



Reprinted  
February 26, 2019

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## SENATE BILL No. 266

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DIGEST OF SB 266 (Updated February 25, 2019 4:25 pm - DI 110)

**Citations Affected:** IC 2-5; IC 5-2; IC 10-21; IC 20-19; IC 20-28; IC 20-30; IC 20-33; IC 20-34; IC 20-49; noncode.

**Synopsis:** School mental health, safety, privacy, and other education matters. Adds additional purposes for which advances made under the school corporation and charter school safety advance program may be used. Amends the purposes of the Indiana safe schools fund. Makes changes to the membership of the county school safety commission. Establishes the integrated school based mental health and substance use disorder services grant program to provide grants to school  
(Continued next page)

**Effective:** Upon passage; July 1, 2019.

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**Crider, Head, Kruse, Becker,  
Ruckelshaus, Zay, Raatz,  
Randolph Lonnie M**

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January 7, 2019, read first time and referred to Committee on Education and Career Development.  
February 7, 2019, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.  
February 18, 2019, amended, reported favorably — Do Pass.  
February 25, 2019, read second time, amended, ordered engrossed.

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SB 266—LS 6342/DI 110



corporations, charter schools, and accredited nonpublic schools for use in developing and implementing integrated school based mental health and substance use disorder services plans. Requires a law enforcement agency to send a written copy of the statutory definition of a "dangerous" person, and written instructions concerning the reporting of a dangerous person, to each charter school, nonpublic school, and school corporation in the law enforcement agency's jurisdiction. Requires the department of education (department), in coordination with the Indiana intelligence fusion center, to distribute certain information and establish certain guidelines concerning the "If You See Something, Say Something" tip line. Requires a teacher preparation program to include content concerning school safety. Requires the study of health education, for grades 6 through 12, to include instruction on mental health. Requires the commission on improving the status of children in Indiana (commission) to develop the children's social, emotional, and behavioral health plan to provide recommendations concerning: (1) comprehensive mental health services; (2) early intervention; and (3) treatment services; for individuals from birth through 22 years of age. Changes the date by which the commission is required to submit a report regarding the commission's work. Removes a requirement that child abuse and child sexual abuse instruction to students in kindergarten through grade 12 must be research and evidence based instruction. Provides that, in identifying outlines or materials for instruction on child abuse and child sexual abuse, the department must work in consultation with school safety specialists, school counselors, school social workers, or school psychologists. (Current law requires the department to work with school safety specialists and school counselors.) Provides that a school corporation or school shall obtain prior informed written consent from the parent of a student who is less than 18 years of age and not emancipated before the student may participate in any medical health assessment or services, mental health assessment, mental health services, psychiatric or psychological examination or test, or psychiatric or psychological treatment that is conducted in connection with the school corporation, school, a contractor of a school corporation or school, or any individual, agency, or entity that the student is referred to by a school corporation or school. Requires that, before obtaining the informed written consent of a parent, a school corporation or school shall provide the parent informed written notice describing in detail the medical health assessment or services, mental health assessment, mental health services, psychiatric or psychological examination or test, or psychiatric or psychological treatment. Provides that a school corporation or school may be denied a grant or grant funds under the integrated school based mental health and substance use disorder services grant program for certain violations regarding parental consent requirements and the release of student information. Urges the legislative council to assign to an appropriate interim study committee the task of studying school districts, within and outside of Indiana, that have: (1) implemented trauma informed approaches in the school districts; and (2) worked with community partners to provide systems of care for students. Repeals provisions that require the department to develop the children's social, emotional, and behavioral health plan.



Reprinted  
February 26, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 266

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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 2-5-36-9, AS AMENDED BY P.L.144-2018,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 9. The commission shall do the following:  
4 (1) Study and evaluate the following:  
5 (A) Access to services for vulnerable youth.  
6 (B) Availability of services for vulnerable youth.  
7 (C) Duplication of services for vulnerable youth.  
8 (D) Funding of services available for vulnerable youth.  
9 (E) Barriers to service for vulnerable youth.  
10 (F) Communication and cooperation by agencies concerning  
11 vulnerable youth.  
12 (G) Implementation of programs or laws concerning  
13 vulnerable youth.  
14 (H) The consolidation of existing entities that serve vulnerable  
15 youth.  
16 (I) Data from state agencies relevant to evaluating progress,  
17 targeting efforts, and demonstrating outcomes.

