

HOUSE BILL No. 1426

DIGEST OF INTRODUCED BILL

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

Synopsis: Secured school fund grants. Removes the match requirement from the secured school fund. Reconciles the versions of IC 10-21-1-2 and IC 10-21-1-4 that were enacted by the 2019 general assembly.

Effective: July 1, 2020.

GiaQuinta

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



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

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

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

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

HOUSE BILL No. 1426

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 10-21-1-1, AS AMENDED BY P.L.50-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 1. The following definitions apply throughout this
4 chapter:

5 (1) "Accredited nonpublic school" means a nonpublic school (as
6 described under IC 20-18-2-12) that has voluntarily become
7 accredited under IC 20-19-2-8.

8 (2) "Active event warning system" refers to a system that includes
9 services and technology that will notify available law enforcement
10 agencies in the area of a school building of a life threatening
11 emergency.

12 (3) "ADM" refers to average daily membership determined under
13 IC 20-43-4-2. In the case of a school corporation career and
14 technical education school described in IC 20-37-1-1, "ADM"
15 refers to the count on a full-time equivalency basis of students
16 attending the school on the date ADM is determined under
17 IC 20-43-4-2.



- 1 (4) "Board" refers to the secured school safety board established
 2 by section 3 of this chapter.
 3 (5) "Fund" refers to the Indiana secured school fund established
 4 by section 2 of this chapter.
 5 (6) "Law enforcement agency" refers to a state, local, or federal
 6 agency or department that would respond to an emergency event
 7 at a school, including both on duty and off duty officers within the
 8 agency or department.
 9 (7) "Local plan" means the school safety plan described in
 10 IC 20-26-18.2-2(b).
 11 (8) "School corporation or charter school" refers to an individual
 12 school corporation, a school corporation career and technical
 13 education school described in IC 20-37-1-1, or a charter school
 14 but also includes:
 15 (A) a coalition of school corporations;
 16 (B) a coalition of charter schools; or
 17 (C) a coalition of both school corporations and charter schools;
 18 that intend to jointly employ a school resource officer or to jointly
 19 apply for a **matching secured school** grant under this chapter,
 20 unless the context clearly indicates otherwise.
 21 (9) "School official" refers to an employee of a school
 22 corporation, charter school, or accredited nonpublic school who
 23 has access to an active event warning system.
 24 (10) "School resource officer" has the meaning set forth in
 25 IC 20-26-18.2-1.

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

- 31 Sec. 2. (a) The Indiana secured school fund is established to provide:
 32 (1) ~~matching secured school~~ grants to enable school corporations,
 33 ~~and~~ charter schools, *and accredited nonpublic schools* to
 34 establish programs under which a school corporation, ~~or~~ charter
 35 school, *or accredited nonpublic school* (or a coalition of schools)
 36 may:
 37 ~~(A)~~ (A) employ a school resource officer, *employ a law*
 38 *enforcement officer*, or enter into a contract or a memorandum
 39 of understanding with a:
 40 ~~(A)~~ (i) local law enforcement agency;
 41 ~~(B)~~ (ii) private entity; or
 42 ~~(C)~~ (iii) nonprofit corporation;



- 1 to employ a school resource officer *or a law enforcement*
 2 *officer;*
 3 ~~(2)~~ (B) conduct a threat assessment of the buildings within a
 4 school corporation *or the buildings that are operated by a*
 5 *charter school or accredited nonpublic school; or*
 6 ~~(3)~~ (C) purchase equipment and technology to:
 7 ~~(A)~~ (i) restrict access to school property; or
 8 ~~(B)~~ (ii) expedite notification of first responders; or
 9 ~~(4)~~ (D) implement a student and parent support services plan
 10 *as described in section ~~4(a)(5)~~ 4(a)(6) of this chapter; and*
 11 *(2) one (1) time grants to enable school corporations, charter*
 12 *schools, and accredited nonpublic schools with the sheriff for the*
 13 *county in which the school corporation, charter school, or*
 14 *accredited nonpublic school is located, to provide the initial set*
 15 *up costs for an active event warning system.*
 16 (b) *A school corporation or charter school may use money received*
 17 *under a ~~matching~~ secured school grant for a purpose listed in*
 18 *subsection (a) to provide a response to a threat in a manner that the*
 19 *school corporation or charter school sees fit, including firearms*
 20 *training or other self-defense training.*
 21 ~~(b)~~ (c) The fund shall be administered by the department of
 22 homeland security.
 23 ~~(c)~~ (d) The fund consists of:
 24 (1) appropriations from the general assembly;
 25 (2) grants from the Indiana safe schools fund established by
 26 IC 5-2-10.1-2;
 27 (3) federal grants; and
 28 (4) amounts deposited from any other public or private source.
 29 ~~(d)~~ (e) The expenses of administering the fund shall be paid from
 30 money in the fund.
 31 ~~(e)~~ (f) The treasurer of state shall invest the money in the fund not
 32 currently needed to meet the obligations of the fund in the same
 33 manner as other public money may be invested. Interest that accrues
 34 from these investments shall be deposited in the fund.
 35 ~~(f)~~ (g) Money in the fund at the end of a state fiscal year does not
 36 revert to the state general fund.
 37 SECTION 3. IC 10-21-1-3, AS AMENDED BY P.L.211-2019,
 38 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2020]: Sec. 3. (a) The secured school safety board is
 40 established to approve or disapprove applications for ~~matching~~ secured
 41 **school** grants to fund programs described in section 2(a)(1) of this
 42 chapter and grants described in section 2(a)(2) of this chapter to fund



