

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.

## HOUSE ENROLLED ACT No. 1483

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AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-33-8-13.5, AS AMENDED BY P.L.211-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.5. (a) Discipline rules adopted by the governing body of a school corporation under section 12 of this chapter must:

- (1) prohibit bullying; and
- (2) include:
  - (A) provisions concerning education, parental involvement, and intervention;
  - (B) a detailed procedure for the expedited investigation of incidents of bullying that includes:
    - (i) appropriate responses to bullying behaviors, wherever the behaviors occur;
    - (ii) provisions for anonymous and personal reporting of bullying to a teacher or other school staff;
    - (iii) provisions that require a school to prioritize the safety of the victim;**
    - ~~(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;**
    - ~~(iv)~~ **(v) timetables for reporting of bullying incidents to**

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school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;

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

~~(vi)~~ **(vii)** 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~~: **alleged perpetrator**.

(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) The discipline rules described in subsection (a) 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.**

**(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.**

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

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 document acts of bullying and abusive behaviors:**

- (1) against a victim; and
- (2) committed by a verified perpetrator.



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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