SB 266—LS 6342/DI 110



- 1 (J) Crimes of sexual violence against children.  
 2 (K) The impact of social networking web sites, cellular  
 3 telephones and wireless communications devices, digital  
 4 media, and new technology on crimes against children.  
 5 (2) Review and make recommendations concerning pending  
 6 legislation.  
 7 (3) Promote information sharing concerning vulnerable youth  
 8 across the state.  
 9 (4) Promote best practices, policies, and programs.  
 10 (5) Cooperate with:  
 11 (A) other child focused commissions;  
 12 (B) the judicial branch of government;  
 13 (C) the executive branch of government;  
 14 (D) stakeholders; and  
 15 (E) members of the community.  
 16 (6) Submit a report not later than ~~July 1~~ **September 1** of each year  
 17 regarding the commission's work during the previous year. The  
 18 report shall be submitted to the legislative council, the governor,  
 19 and the chief justice of Indiana. The report to the legislative  
 20 council must be in an electronic format under IC 5-14-6.  
 21 (7) Study the topic of what specific authority a law enforcement  
 22 officer has in order to take custody of or detain a child in certain  
 23 situations where the officer believes a child may be a victim of  
 24 human trafficking (as defined in IC 35-42-3.5-0.5) and who is  
 25 potentially a child in need of services. This subdivision expires  
 26 November 2, 2018.
- 27 SECTION 2. IC 2-5-36-9.3 IS ADDED TO THE INDIANA CODE  
 28 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
 29 1, 2019]: **Sec. 9.3. (a) The commission shall develop and coordinate  
 30 the children's social, emotional, and behavioral health plan to  
 31 provide recommendations concerning:**  
 32 (1) **comprehensive mental health services;**  
 33 (2) **early intervention; and**  
 34 (3) **treatment services;**  
 35 **for individuals from birth through twenty-two (22) years of age.**  
 36 **(b) The children's social, emotional, and behavioral health plan  
 37 shall include recommendations concerning:**  
 38 (1) **procedures for the identification and assessment of social,  
 39 emotional, and mental health issues;**  
 40 (2) **procedures to assist a child and the child's family in  
 41 obtaining necessary services to treat social, emotional, and  
 42 mental health issues;**



- 1 (3) procedures to coordinate provider services and  
 2 interagency referral networks for an individual from birth  
 3 through twenty-two (22) years of age;  
 4 (4) guidelines for incorporating social, emotional, and  
 5 behavioral development into school learning standards and  
 6 education programs;  
 7 (5) including social, emotional, and mental health screening as  
 8 a part of routine examinations in schools and by health care  
 9 providers;  
 10 (6) procedures concerning the positive development of  
 11 children, including:  
 12 (A) social, emotional, and behavioral development;  
 13 (B) learning; and  
 14 (C) behavioral health;  
 15 (7) plans for creating a children's social, emotional, and  
 16 behavioral health system with shared accountability among  
 17 state agencies that will:  
 18 (A) conduct ongoing needs assessments;  
 19 (B) use outcome indicators and benchmarks to measure  
 20 progress; and  
 21 (C) implement quality data tracking and reporting  
 22 systems;  
 23 (8) a state budget for children's social, emotional, and mental  
 24 health prevention and treatment;  
 25 (9) how state agencies and local entities can obtain federal  
 26 funding and other sources of funding to implement a  
 27 children's social, emotional, and behavioral health plan;  
 28 (10) how to maintain and expand the workforce to provide  
 29 mental health services for individuals from birth through  
 30 twenty-two (22) years of age and families;  
 31 (11) how employers of mental health professionals may:  
 32 (A) improve employee job satisfaction; and  
 33 (B) retain employees;  
 34 (12) how to facilitate research on best practices and model  
 35 programs for children's social, emotional, and behavioral  
 36 health;  
 37 (13) how to disseminate research and provide training and  
 38 educational materials concerning the children's social,  
 39 emotional, and behavioral health program to:  
 40 (A) policymakers;  
 41 (B) practitioners; and  
 42 (C) the general public; and



1           **(14) how to implement a public awareness campaign to:**

2           **(A) reduce the stigma of mental illness; and**

3           **(B) educate individuals about:**

4           **(i) the benefits of children's social, emotional, and**  
 5           **behavioral development; and**

6           **(ii) how to access children's social, emotional, and**  
 7           **behavioral development services.**

8           SECTION 3. IC 5-2-10.1-2, AS AMENDED BY P.L.25-2016,  
 9           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10          JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established  
 11          to do the following:

12          (1) Promote school safety through the:

13           (A) use of dogs trained to detect drugs, **firearms, explosives,**  
 14           and illegal substances; and

15           (B) purchase of other equipment and materials used to  
 16           enhance the safety of schools.

