter expires January 1, 2021.

SECTION 10. IC 20-20-8-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. This chapter expires July 1, 2020.**

SECTION 11. IC 20-20-33-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. This chapter expires July 1, 2020.**

SECTION 12. IC 20-20-40-13, AS AMENDED BY P.L.227-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. (a) The commission has the following duties:**

(1) To adopt rules concerning the following:

(A) The use of restraint and seclusion in a school corporation or an accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.

(B) The prevention of the use of types of restraint or seclusion



that may harm a student, a school employee, a school volunteer, or the educational environment of the school.

(C) Requirements for notifying parents.

(D) Training regarding the use of restraint and seclusion, including the frequency of training and what employees must be trained.

(E) The distribution of the seclusion and restraint policy to parents and the public.

(F) Requirements for the reporting of incidents of restraint and seclusion in the annual school performance report, including incidents of restraint and seclusion involving school resource officers (as defined in IC 20-26-18.2-1).

(G) Circumstances that may require more timely incident reporting and the requirements for such reporting.

(2) To develop, maintain, and revise a model restraint and seclusion plan for schools that includes the following elements:

(A) A statement on how students will be treated with dignity and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict deescalation to eliminate or minimize the need for use of any of the following:

(i) Seclusion.

(ii) Chemical restraint.

(iii) Mechanical restraint.

(iv) Physical restraint.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:

(i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and

(ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only



for a short time period, or until the imminent risk of injury has passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:

- (i) how every incident will be documented and debriefed;
- (ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and
- (iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict deescalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of school employees.

(3) To accept and review reports from the public and make nonbinding recommendations to the department of any suggested action to be taken.

(b) The model policy developed by the commission must take into consideration that implementation and reporting requirements for accredited nonpublic schools may vary, and the model plan must provide accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by an accredited nonpublic school under section 14 of this chapter.

(c) This section expires July 1, 2020.

SECTION 13. IC 20-26-3-5, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) If there is a constitutional or statutory provision requiring a specific manner for exercising a power, a school corporation that exercises the power shall exercise the power in the specified manner as a minimum requirement.

(b) If there is not a constitutional or statutory provision requiring a



specific manner for exercising a power, a school corporation that exercises the power shall:

- (1) adopt a written policy prescribing a specific manner for exercising the power; or
- (2) comply with a statutory provision permitting a specific manner for exercising the power.

(c) A written policy under subsection (b)(1) must be adopted by the governing body of the school corporation.

(d) This section expires July 1, 2020.

SECTION 14. IC 20-26-5-1, AS AMENDED BY P.L.82-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A school corporation shall conduct an educational program for all children who reside within the school corporation in kindergarten and in grades 1 through 12.

(b) A school corporation may:

- (1) conduct an educational program for adults and children at least fourteen (14) years of age who do not attend a program described in subsection (a);
- (2) provide instruction in vocational, industrial, or manual training;
- (3) provide libraries for the schools of the school corporation;
- (4) provide public libraries open and free for the use and benefit of the residents and taxpayers of the school corporation where permitted by law;
- (5) provide vacation school and recreational programs;
- (6) conduct other educational or other activities as are permitted or required to be performed by law by any school corporation; and
- (7) provide a school age child care program that operates during periods when school is in session for students who are enrolled in a half-day kindergarten program.

(c) A school corporation shall develop a written policy that provides for:

- (1) the implementation of a school age child care program for children who attend:
 - (A) preschool offered by the school corporation, if applicable; and
 - (B) kindergarten through grade 6;
 that, at a minimum, operates after the school day and may include periods before school is in session or periods when school is not otherwise in session (commonly referred to as a latch key program) and is offered by the school corporation; or
- (2) the availability of the school corporation's buildings or parts



of the school corporation's buildings to conduct the type of program described in subdivision (1) by a nonprofit organization or a for-profit organization.

(d) The written policy required under subsection (c) must address compliance with certain standards of reasonable care for children served by a child care program offered under subsection (c), including:

(1) requiring the offering entity to acquire a particular amount of liability insurance; and

(2) establishing maximum adult to child ratios governing the overall supervision of the children served.

If a school corporation implements a child care program as described in subsection (c)(1) or enters into a contract with an entity described in subsection (c)(2) to provide a child care program, the school corporation may not assess a fee for the use of the building, and the contract between the school corporation and the entity providing the program must be in writing. However, the school corporation may assess a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other costs directly attributable to the use of the building for the program. In addition, if a school corporation offers a child care program as described in subsection (c)(1), the school corporation may assess a fee to cover costs attributable to implementing the program.

