



February 17, 2017

SENATE BILL No. 62

DIGEST OF SB 62 (Updated February 16, 2017 12:30 pm - DI 73)

Citations Affected: IC 20-19; IC 20-34; noncode.

Synopsis: School substance abuse prevention pilot program and fund. Provides the department of education (department), in collaboration with organizations that have expertise in school based substance abuse prevention, shall develop: (1) materials to assist schools to develop a formal substance abuse prevention policy; and (2) a model school based substance abuse prevention policy. Establishes the school substance abuse prevention pilot program (program). Provides the department shall administer the program. Establishes the school substance abuse prevention pilot program fund to: (1) provide grants to schools to use for evidence based substance abuse prevention programming; (2) provide grants to schools to embed mental health personnel in schools; and (3) hire a research partner to conduct a cross agency cost benefit analysis of Indiana's current school based prevention program expenditures to provide information for future funding decisions for school based prevention. Establishes requirements regarding the program. Requires the department to annually submit a report concerning the program to the governor, legislative council, and the budget committee. Requires each school corporation and charter school to develop a formal school substance abuse prevention policy. Makes an appropriation.

Effective: July 1, 2017.

**Head, Raatz, Merritt, Kruse, Mrvan,
Breux**

January 3, 2017, read first time and referred to Committee on Education and Career Development.

January 12, 2017, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 16, 2017, amended, reported favorably — Do Pass.

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February 17, 2017

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 62

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-19-3-10.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: **Sec. 10.5. (a) The department, in**
4 **collaboration with organizations that have expertise in school**
5 **based substance abuse prevention, shall develop:**
6 **(1) materials to assist a school corporation or charter school**
7 **to develop its formal substance abuse prevention policy under**
8 **IC 20-34-3-22; and**
9 **(2) in collaboration with community partners who have**
10 **expertise in substance abuse prevention using the strategic**
11 **prevention framework recommended by the federal**
12 **Substance Abuse and Mental Health Services Administration**
13 **or a similar process through Systems of Care, a model school**
14 **based substance abuse prevention policy.**
15 **Not later than January 1, 2018, the department shall make the**
16 **model developed or identified under this section available to assist**
17 **schools with the implementation of their formal substance abuse**

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1 prevention policy.

2 (b) The department's model policy developed under subsection
3 (a) must:

4 (1) assist schools with their development of a formal substance
5 abuse prevention policy and services under IC 20-34-3-22 for
6 the school to effectively work with community partners who
7 have expertise in prevention of substance abuse;

8 (2) address:

9 (A) universal programs for all students;

10 (B) selective strategies for groups with shared risk factors;
11 and

12 (C) services available for students needing one-on-one
13 support; and

14 (3) provide, in consultation with the commission on improving
15 the status of children in Indiana established by IC 2-5-36-3,
16 evidence based practices and a list of evidence based
17 programs available to school corporations and charter
18 schools.

19 SECTION 2. IC 20-34-3-22 IS ADDED TO THE INDIANA CODE
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2017]: Sec. 22. Not later than July 1, 2018, each school
22 corporation and charter school, in collaboration with community
23 partners who have expertise in substance abuse prevention using
24 the strategic prevention framework recommended by the
25 Substance Abuse and Mental Health Services Administration or a
26 similar process through Systems of Care, shall develop a formal
27 school substance abuse prevention policy. The policy must:

28 (1) address:

29 (A) universal programs available for all students;

30 (B) selective strategies for groups with shared risk factors;
31 and

32 (C) services available for students needing one-on-one
33 support;

34 (2) provide guidance for the school corporation or charter
35 school to effectively work with community partners who have
36 expertise in the prevention of substance abuse; and

37 (3) provide guidance for school personnel to recommend
38 students for evidence based practices and a list of evidence
39 based programs that are available to the school corporation
40 or charter school.

41 SECTION 3. IC 20-34-9 IS ADDED TO THE INDIANA CODE AS
42 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2017]:

Chapter 9. School Substance Abuse Prevention Pilot Program

Sec. 1. As used in this chapter, "fund" refers to the school substance abuse prevention pilot program fund established by section 2 of this chapter.