17          (2) Combat truancy.

18          (3) Provide matching grants to schools for school safe haven  
 19          programs.

20          (4) Provide grants for school safety and safety plans.

21          (5) Provide educational outreach and training to school personnel  
 22          concerning:

23           (A) the identification of;

24           (B) the prevention of; and

25           (C) intervention in;

26          bullying.

27          (6) Provide educational outreach to school personnel and training  
 28          to school safety specialists and school resource officers  
 29          concerning:

30           (A) the identification of;

31           (B) the prevention of; and

32           (C) intervention in;

33          criminal organization activities.

34          (7) Provide grants for school wide programs to improve school  
 35          climate ~~and~~ **or** professional development and training for school  
 36          personnel concerning:

37           (A) alternatives to suspension and expulsion; ~~and~~

38           (B) evidence based practices that contribute to a positive  
 39           school environment, including classroom management skills,  
 40           positive behavioral intervention and support, restorative  
 41           practices, and social emotional learning; **and**

42           (C) **integrated school based mental health services that are**



- 1                   **accessible to all students.**
- 2           (b) The fund consists of amounts deposited:
- 3               (1) under IC 33-37-9-4; and
- 4               (2) from any other public or private source.
- 5           (c) The institute shall determine grant recipients from the fund with
- 6 a priority on awarding grants in the following order:
- 7               (1) A grant for a safety plan.
- 8               (2) A safe haven grant requested under section 10 of this chapter.
- 9               (3) A safe haven grant requested under section 7 of this chapter.
- 10          (d) Upon recommendation of the council, the institute shall establish
- 11 a method for determining the maximum amount a grant recipient may
- 12 receive under this section.
- 13          SECTION 4. IC 5-2-10.1-10, AS AMENDED BY P.L.40-2014,
- 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2019]: Sec. 10. (a) A county may establish a county school
- 16 safety commission.
- 17          (b) The members of the commission are as follows:
- 18               (1) The school safety specialist for each school corporation
- 19 located in whole or in part in the county.
- 20               (2) The judge of the court having juvenile jurisdiction in the
- 21 county or the judge's designee.
- 22               (3) The sheriff of the county or the sheriff's designee.
- 23               (4) The chief officer of every other law enforcement agency in the
- 24 county, or the chief officer's designee.
- 25               (5) A representative of the juvenile probation system, appointed
- 26 by the judge described under subdivision (2).
- 27               (6) Representatives of community agencies that work with
- 28 children within the county.
- 29               (7) A representative of the Indiana state police district that serves
- 30 the county.
- 31               (8) A representative of the prosecuting attorneys council of
- 32 Indiana who specializes in the prosecution of juveniles.
- 33               **(9) The school mental health specialist or the mental health**
- 34 **provider for each school corporation located in whole or in**
- 35 **part in the county.**
- 36               ~~(9)~~ **(10)** Other appropriate individuals selected by the
- 37 commission.
- 38          (c) If a commission is established, the school safety specialist of the
- 39 school corporation having the largest ADM (as defined in
- 40 IC 20-18-2-2), as determined in the fall count of ADM in the school
- 41 year ending in the current calendar year, in the county shall convene
- 42 the initial meeting of the commission.