(e) The powers under this section are purposes as well as powers.

(f) This section expires July 1, 2020.

SECTION 15. IC 20-26-5-10, AS AMENDED BY P.L.167-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) This section applies to a:

(1) school corporation;

(2) charter school; or

(3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

(1) apply for:

(A) employment with the school corporation, charter school, or nonpublic school; or

(B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;

(2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or

(3) are employed by an entity that seeks to enter into a contract to



1 provide services to the school corporation, charter school, or
2 nonpublic school;

3 if the individuals are likely to have direct, ongoing contact with
4 children within the scope of the individuals' employment.

5 (c) Except as provided in subsections (f) and (g), a school
6 corporation, a charter school, and a nonpublic school shall administer
7 a policy adopted under this section uniformly for all individuals to
8 whom the policy applies.

9 (d) A policy adopted under this section must require that the school
10 corporation, charter school, or nonpublic school conduct an expanded
11 criminal history check concerning each applicant for employment who
12 is likely to have direct, ongoing contact with children within the scope
13 of the individual's employment before or not later than thirty (30) days
14 after the start date of the applicant's employment by the school
15 corporation, charter school, or nonpublic school.

16 (e) A policy adopted under this section:

17 (1) must require that the school corporation, charter school, or
18 nonpublic school conduct an Indiana expanded child protection
19 index check; and

20 (2) may require that the school corporation, charter school, or
21 nonpublic school conduct an expanded child protection index
22 check in other states;

23 concerning each applicant for employment who is likely to have direct,
24 ongoing contact with children within the scope of the individual's
25 employment. An Indiana expanded child protection index check must
26 be completed before or not later than sixty (60) days after the start date
27 of the applicant's employment by the school corporation, charter
28 school, or nonpublic school.

29 (f) A policy adopted under this section must state that the school
30 corporation, charter school, or nonpublic school requires an expanded
31 criminal history check concerning an employee of the school
32 corporation, charter school, or nonpublic school who is likely to have
33 direct, ongoing contact with children within the scope of the
34 employee's employment. The checks must be conducted every five (5)
35 years. A school corporation, charter school, or nonpublic school may
36 adopt a policy to require an employee to obtain an expanded child
37 protection index check every five (5) years.

38 (g) In implementing subsection (f), and subject to subsection (j), a
39 school corporation, charter school, or nonpublic school may update the
40 checks required under subsection (f) for employees who are employed
41 by the school corporation, charter school, or nonpublic school as of
42 July 1, 2017, over a period not to exceed five (5) years by annually



conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the number of employees who are employed by the school corporation, charter school, or nonpublic school on July 1, 2017.

(h) An applicant or employee may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before the individual's employment by the school corporation, charter school, or nonpublic school. The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for employment or employee described in subsection (f) may be required:

(1) at the time the individual applies or updates an expanded criminal history check under subsection (f); or

(2) while an expanded criminal history check or expanded child protection index check is being conducted;

to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) An applicant is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs. A school corporation, charter school, or nonpublic school may agree to pay the costs associated with obtaining an expanded criminal history background check for an employee. An employee of a school corporation, charter school, or nonpublic school may not be required to pay the costs of an expanded child protection index check.

(j) An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain an expanded criminal history check or an expanded child protection index check at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:

(1) is the subject of a substantiated report of child abuse or neglect; or

(2) has been charged with or convicted of a crime listed in section



11(b) of this chapter.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

(l) Information obtained under this section must be used in accordance with law.

(m) This section expires July 1, 2020.

SECTION 16. IC 20-26-5-31, AS ADDED BY P.L.122-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) If a school corporation, including a school city (as defined in IC 20-25-2-12), establishes a school corporation police department, the governing body of the school corporation shall adopt a policy that requires every individual appointed as a school corporation police officer to complete training and education, approved by the state board, that will enable the school corporation police officer to appropriately deal with individuals with autism and Asperger's syndrome.

(b) This subsection applies to a regular or special police officer who is assigned as a security police officer for a school corporation under IC 36-8-3-7. The governing body of the school corporation to which the police officer is assigned shall ensure that the police officer receives training and education, approved by the state board, that will enable the police officer to appropriately deal with individuals with autism and Asperger's syndrome.

(c) This section expires July 1, 2020.

SECTION 17. IC 20-26-5-34.2, AS ADDED BY P.L.285-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34.2. (a) A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact with students concerning the school's bullying prevention and reporting policy adopted under IC 20-33-8-13.5.

