



Reprinted
April 14, 2023

ENGROSSED HOUSE BILL No. 1483

DIGEST OF HB 1483 (Updated April 13, 2023 3:47 pm - DI 110)

Citations Affected: IC 20-33.

Synopsis: Discipline rules regarding bullying. Provides that discipline rules adopted by the governing body of a school corporation must include timetables for reporting bullying incidents to parents of both the targeted student and the alleged perpetrator in an expedited manner that is not later than five business days after the incident is reported.
(Continued next page)

Effective: July 1, 2023.

Smith V, Behning, Cash, Carbaugh

(SENATE SPONSORS — RAATZ, FORD J.D., MELTON, BUCHANAN,
DEERY, ROGERS)

January 17, 2023, read first time and referred to Committee on Education.
February 20, 2023, amended, reported — Do Pass.
February 23, 2023, read second time, amended, ordered engrossed.
February 24, 2023, engrossed.
February 27, 2023, read third time, passed. Yeas 92, nays 1.

SENATE ACTION

March 6, 2023, read first time and referred to Committee on Education and Career Development.
April 6, 2023, amended, reported favorably — Do Pass.
April 13, 2023, read second time, amended, ordered engrossed.

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Digest Continued

(Current law provides that discipline rules adopted by the governing body of a school corporation must include timetables for reporting bullying incidents to parents of both the targeted student and the bully in an expedited manner.) Provides that discipline rules adopted by the governing body of a school corporation: (1) must include provisions that require a school to prioritize the safety of the victim; (2) may include provisions to determine: (A) the severity of an incident of bullying; and (B) whether an incident of bullying may warrant the transfer of the victim or the alleged perpetrator to another school in the school corporation; and (3) must include policies to allow a parent of a child in the school corporation to review any materials used in any bullying prevention or suicide prevention program. Requires public schools to document, monitor, and analyze certain information regarding bullying and abusive behaviors.

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April 14, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1483

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 20-33-8-13.5, AS AMENDED BY
2 P.L.211-2018(ss), SECTION 9, IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.5. (a) Discipline
4 rules adopted by the governing body of a school corporation under
5 section 12 of this chapter must:
6 (1) prohibit bullying; and
7 (2) include:
8 (A) provisions concerning education, parental involvement,
9 and intervention;
10 (B) a detailed procedure for the expedited investigation of
11 incidents of bullying that includes:
12 (i) appropriate responses to bullying behaviors, wherever the
13 behaviors occur;
14 (ii) provisions for anonymous and personal reporting of
15 bullying to a teacher or other school staff;
16 **(iii) provisions that require a school to prioritize the**
17 **safety of the victim;**

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- 1 ~~(iii)~~ **(iv)** timetables for reporting of bullying incidents to the
 2 parents of both the targeted student and the ~~bully~~, **alleged**
 3 **perpetrator** in an expedited manner **that is not later than**
 4 **five (5) business days after the incident is reported;**
 5 ~~(iv)~~ **(v)** timetables for reporting of bullying incidents to
 6 school counselors, school administrators, the superintendent,
 7 or law enforcement, if it is determined that reporting the
 8 bullying incident to law enforcement is necessary;
 9 ~~(v)~~ **(vi)** discipline provisions for teachers, school staff, or
 10 school administrators who fail to initiate or conduct an
 11 investigation of a bullying incident; and
 12 ~~(vi)~~ **(vii)** discipline provisions for false reporting of bullying;
 13 and
 14 (C) a detailed procedure outlining the use of follow-up
 15 services that includes:
 16 (i) support services for the victim; and
 17 (ii) bullying education for the ~~bully~~, **alleged perpetrator**.
 18 (b) The discipline rules described in subsection (a) may be applied
 19 regardless of the physical location in which the bullying behavior
 20 occurred, whenever:
 21 (1) the individual committing the bullying behavior and any of the
 22 intended targets of the bullying behavior are students attending a
 23 school within a school corporation; and
 24 (2) disciplinary action is reasonably necessary to avoid substantial
 25 interference with school discipline or prevent an unreasonable
 26 threat to the rights of others to a safe and peaceful learning
 27 environment.
 28 (c) The discipline rules described in subsection (a) must prohibit
 29 bullying through the use of data or computer software that is accessed
 30 through a:
 31 (1) computer;
 32 (2) computer system;
 33 (3) computer network; or
 34 (4) cellular telephone or other wireless or cellular
 35 communications device.
 36 **(d) The discipline rules described in subsection (a) must include**
 37 **policies to allow a parent of a child in the school corporation to**
 38 **review any materials used in any bullying prevention or suicide**
 39 **prevention program.**
 40 (e) The discipline rules described in subsection (a) may include
 41 provisions to determine:
 42 (1) the severity of an incident of bullying; and



