

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.

HOUSE ENROLLED ACT No. 1421

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-26-5-32, AS ADDED BY P.L.66-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 32. **(a)** The governing body of each school corporation shall work with parents to:

- (1) develop; and
- (2) review periodically;

an evidence based plan for improving student behavior and discipline in the school corporation after receiving a model plan developed by the department.

(b) The model plan developed by the department under subsection (a) must:

- (1) reduce out-of-school suspension and disproportionality in discipline and expulsion;**
- (2) limit referrals to law enforcement and arrests on school property to cases in which referral to law enforcement or arrest is necessary to protect the health and safety of students or school employees; and**
- (3) include policies to address instances of bullying and cyberbullying on school property of a school corporation.**

(c) Beginning in the 2019-2020 school year, the department, in collaboration with parent organizations, teacher organizations, educational support professional organizations, and state

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educational institutions, shall, upon a school corporation's request, provide information and assistance to the school corporation regarding the implementation of the school corporation's evidence based plan developed under subsection (a) to ensure that teachers and administrators receive appropriate professional development and other resources in preparation for carrying out the plan.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The definitions used in IC 20 apply throughout this SECTION.

(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying the use of positive student discipline and restorative justice practices by elementary and secondary schools.

(c) This SECTION expires January 1, 2019.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The definitions used in IC 20 apply throughout this SECTION.

(b) The department shall conduct a survey of school corporation school discipline policies to determine the extent to which positive discipline and restorative justice practices are being utilized.

(c) In conducting a survey under this SECTION, the department may not:

(1) require or pressure a school corporation to adopt any aspect of the model plan developed by the department under IC 20-26-5-32; or

(2) conduct reviews, other than any reviews the department currently conducts, of school discipline policies.

(d) On or before September 1, 2018, the department shall submit a report to the general assembly in an electronic format under IC 5-14-6 providing a detailed description of the results of the survey described in subsection (b).

(e) This SECTION expires January 1, 2019.

SECTION 4. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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