(b) This section expires July 1, 2020.

SECTION 18. IC 20-26-5-34.4, AS ADDED BY P.L.254-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34.4. (a) Each school corporation shall adopt a policy addressing measures intended to increase child suicide awareness and prevention. The policy must address the following:

(1) Counseling services for the child and the child's family related to suicide prevention.



(2) Availability of referral information for crisis intervention to children, parents, and school corporation staff.

(3) Increasing awareness of the relationship between suicide and drug and alcohol use.

(4) Training on warning signs and tendencies that may evidence that a child is considering suicide.

(5) Availability of information concerning suicide prevention services in the community.

(6) Cooperation among the school corporation and suicide prevention services in the community.

(7) Development of a plan to assist survivors of attempted suicide and to assist children and school corporation staff in coping with an attempted suicide or death of a student or school employee.

(8) Development of any other program or activity that is appropriate.

(b) This section expires July 1, 2020.

SECTION 19. IC 20-26-13-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17. This chapter expires July 1, 2020.**

SECTION 20. IC 20-26-16-4, AS ADDED BY P.L.132-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a)** An individual appointed as a school corporation police officer must successfully complete at least:

(1) the pre-basic training course established under IC 5-2-1-9(f); and

(2) the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer.

(b) This section expires July 1, 2020.

SECTION 21. IC 20-26-18-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. This chapter expires July 1, 2020.**

SECTION 22. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. This chapter expires July 1, 2020.**

SECTION 23. IC 20-28-3-4.5, AS ADDED BY P.L.183-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.5. (a) Each school corporation, charter school, and accredited nonpublic school shall require each school



employee likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in training on child abuse and neglect, including:

- (1) training on the duty to report suspected child abuse or neglect under IC 31-33-5; and
- (2) training on recognizing possible signs of child abuse or neglect;

at least once every two (2) years.

(b) The format of training under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body that is consistent with current professional development standards.

(c) The training required under this section must count toward the requirements for professional development required by the governing body.

(d) The training required under this section must be during the school employee's contracted day or at a time chosen by the employee.

(e) This section expires July 1, 2020.

SECTION 24. IC 20-28-3-6, AS AMENDED BY P.L.56-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) For purposes of this section, "teacher" includes the following:

- (1) A superintendent who holds a license under IC 20-28-5.
- (2) A principal.
- (3) A teacher.
- (4) A librarian.
- (5) A school counselor.
- (6) A school psychologist.
- (7) A school nurse.
- (8) A school social worker.

(b) Beginning after June 30, 2018, each school corporation, charter school, and accredited nonpublic school:

- (1) shall require all teachers; and
- (2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in at least two (2) hours of research based inservice youth suicide awareness and prevention training every three (3) school years. The training required under this subsection must be during the teacher's or



1 school employee's contracted day or at a time chosen by the teacher or
2 employee.

3 (c) Subject to subsection (e), the format of training required under
4 this section may include:

- 5 (1) an in-person presentation;
- 6 (2) an electronic or technology based medium, including
7 self-review modules available on an online system;
- 8 (3) an individual program of study of designated materials; or
- 9 (4) any other method approved by the governing body that is
10 consistent with current professional development standards.

11 (d) The inservice training required under this section shall count
12 toward the requirements for professional development required by the
13 governing body.

14 (e) The research based youth suicide awareness and prevention
15 training program required under subsection (b) must be:

- 16 (1) demonstrated to be an effective or promising program; and
- 17 (2) recommended by the Indiana Suicide Prevention Network
18 Advisory Council.

19 (f) A school or school corporation may leverage any:

- 20 (1) existing or new state and federal grant funds; or
- 21 (2) free or reduced cost evidence based youth suicide awareness
22 and prevention training provided by any state agency or qualified
23 statewide or local organization;

24 to cover the costs of the training required under this section.

25 **(g) This section expires July 1, 2020.**

26 SECTION 25. IC 20-28-3-7, AS ADDED BY P.L.211-2018(ss),
27 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 UPON PASSAGE]: Sec. 7. (a) Each school corporation and accredited
29 nonpublic school shall require all school employees likely to have
30 direct, ongoing contact with children within the scope of the
31 employee's employment to attend or participate in at least one (1) hour
32 of inservice training every two (2) school years pertaining to the
33 identification and reporting of human trafficking.