Sec. 2. (a) The school substance abuse prevention pilot program fund is established for the purposes described in section 3 of this chapter.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Gifts, grants, devises, or bequests made to the department for the purposes of the fund.

(c) The department shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 3. (a) The school substance abuse prevention pilot program is established to provide assistance to a school corporation or charter school regarding the treatment and prevention of student substance abuse. The program shall be administered by the department.

(b) The department must use money in the fund to do the following:

(1) Provide grants to schools to use for evidence based substance abuse prevention programming.

(2) Provide grants to schools to embed mental health personnel in schools to focus exclusively on prevention, early problem identification, intervention, and referral to substance abuse programs or services.

(3) Hire a research partner to conduct a cross agency cost benefit analysis of Indiana's current school based prevention program expenditures to provide information for future funding decisions for school based prevention.

(c) A copy of any cross agency cost benefit analysis prepared under subsection (b)(3) must be submitted to the governor and the budget committee.

(d) A school corporation or charter school may apply for a



1 grant described in subsection (b) to implement a program under
2 this chapter in the manner prescribed by the department.

3 (e) The department may award grants under this chapter to a
4 school corporation or charter school that submits an application
5 under subsection (d) to implement a program under this chapter.
6 To the extent possible, grants must be awarded equally among
7 rural, suburban, and urban school corporations or schools as
8 determined by the department. The department must advise a
9 school corporation or charter school that receives a grant under
10 this chapter of methods to measure the success of the program
11 based upon the services provided to students.

12 (f) Each school corporation or charter school that receives a
13 grant under this chapter must report to the department in a
14 manner prescribed by the department:

15 (1) the percentage of applicable parent satisfaction with the
16 overall services or programming of a program implemented
17 under this chapter;

18 (2) parental satisfaction with the applicable student's
19 relationship with a service provider under a program
20 implemented under this chapter;

21 (3) parental satisfaction with the availability of a service
22 provider that provides services under a program implemented
23 under this chapter;

24 (4) the percentage of applicable parents who believe their
25 child's school performance has improved after receiving
26 services provided as part of a program implemented under
27 this chapter; and

28 (5) any information the department determines is necessary
29 to evaluate the success of services provided in a program
30 implemented under this chapter.

31 (g) Not later than November 1, 2018, and each November 1
32 thereafter, the department shall submit a report to the governor,
33 the budget committee, and, in an electronic format under
34 IC 5-14-6, the legislative council that:

35 (1) summarizes the information provided in subsection (f);

36 (2) provides a detailed summary of progress of
37 implementation of programs established under this chapter;
38 and

39 (3) contains any recommendations for improving programs or
40 services provided under this chapter.

41 **Sec. 4. This chapter expires July 1, 2021.**

42 SECTION 4. [EFFECTIVE JULY 1, 2017] (a) There is



1 **appropriated from the state general fund to the school substance**
2 **abuse prevention pilot program fund established by IC 20-34-9-2,**
3 **as added by this act, three hundred thousand dollars (\$300,000) for**
4 **the biennium beginning July 1, 2017, and ending June 30, 2019, to**
5 **be used by the department of education for purposes of the school**
6 **substance abuse prevention pilot program under IC 20-34-9, as**
7 **added by this act.**

8 **(b) This SECTION expires December 31, 2019.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 62, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Page 1, line 8, delete "IC 20-34-9-4;" and insert "**IC 20-34-3-22**";.

Page 2, line 5, after "abuse" insert "**prevention**".

Page 2, line 5, delete "IC 20-34-9-4" and insert "**IC 20-34-3-22**".

Page 2, between lines 18 and 19, begin a new paragraph and insert: "SECTION 2. IC 20-34-3-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 22. Not later than July 1, 2018, each school corporation and charter school, in collaboration with community partners who have expertise in substance abuse prevention using the strategic prevention framework recommended by the Substance Abuse and Mental Health Services Administration or a similar process through Systems of Care, shall develop a formal school substance abuse prevention policy. The policy must:**

(1) address:

(A) universal programs available for all students;

(B) selective strategies for groups with shared risk factors;
and

(C) services available for students needing one-on-one support;

(2) provide guidance for the school corporation or charter school to effectively work with community partners who have expertise in the prevention of substance abuse; and

(3) provide guidance for school personnel to recommend students for evidence based practices and a list of evidence based programs that are available to the school corporation or charter school."