1 the initial set up costs for an active event warning system.

2 (b) The board consists of seven (7) members appointed as follows:

3 (1) The executive director of the department of homeland security
4 or the executive director's designee. The executive director of the
5 department of homeland security or the executive director's
6 designee serves as the chairperson of the board.

7 (2) The attorney general or the attorney general's designee.

8 (3) The superintendent of the state police department or the
9 superintendent's designee.

10 (4) A local law enforcement officer appointed by the governor.

11 (5) The state superintendent of public instruction or the
12 superintendent's designee.

13 (6) The director of the criminal justice institute or the director's
14 designee.

15 (7) An employee of a local school corporation or a charter school
16 appointed by the governor.

17 (c) The board shall establish criteria to be used in evaluating
18 applications for grants from the fund. These criteria must:

19 (1) be consistent with the fund's goals; and

20 (2) provide for an equitable distribution of grants to school
21 corporations, charter schools, and accredited nonpublic schools
22 located throughout Indiana.

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

31 (1) establish a program to employ a school resource officer;

32 (2) employ a law enforcement officer;

33 ~~(2)~~ (3) provide school resource officer training described in
34 IC 20-26-18.2-1(b)(2);

35 ~~(3)~~ (4) conduct a threat assessment; ~~or~~

36 ~~(4)~~ (5) purchase equipment to restrict access to the school or
37 expedite the notification of first responders; *in accordance with*
38 *section 2(a) of this chapter; or*

39 ~~(5)~~ (6) implement a student and parent support services plan in
40 the manner set forth in IC 20-34-9;

41 *in accordance with section 2(a) of this chapter.*

42 (b) A ~~matching secured school~~ grant awarded to a school



1 corporation, ~~or~~ charter school, or accredited nonpublic school (or a
 2 coalition of schools applying jointly) may not exceed the lesser of the
 3 following during a two (2) year period beginning on or after May 1,
 4 2013:

5 (1) The total cost of the program established by the school
 6 corporation, ~~or~~ charter school, or accredited nonpublic school (or
 7 the coalition of schools applying jointly).

8 (2) ~~Except as provided in Subject to subsection (d),~~ (c), the
 9 following amounts:

10 ~~(A) Fifty thousand dollars (\$50,000) per year, in the case of a~~
 11 ~~school corporation, or charter school, or accredited~~
 12 ~~nonpublic school that:~~

13 ~~(i) has an ADM of at least one thousand (1,000); and~~

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

17 ~~(B) Thirty-five thousand dollars (\$35,000) per year, in the~~
 18 ~~case of a school corporation, or charter school, or accredited~~
 19 ~~nonpublic school that:~~

20 ~~(i) has an ADM of less than one thousand (1,000); and~~

21 ~~(ii) is not applying jointly with any other school~~
 22 ~~corporation, or charter school, or accredited nonpublic~~
 23 ~~school.~~

24 ~~(C) Fifty thousand dollars (\$50,000) per year, in the case of~~
 25 ~~a coalition of schools applying jointly.~~

26 (A) Thirty-five thousand dollars (\$35,000) per year, in the
 27 case of a school corporation, charter school, or accredited
 28 nonpublic school that:

29 (i) has an ADM of at least one (1) and less than one
 30 thousand one (1,001) students; and

31 (ii) is not applying jointly with any other school
 32 corporation, charter school, or accredited nonpublic
 33 school.

34 (B) Fifty thousand dollars (\$50,000) per year, in the case of a
 35 school corporation, charter school, or accredited nonpublic
 36 school that:

37 (i) has an ADM of more than one thousand (1,000) and less
 38 than five thousand one (5,001) students; and

39 (ii) is not applying jointly with any other school
 40 corporation, charter school, or accredited nonpublic
 41 school.