34 (b) The format of the inservice training required under this section
35 may include:

- 36 (1) an in-person presentation;
- 37 (2) an electronic or technology based medium, including
38 self-review modules available on an online system;
- 39 (3) an individual program of study of designated materials; or
- 40 (4) any other method approved by the governing body, or the
41 equivalent authority for an accredited nonpublic school, that is
42 consistent with current professional development standards.



(c) The inservice training required under this section shall count toward the requirements for professional development required by the governing body or the equivalent authority for an accredited nonpublic school.

(d) This section expires July 1, 2020.

SECTION 26. IC 20-28-5-1, AS ADDED BY P.L.246-2005, SECTION 155, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The department is responsible for the licensing of teachers.

(b) This section expires July 1, 2020.

SECTION 27. IC 20-28-5-3, AS AMENDED BY P.L.85-2017, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The department shall designate the grade point average required for each type of license.

(b) The department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

- (1) The conversion of one (1) type of license into another.
- (2) The accreditation of teacher education schools and departments.
- (3) The exchange and renewal of licenses.
- (4) The endorsement of another state's license.
- (5) The acceptance of credentials from teacher education institutions of another state.
- (6) The academic and professional preparation for each type of license.
- (7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.
- (8) The issuance of licenses on credentials.
- (9) The type of license required for each school position.
- (10) The size requirements for an elementary school requiring a licensed principal.
- (11) Any other related matters.

The department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

(c) **This subsection expires July 1, 2020.** This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2011, the department may not issue an initial practitioner license at any grade level to an applicant for an initial practitioner license unless the applicant shows evidence that the applicant:

- (1) has successfully completed training approved by the department in:



- (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
- (B) removing a foreign body causing an obstruction in an airway;
- (C) the Heimlich maneuver; and
- (D) the use of an automated external defibrillator;
- (2) holds a valid certification in each of the procedures described in subdivision (1) issued by:
 - (A) the American Red Cross;
 - (B) the American Heart Association; or
 - (C) a comparable organization or institution approved by the state board; or
- (3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).

The training in this subsection applies to a teacher (as defined in IC 20-18-2-22(b)).

(d) This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2013, the department may not issue an initial teaching license at any grade level to an applicant for an initial teaching license unless the applicant shows evidence that the applicant has successfully completed education and training on the prevention of child suicide and the recognition of signs that a student may be considering suicide.

(e) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2012, the department may not issue a teaching license renewal at any grade level to an applicant unless the applicant shows evidence that the applicant:

- (1) has successfully completed training approved by the department in:
 - (A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;
 - (B) removing a foreign body causing an obstruction in an airway;
 - (C) the Heimlich maneuver; and
 - (D) the use of an automated external defibrillator;
- (2) holds a valid certification in each of the procedures described in subdivision (1) issued by:
 - (A) the American Red Cross;
 - (B) the American Heart Association; or
 - (C) a comparable organization or institution approved by the



- 1 state board; or
 2 (3) has physical limitations that make it impracticable for the
 3 applicant to complete a course or certification described in
 4 subdivision (1) or (2).
 5 (f) The department shall periodically publish bulletins regarding:
 6 (1) the details described in subsection (b);
 7 (2) information on the types of licenses issued;
 8 (3) the rules governing the issuance of each type of license; and
 9 (4) other similar matters.

10 SECTION 28. IC 20-28-11.5-11 IS ADDED TO THE INDIANA
 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE UPON PASSAGE]: **Sec. 11. This chapter expires July**
 13 **1, 2020.**

14 SECTION 29. IC 20-29-2-4, AS AMENDED BY P.L.1-2007,
 15 SECTION 145, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a)** "Certificated employee"
 17 means a person:

- 18 (1) whose contract with the school corporation requires that the
 19 person hold a license or permit from the division of professional
 20 standards of the department under IC 20-28; or
 21 (2) who is employed as a teacher by a charter school established
 22 under IC 20-24.

23 **(b) This section expires July 1, 2020.**

24 SECTION 30. IC 20-30-5-24 IS ADDED TO THE INDIANA
 25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE UPON PASSAGE]: **Sec. 24. This chapter expires July**
 27 **1, 2020.**

28 SECTION 31. IC 20-30-8-17 IS ADDED TO THE INDIANA
 29 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE UPON PASSAGE]: **Sec. 17. This chapter expires July**
 31 **1, 2020.**

32 SECTION 32. IC 20-33-2-3.2, AS ADDED BY P.L.90-2011,
 33 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 UPON PASSAGE]: Sec. 3.2. **(a)** As used in this chapter, "attend"
 35 means to be physically present:

- 36 (1) in a school; or
 37 (2) at another location where the school's educational program in
 38 which a person is enrolled is being conducted;
 39 during regular school hours on a day in which the educational program
 40 in which the person is enrolled is being offered.