Page 2, line 22, after "Prevention" insert "**Pilot Program**".

Page 2, line 24, after "prevention" insert "**pilot program**".

Page 2, line 26, after "prevention" insert "**pilot program**".

Page 2, between lines 40 and 41, begin a new paragraph and insert: "**Sec. 3. (a) The school substance abuse prevention pilot program is established to provide assistance to a school corporation or charter school regarding the treatment and prevention of student**



substance abuse. The program shall be administered by the department."

Page 2, line 41, delete "Sec. 3. (a)" and insert "**(b)**".

Page 3, line 11, delete "(b)" and insert "**(c)**".

Page 3, line 12, delete "(a)" and insert "**(b)**".

Page 3, line 14, delete "(c)" and insert "**(d)**".

Page 3, line 15, delete "(a)(3)" and insert "**(b)(3)**".

Page 3, delete lines 17 through 36, begin a new paragraph and insert:

"(e) A school corporation or charter school may apply for a grant described in subsection (b) to implement a program under this chapter in the manner prescribed by the department.

(f) The department may award grants under this chapter to a school corporation or charter school that submits an application under subsection (e) to implement a program under this chapter. To the extent possible, grants must be awarded equally among rural, suburban, and urban school corporations or schools as determined by the department. The department must advise a school corporation or charter school that receives a grant under this chapter of methods to measure the success of the program based upon the services provided to students.

(g) Each school corporation or charter school that receives a grant under this chapter must report to the department in a manner prescribed by the department:

- (1) the percentage of applicable parent satisfaction with the overall services or programming of a program implemented under this chapter;**
- (2) parental satisfaction with the applicable student's relationship with a service provider under a program implemented under this chapter;**
- (3) parental satisfaction with the availability of a service provider that provides services under a program implemented under this chapter;**
- (4) the percentage of applicable parents who believe their child's school performance has improved after receiving services provided as part of a program implemented under this chapter; and**
- (5) any information the department determines is necessary to evaluate the success of services provided in a program implemented under this chapter.**

(h) Not later than November 1, 2018, and each November 1 thereafter, the department shall submit a report to the governor,



the budget committee, and, in an electronic format under IC 5-14-6, the legislative council that:

- (1) summarizes the information provided in subsection (g);
- (2) provides a detailed summary of progress of implementation of programs established under this chapter; and
- (3) contains any recommendations for improving programs or services provided under this chapter.

Sec. 4. This chapter expires July 1, 2021.

SECTION 4. [EFFECTIVE JULY 1, 2017] (a) There is appropriated to the department of education to be placed in the school substance abuse prevention pilot program fund established by IC 20-34-9-2, as added by this act:

- (1) for a state fiscal year beginning July 1, 2017, and ending June 30, 2018, one hundred fifty thousand dollars (\$150,000); and
 - (2) for a state fiscal year beginning July 1, 2018, and ending June 30, 2019, one hundred fifty thousand dollars (\$150,000);
- from the state general fund for purposes of carrying out IC 20-34-9, as added by this act.

(b) This SECTION expires December 31, 2019."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 62 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 62, 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 3, delete lines 39 through 41.

Page 3, line 42, delete "(d)" and insert "(c)".

Page 4, line 3, delete "(e)" and insert "(d)".

Page 4, line 6, delete "(f)" and insert "(e)".

Page 4, line 8, delete "(e)" and insert "(d)".

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Page 4, line 15, delete "(g)" and insert "(f)".

Page 4, line 34, delete "(h)" and insert "(g)".

Page 4, line 38, delete "(g);" and insert "(f);".

Page 5, delete lines 3 through 13, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2017] (a) There is appropriated from the state general fund to the school substance abuse prevention pilot program fund established by IC 20-34-9-2, as added by this act, three hundred thousand dollars (\$300,000) for the biennium beginning July 1, 2017, and ending June 30, 2019, to be used by the department of education for purposes of the school substance abuse prevention pilot program under IC 20-34-9, as added by this act."

and when so amended that said bill do pass.

(Reference is to SB 62 as printed January 13, 2017.)

KENLEY, Chairperson

Committee Vote: Yeas 8, Nays 3.