- 1 (d) The members shall annually elect a chairperson.
- 2 (e) A commission shall perform the following duties:
- 3 (1) Perform a cumulative analysis of school safety needs within
- 4 the county.
- 5 (2) Coordinate and make recommendations for the following:
- 6 (A) Prevention of juvenile offenses and improving the
- 7 reporting of juvenile offenses within the schools.
- 8 (B) Proposals for identifying and assessing children who are
- 9 at high risk of becoming juvenile offenders.
- 10 (C) Methods to meet the educational needs of children who
- 11 have been detained as juvenile offenders.
- 12 (D) Methods to improve communications among agencies that
- 13 work with children.
- 14 (E) Methods to improve security and emergency preparedness.
- 15 (F) Additional equipment or personnel that are necessary to
- 16 carry out safety plans.
- 17 (G) Any other topic the commission considers necessary to
- 18 improve school safety within the school corporations within
- 19 the commission's jurisdiction.
- 20 (3) Provide assistance to the school safety specialists on the
- 21 commission in developing and requesting grants for safety plans.
- 22 (4) Provide assistance to the school safety specialists on the
- 23 commission and the participating school corporations and school
- 24 corporation career and technical education schools described in
- 25 IC 20-37-1-1 in developing and requesting grants for school safe
- 26 haven programs under section 7 of this chapter.
- 27 (5) Assist each participating school corporation and each school
- 28 corporation career and technical education schools described in
- 29 IC 20-37-1-1 in carrying out the school corporation's or career and
- 30 technical education school's safety plans.
- 31 (f) The affirmative votes of a majority of the voting members of the
- 32 commission are required for the commission to take action on a
- 33 measure.
- 34 (g) A commission shall receive the school safety plans described in
- 35 IC 20-26-18.2-2 for the schools and school corporations located in the
- 36 county. The commission may share the school safety plans with law
- 37 enforcement agencies.
- 38 SECTION 5. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS
- 39 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 40 1, 2019]:
- 41 **Chapter 2. Dangerous Person Reporting**
- 42 **Sec. 1. As used in this chapter, "charter school" has the meaning**





1 set forth in IC 20-24-1-4.

2 Sec. 2. As used in this chapter, "dangerous" has the meaning set  
3 forth in IC 35-47-14-1.

4 Sec. 3. As used in this chapter, "law enforcement agency" means  
5 the department or agency of a county, city, or town whose  
6 principal function is the apprehension of criminal offenders.

7 Sec. 4. As used in this chapter, "nonpublic school" means a  
8 school that:

9 (1) is not maintained by a school corporation or charter  
10 school; and

11 (2) employs one (1) or more employees.

12 The term includes a private school or a parochial school.

13 Sec. 5. As used in this chapter, "school corporation" has the  
14 meaning set forth in IC 20-26-2-4.

15 Sec. 6. As used in this chapter, "superintendent" has the  
16 meaning set forth in IC 10-11-1-4.

17 Sec. 7. A law enforcement agency shall, not later than July 1 of  
18 each year, send each of the following items to each charter school,  
19 nonpublic school, and school corporation in its jurisdiction:

20 (1) A written copy of IC 35-47-14-1.

21 (2) Written instructions concerning the reporting of a  
22 dangerous person to the law enforcement agency.

23 Sec. 8. (a) The superintendent shall adopt guidelines to  
24 accomplish the creation and distribution of a reporting form or a  
25 specified electronic format, or both, that enables each law  
26 enforcement agency to provide:

27 (1) a written copy of IC 35-47-14-1;

28 (2) instructions concerning the process of reporting a  
29 dangerous person to an appropriate law enforcement agency;  
30 and

31 (3) the ability to report a dangerous person to an appropriate  
32 law enforcement agency;

33 to each charter school, nonpublic school, or school corporation in  
34 the law enforcement agency's jurisdiction.

35 (b) The superintendent may adopt rules under IC 4-22-2,  
36 including emergency rules under IC 4-22-2-37.1, to implement this  
37 chapter.

38 SECTION 6. IC 20-19-3-20 IS ADDED TO THE INDIANA CODE  
39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
40 1, 2019]: Sec. 20. (a) As used in this section, "center" refers to the  
41 Indiana intelligence fusion center established by IC 10-11-9-2.

42 (b) As used in this section, "tip line" means the "If You See



1 **Something, Say Something" tip line sponsored by the center for the**  
 2 **reporting of suspicious criminal or terrorist activity.**

3 **(c) The department, in coordination with the center, shall do the**  
 4 **following:**

5 **(1) Distribute to schools information regarding the tip line.**

6 **(2) Establish guidelines for schools with regard to providing**  
 7 **information to students about the tip line.**

8 SECTION 7. IC 20-19-5 IS REPEALED [EFFECTIVE JULY 1,  
 9 2019]. (Children's Social, Emotional, and Behavioral Health Plan).

10 SECTION 8. IC 20-28-3-5.5 IS ADDED TO THE INDIANA CODE  
 11 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
 12 **1, 2019]: Sec. 5.5. A teacher preparation program shall include**  
 13 **content within the curriculum that provides teacher candidates**  
 14 **with information concerning school safety, including mental health**  
 15 **and social emotional learning.**

16 SECTION 9. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017,  
 17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2019]: Sec. 5.7. (a) Not later than December 15, ~~2018~~, **2019**,  
 19 and each December 15 thereafter, each public school, including a  
 20 charter school, and accredited nonpublic school shall provide age  
 21 appropriate ~~and research and evidence based~~ instruction on child abuse  
 22 and child sexual abuse to students in kindergarten through grade 12.