41 **(b) This section expires July 1, 2020.**

42 SECTION 33. IC 20-33-2-14, AS AMENDED BY P.L.90-2011,



SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) This section and sections 15 through 17.5 of this chapter apply to a student who attends either a public school or a nonpublic school.

(b) The governing body of each school corporation shall have a policy outlining the conditions for excused and unexcused absences. The policy must include the grounds for excused absences required by sections 15 through 17.5 of this chapter or another law. Any absence that results in a person not attending at least one hundred eighty (180) days in a school year must be in accordance with the governing body's policy to qualify as an excused absence.

(c) Service as a page for or as an honoree of the general assembly is a lawful excuse for a student to be absent from school, when verified by a certificate of the secretary of the senate or the chief clerk of the house of representatives. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

(d) This section expires July 1, 2020.

SECTION 34. IC 20-33-5-7, AS AMENDED BY P.L.286-2013, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) If a determination is made that the applicant is eligible for assistance, the school corporation shall pay the cost of the student's required fees.

(b) A school corporation shall receive a reimbursement from the department for some or all of the costs incurred by a school corporation during a school year in providing curricular materials assistance to students who are eligible under section 2 of this chapter.

(c) To be guaranteed some level of reimbursement from the department, the governing body of a school corporation shall request the reimbursement before November 1 of a school year.

(d) In its request, the governing body shall certify to the department:

(1) the number of students who are enrolled in that school corporation and who are eligible for assistance under this chapter;

(2) the costs incurred by the school corporation in providing:

(A) curricular materials (including curricular materials used in special education and high ability classes) to these students;

(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable instructional materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year; and



- 1 (C) instead of the purchase of curricular materials,
- 2 developmentally appropriate material for instruction in
- 3 kindergarten through the grade 3 level, laboratories, and
- 4 children's literature programs;
- 5 (3) that the curricular materials described in subdivision (2)(A)
- 6 (except curricular materials used in special education classes and
- 7 high ability classes) have been adopted by the governing body;
- 8 and
- 9 (4) any other information required by the department.
- 10 (e) Each school within a school corporation shall maintain complete
- 11 and accurate information concerning the number of students
- 12 determined to be eligible for assistance under this chapter. This
- 13 information shall be provided to the department upon request.
- 14 (f) Parents receiving other governmental assistance or aid that
- 15 considers educational needs in computing the entire amount of
- 16 assistance granted may not be denied assistance if the applicant's total
- 17 family income does not exceed the standards established by this
- 18 chapter.
- 19 (g) The amount of reimbursement that a school corporation is
- 20 entitled to receive shall be determined as provided in section 9.5 of this
- 21 chapter.
- 22 **(h) This section expires July 1, 2020.**
- 23 SECTION 35. IC 20-33-8-12, AS AMENDED BY P.L.66-2009,
- 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 UPON PASSAGE]: Sec. 12. (a) Except as provided under
- 26 ~~IC 20-33-8-16~~, **section 16 of this chapter**, the governing body of a
- 27 school corporation must do the following:
- 28 (1) Establish written discipline rules, which must include a
- 29 graduated system of discipline and may include:
- 30 (A) appropriate dress codes; and
- 31 (B) if applicable, an agreement for court assisted resolution of
- 32 school suspension and expulsion cases;
- 33 for the school corporation.
- 34 (2) Give general publicity to the discipline rules within a school
- 35 where the discipline rules apply by actions such as:
- 36 (A) making a copy of the discipline rules available to students
- 37 and students' parents; or
- 38 (B) delivering a copy of the discipline rules to students or the
- 39 parents of students.
- 40 This publicity requirement may not be construed technically and
- 41 is satisfied if the school corporation makes a good faith effort to
- 42 disseminate to students or parents generally the text or substance