42 (C) Seventy-five thousand dollars (\$75,000) per year, in the



1 case of a school corporation, charter school, or accredited
2 nonpublic school that:

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (B) the board approves the grant request; or

40 (2) for a school corporation, charter school, or accredited
41 nonpublic school described subsection (c)(1) or (c)(2), a grant of
42 up to fifty thousand dollars (\$50,000) if:



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

4 *(B) the board approves the grant request.*

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

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

13 SECTION 5. IC 10-21-1-5, AS AMENDED BY P.L.211-2019,
 14 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2020]: Sec. 5. (a) A school corporation, charter school, or
 16 accredited nonpublic school may annually apply to the board for a
 17 **matching secured school** grant from the fund for a program described
 18 in section 2(a)(1) of this chapter.

19 (b) The application must include the following:

20 (1) A concise description of the school corporation's, charter
 21 school's, or accredited nonpublic school's security needs.

22 (2) The estimated cost of the program to the school corporation,
 23 charter school, or accredited nonpublic school.

24 (3) The extent to which the school corporation, charter school, or
 25 accredited nonpublic school has access to and support from a
 26 nearby law enforcement agency, if applicable.

27 (4) The ADM of the school corporation or charter school or the
 28 equivalent for an accredited nonpublic school (or the combined
 29 ADM of the coalition of schools applying jointly).

30 (5) Any other information required by the board.

31 (6) A statement whether the school corporation or charter school
 32 has completed a local plan and has filed the plan with the county
 33 school safety commission for the county in which the school
 34 corporation or charter school is located.

35 (7) A statement whether the school corporation or charter school
 36 (or coalition of public schools applying jointly) requests an
 37 advance under IC 20-49-10 in addition to a **matching secured**
 38 **school** grant under this chapter.

39 (c) Before July 1, 2021, each school corporation, charter school, or
 40 accredited nonpublic school shall certify to the department of
 41 homeland security that the school corporation, charter school, or
 42 accredited nonpublic school has conducted a threat assessment for each



1 school building used by the school corporation, charter school, or
 2 accredited nonpublic school before applying for a grant under this
 3 chapter.

4 SECTION 6. IC 10-21-1-6.5, AS ADDED BY P.L.211-2018(ss),
 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2020]: Sec. 6.5. If a school corporation or charter school (or
 7 a coalition of public schools applying jointly) indicates on an
 8 application under section 5 of this chapter that the school corporation
 9 or charter school (or coalition of public schools applying jointly)
 10 requests, in addition to the **matching secured school** grant under this
 11 chapter, an advance under IC 20-49-10, the board shall review the
 12 application and may make recommendations to the state board to
 13 approve or deny an advance in the manner prescribed in IC 20-49-10-6.

14 SECTION 7. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss),
 15 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2020]: Sec. 5. (a) Advances made under this chapter may be
 17 used to purchase equipment or make capital improvements needed to:

- 18 (1) restrict access to schools;
- 19 (2) expedite the notification of first responders; or
- 20 (3) improve school security.

21 (b) The maximum amount of an advance that a school corporation
 22 or charter school may receive under this chapter may not exceed five
 23 hundred thousand dollars (\$500,000).

24 (c) The maximum amount of the advance that the state board may
 25 approve under section 6(c) of this chapter is the lesser of:

- 26 (1) the maximum amount of an advance that may be awarded as
 27 established by subsection (b); or
- 28 (2) the amount needed to cover costs approved by the secured
 29 school safety board that are in excess of the amount awarded by
 30 the secured school safety board under IC 10-21-1-4. ~~and the~~
 31 ~~amount committed as a match by the school corporation or charter~~
 32 ~~school (or coalition of public schools filing jointly) that applied~~
 33 ~~for the grant under IC 10-21-1-5.~~

34 SECTION 8. IC 20-49-10-6, AS ADDED BY P.L.211-2018(ss),
 35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2020]: Sec. 6. (a) An application to the secured school safety
 37 board for a **matching secured school** grant under IC 10-21-1 may serve
 38 as an application for an advance under this chapter.

39 (b) To apply for an advance, a school corporation or charter school
 40 (or a coalition of public schools applying jointly) shall submit an
 41 application to the secured school safety board under IC 10-21-1. If the
 42 secured school safety board approves a **matching secured school** grant



1 to the school corporation or charter school (or coalition of public
2 schools filing jointly) under IC 10-21-1-4 and the school corporation
3 or charter school (or coalition of public schools filing jointly) requests
4 an advance under this chapter, the secured school safety board may
5 recommend to the state board the approval of an advance under this
6 chapter.
7 (c) If an advance is recommended by the secured school safety
8 board and the state board finds that the school corporation or charter
9 school (or coalition of public schools filing jointly):
10 (1) qualifies for an advance under this chapter; and
11 (2) will use the advance for purposes described in section 5 of this
12 chapter;
13 the state board may make the advance to the school corporation or
14 charter school (or coalition of public schools filing jointly).