1 **(2) whether an incident of bullying may warrant the transfer**
2 **of the victim or the alleged perpetrator to another school in**
3 **the school corporation.**

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

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

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

14 SECTION 2. IC 20-33-8-35 IS ADDED TO THE INDIANA CODE
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2023]: **Sec. 35. Each public school, including a charter school,**
17 **shall:**

18 **(1) document acts of bullying and abusive behaviors against**
19 **a victim;**

20 **(2) monitor supports for the victim;**

21 **(3) monitor an alleged perpetrator who is exhibiting bullying**
22 **or abusive behaviors, including written, verbal, physical,**
23 **sexual, or cyber forms; and**

24 **(4) analyze the information collected under subdivisions (1)**
25 **through (3) to help determine an appropriate intervention**
26 **plan that can be shared with another public school if the**
27 **alleged perpetrator transfers to the other public school.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1483, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "targeted student;" and insert "**victim;**".

Page 2, line 4, delete "targeted student" and insert "**victim**".

Page 2, line 16, delete "targeted student" and insert "**victim**".

Page 2, line 22, reset in roman "victim;".

Page 2, line 22, delete "targeted student;".

and when so amended that said bill do pass.

(Reference is to HB 1483 as introduced.)

BEHNING

Committee Vote: yeas 12, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1483 be amended to read as follows:

Page 2, delete lines 15 through 17, begin a new line triple block indented and insert:

"(vii) provisions to determine the severity of an incident of bullying and to determine whether an incident of bullying may warrant the transfer of the victim or the alleged perpetrator to another school in the school corporation; and".

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"(g) A school corporation may transfer either the victim or the alleged perpetrator of a severe incident of bullying to another school in the school corporation if the following conditions are met:

(1) The school completes an expedited investigation of the bullying incident following procedure adopted under subsection (a)(2)(B).

(2) The school determines that the severity of the incident of bullying may warrant a transfer under subsection (a)(2)(B)(vii).

(3) The school prioritizes the victim by providing the

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following accommodations:

(A) If the victim requests a transfer to another school in the school corporation, the school must approve the transfer of the victim.

(B) If the victim requests the transfer of the alleged perpetrator to another school in the school corporation, the school must approve the transfer of the alleged perpetrator."

Page 3, line 13, delete "(g)" and insert "(h)".

(Reference is to HB 1483 as printed February 20, 2023.)

BEHNING

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1483, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 1 through 7, begin a new line triple block indented and insert:

"(iii) (iv) timetables for reporting of bullying incidents to the parents of both the targeted student and the ~~bully~~, alleged perpetrator in an expedited manner that is not later than five (5) business days after the incident is reported;"

Page 2, line 14, reset in roman "and".

Page 2, delete lines 15 through 19.

Page 2, line 20, delete "(viii)" and insert "(vii)".

Page 3, between lines 6 and 7, begin a new paragraph and insert:

"(e) The discipline rules described in subsection (a) may include provisions to determine:

(1) the severity of an incident of bullying; and

(2) whether an incident of bullying may warrant the transfer of the victim or the alleged perpetrator to another school in the school corporation."

Page 3, line 7, delete "(e)" and insert "(f)".

Page 3, line 12, delete "(f)" and insert "(g)".

Page 3, delete lines 15 through 32.

and when so amended that said bill do pass.

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(Reference is to HB 1483 as reprinted February 24, 2023.)

RAATZ, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1483 be amended to read as follows:

Page 3, after line 14, begin a new paragraph and insert:

"SECTION 2. IC 20-33-8-35 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 35. Each public school, including a charter school, shall:**

- (1) document acts of bullying and abusive behaviors against a victim;**
- (2) monitor supports for the victim;**
- (3) monitor an alleged perpetrator who is exhibiting bullying or abusive behaviors, including written, verbal, physical, sexual, or cyber forms; and**
- (4) analyze the information collected under subdivisions (1) through (3) to help determine an appropriate intervention plan that can be shared with another public school if the alleged perpetrator transfers to the other public school."**

(Reference is to EHB 1483 as printed April 7, 2023.)

FORD J.D.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1483 be amended to read as follows:

Page 2, line 38, delete "audiovisual".

Page 2, line 38, delete "that contain graphic sexual or".

Page 2, line 39, delete "violent content".

(Reference is to EHB 1483 as printed April 7, 2023.)

YOUNG M

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