- 1 of a discipline rule.
- 2 (b) The:
- 3 (1) superintendent of a school corporation; and
- 4 (2) principals of each school in a school corporation;
- 5 may adopt regulations establishing lines of responsibility and related
- 6 guidelines in compliance with the discipline policies of the governing
- 7 body.
- 8 (c) The governing body of a school corporation may delegate:
- 9 (1) rulemaking;
- 10 (2) disciplinary; and
- 11 (3) other authority;
- 12 as reasonably necessary to carry out the school purposes of the school
- 13 corporation.
- 14 (d) Subsection (a) does not apply to rules or directions concerning
- 15 the following:
- 16 (1) Movement of students.
- 17 (2) Movement or parking of vehicles.
- 18 (3) Day to day instructions concerning the operation of a
- 19 classroom or teaching station.
- 20 (4) Time for commencement of school.
- 21 (5) Other standards or regulations relating to the manner in which
- 22 an educational function must be administered.
- 23 However, this subsection does not prohibit the governing body from
- 24 regulating the areas listed in this subsection.
- 25 **(e) This section expires July 1, 2020.**
- 26 SECTION 36. IC 20-33-8-13.5, AS AMENDED BY
- 27 P.L.211-2018(ss), SECTION 9, IS AMENDED TO READ AS
- 28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.5. (a) Discipline
- 29 rules adopted by the governing body of a school corporation under
- 30 section 12 of this chapter must:
- 31 (1) prohibit bullying; and
- 32 (2) include:
- 33 (A) provisions concerning education, parental involvement,
- 34 and intervention;
- 35 (B) a detailed procedure for the expedited investigation of
- 36 incidents of bullying that includes:
- 37 (i) appropriate responses to bullying behaviors, wherever the
- 38 behaviors occur;
- 39 (ii) provisions for anonymous and personal reporting of
- 40 bullying to a teacher or other school staff;
- 41 (iii) timetables for reporting of bullying incidents to the
- 42 parents of both the targeted student and the bully, in an



expedited manner;

(iv) timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;

(v) discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and

(vi) discipline provisions for false reporting of bullying; and

(C) a detailed procedure outlining the use of follow-up services that includes:

(i) support services for the victim; and

(ii) bullying education for the bully.

(b) The discipline rules described in subsection (a) may be applied regardless of the physical location in which the bullying behavior occurred, whenever:

(1) the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and

(2) disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

(c) The discipline rules described in subsection (a) must prohibit bullying through the use of data or computer software that is accessed through a:

(1) computer;

(2) computer system;

(3) computer network; or

(4) cellular telephone or other wireless or cellular communications device.

(d) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.

(e) A record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under IC 5-14-3.

(f) The department shall periodically review each policy adopted under this section to ensure the policy's compliance with this section.

(g) This section expires July 1, 2020.



SECTION 37. IC 20-33-8-32, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) A school corporation must provide each:

(1) student; and

(2) student's parent;

a copy of the rules of the governing body on searches of students' lockers and locker contents.

(b) A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in:

(1) that locker; or

(2) the locker's contents.

(c) In accordance with the rules of the governing body, a principal may search:

(1) a student's locker; and

(2) the locker's contents;

at any time.

(d) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student's locker may:

(1) at the request of the school principal; and

(2) in accordance with rules of the governing body of the school corporation;

assist a school administrator in searching a student's locker and the locker's contents.

(e) This section expires July 1, 2020.

SECTION 38. IC 20-34-6-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3. This chapter expires July 1, 2020.**

SECTION 39. IC 20-34-7-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. This chapter expires July 1, 2020.**

SECTION 40. IC 20-35-5-2, AS AMENDED BY P.L.38-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. **(a)** A participating school corporation or charter school, together with one (1) or more participating school corporations or charter schools, may form a special education cooperative in accordance with the provisions of either sections 13 through 15 of this chapter or section 16 of this chapter, but subject to the limitations of this section and sections 3 through 8 of this chapter, by adopting an agreement that contains the following provisions:

(1) A plan for the organization, administration, and support for



the special education cooperative, including the establishment of a board of managers.

(2) The commencement date of the establishment of the special education cooperative, which must be contemporaneous with the beginning of a school year.

(3) The extension of the special education cooperative for at least five (5) school years and a provision that the special education cooperative will extend from school year to school year after the five (5) year period unless the special education cooperative is terminated by action of the governing bodies or governing boards of a majority of the participating school corporations and participating charter schools that is taken at least one (1) year before termination of the agreement.

(b) This section expires July 1, 2020.

SECTION 41. IC 20-36-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. This article expires July 1, 2020.**

SECTION 42. IC 21-12-10-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. This chapter expires July 1, 2020.**

SECTION 43. [EFFECTIVE UPON PASSAGE] **(a) The legislative services agency shall prepare legislation for introduction in the 2020 regular session of the general assembly to organize and correct statutes affected by this act.**

(b) This SECTION expires December 31, 2020.

SECTION 44. **An emergency is declared for this act.**