23 (b) The department, in consultation with school safety specialists,  
 24 ~~and~~ school counselors, **school social workers, or school**  
 25 **psychologists**, shall identify outlines or materials for the instruction  
 26 described in subsection (a) and incorporate the instruction in  
 27 kindergarten through grade 12.

28 **(c) Any outlines and materials identified under subsection (b)**  
 29 **must be demonstrated to be effective and promising.**

30 ~~(c)~~ **(d)** Instruction on child abuse and child sexual abuse may be  
 31 delivered by a school safety specialist, school counselor, or any other  
 32 person with training and expertise in the area of child abuse and child  
 33 sexual abuse.

34 SECTION 10. IC 20-30-5-7, AS AMENDED BY P.L.132-2018,  
 35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2019]: Sec. 7. (a) Each school corporation shall include in the  
 37 school corporation's curriculum the following studies:

38 (1) Language arts, including:

39 (A) English;

40 (B) grammar;

41 (C) composition;

42 (D) speech; and



- 1 (E) second languages.
- 2 (2) Mathematics.
- 3 (3) Social studies and citizenship, including the:
- 4 (A) constitutions;
- 5 (B) governmental systems; and
- 6 (C) histories;
- 7 of Indiana and the United States, including a study of the
- 8 Holocaust in each high school United States history course.
- 9 (4) Sciences, including, after June 30, 2021, computer science.
- 10 (5) Fine arts, including music and art.
- 11 (6) Health education, **including:**
- 12 (A) physical fitness;
- 13 (B) safety; ~~and~~
- 14 (C) the effects of alcohol, tobacco, drugs, and other substances
- 15 on the human body; **and**
- 16 (D) **mental health as provided under section 7.3 of this**
- 17 **chapter.**
- 18 (7) Additional studies selected by each governing body, subject
- 19 to revision by the state board.
- 20 (b) Each:
- 21 (1) school corporation;
- 22 (2) charter school; and
- 23 (3) accredited nonpublic school;
- 24 shall offer the study of ethnic and racial groups as a one (1) semester
- 25 elective course in its high school curriculum at least once every school
- 26 year.
- 27 (c) The course described in subsection (b) may be offered by the
- 28 school corporation, charter school, or accredited nonpublic school
- 29 through a course access program administered by the department.
- 30 SECTION 11. IC 20-30-5-7.3 IS ADDED TO THE INDIANA
- 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 32 [EFFECTIVE JULY 1, 2019]: **Sec. 7.3. (a) For grades 6 through 12,**
- 33 **the study of health education required under section 7(a)(6) of this**
- 34 **chapter must include instruction on mental health.**
- 35 **(b) A teacher who provides instruction on mental health under**
- 36 **subsection (a) must have training on mental health matters.**
- 37 SECTION 12. IC 20-33-13 IS ADDED TO THE INDIANA CODE
- 38 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2019]:
- 40 **Chapter 13. Protection of Privacy Rights of Students and**
- 41 **Families**
- 42 **Sec. 1. As used in this chapter, "de-identify" or "de-identified"**



1 means a process used to prevent an individual's identity from being  
2 connected with information.

3 Sec. 2. As used in this chapter, "mental health assessment"  
4 means:

- 5 (1) a behavioral evaluation or survey;  
6 (2) a personality examination or analysis;  
7 (3) a mental health screening or survey;  
8 (4) any assessment regarding interest inventories that would  
9 collect or elicit information about attitudes, habits, traits,  
10 opinions, beliefs, feelings, or dispositions, including:  
11 (A) multi-tiered system of supports;  
12 (B) positive behavior intervention and supports;  
13 (C) response to intervention; and  
14 (D) universal design for learning designed to affect  
15 behavioral, emotional, or attitudinal characteristics of an  
16 individual or group; or  
17 (5) counseling or treatment, including prescribing medication.

18 Sec. 3. As used in this chapter, "mental health service" means  
19 any social, emotional, or behavioral interventions, including:

- 20 (1) multi-tiered systems of support;  
21 (2) positive behavior interventions and support;  
22 (3) response to intervention; or  
23 (4) universal design for learning designed to affect behavioral,  
24 emotional, or attitudinal characteristics of an individual or  
25 group.

26 Sec. 4. As used in this chapter, "personally identifiable  
27 information" means:

- 28 (1) the name of a student;  
29 (2) the name of a student's parent or any other family  
30 member;  
31 (3) the address of a student or any family member of a  
32 student;  
33 (4) a personal identifier, including a student's Social Security  
34 number, student number, national student number, national  
35 identity number, student test number, or biometric record;  
36 (5) other indirect identifiers, including date of birth, place of  
37 birth, and mother's maiden name of a student;  
38 (6) other information that, alone or in combination, is linked  
39 or linkable to a specific student that would allow a reasonable  
40 person in the community, who does not have personal  
41 knowledge of the relevant circumstances, to identify the  
42 student with reasonable certainty; or



- 1 (7) information requested by a person who the school  
 2 reasonably believes knows the identity of the student to whom  
 3 the education record relates.
- 4 Sec. 5. As used in this chapter, "psychiatric or psychological  
 5 examination or test" means a method of obtaining information,  
 6 including a group activity, that is designed to elicit information  
 7 about attitudes, habits, traits, opinions, beliefs, or feelings.
- 8 Sec. 6. As used in this chapter, "psychiatric or psychological  
 9 treatment" means an activity involving the planned, systematic use  
 10 of methods or techniques that are designed to affect behavioral,  
 11 emotional, or attitudinal characteristics of an individual or group.
- 12 Sec. 7. As used in this chapter, "school" means a charter school  
 13 or an accredited nonpublic school.
- 14 Sec. 8. As used in this chapter, "student education record"  
 15 means a record maintained by a school corporation or school in a  
 16 digital, paper, or other format that contains information directly  
 17 related to a student that includes, but is not limited to:
- 18 (1) personally identifiable information;
  - 19 (2) medical or mental health information regarding the  
 20 student;
  - 21 (3) academic information;
  - 22 (4) career profile information;
  - 23 (5) personality information;
  - 24 (6) any disciplinary action information; and
  - 25 (7) any other information gathered on the student.
- 26 Sec. 9. (a) A school corporation or school shall obtain prior  
 27 informed written consent from the parent of a student who:
- 28 (1) is less than eighteen (18) years of age; and
  - 29 (2) is not emancipated;
- 30 before the student may participate in any medical health  
 31 assessment or services, mental health assessment, mental health  
 32 services, psychiatric or psychological examination or test, or  
 33 psychiatric or psychological treatment that is conducted in  
 34 connection with the school corporation, school, a contractor of a  
 35 school corporation or school, or any individual, agency, or entity  
 36 that the student is referred to by a school corporation or school.
- 37 (b) Before obtaining the prior informed written consent of a  
 38 parent as described in subsection (a), a school corporation or  
 39 school shall provide the parent informed written notice describing  
 40 in detail the medical health assessment or service, mental health  
 41 assessment, mental health service, psychiatric or psychological  
 42 examination or test, or psychiatric or psychological treatment,



- 1 including:
- 2 (1) the purpose for the assessment, examination, test,
- 3 treatment, or service;
- 4 (2) the provider or contractor providing the assessment,
- 5 examination, test, treatment, or service;
- 6 (3) the date and time at which the assessment, examination,
- 7 test, treatment, or service will take place; and
- 8 (4) the length of time the assessment, examination, test,
- 9 treatment, or service may likely last.
- 10 Sec. 10. Each school corporation and school shall take all
- 11 measures to protect personally identifiable information.
- 12 Sec. 11. Each school corporation and school shall:
- 13 (1) create a unique identification for each student of the
- 14 school corporation or school;
- 15 (2) de-identify all personally identifiable information for each
- 16 student when used for any purpose outside of the school
- 17 corporation or school; and
- 18 (3) maintain personally identifiable information for each
- 19 student separately from the state longitudinal data system.
- 20 Sec. 12. Notwithstanding any other state law, a school
- 21 corporation or school may not provide personally identifiable
- 22 information of a student to any individual or entity except as
- 23 provided in this chapter.
- 24 Sec. 13. (a) A school corporation or school may not:
- 25 (1) release information regarding the student in violation of
- 26 this chapter; or
- 27 (2) have the student participate in any medical health
- 28 assessment or services, mental health assessment, mental
- 29 health service, psychiatric or psychological examination or
- 30 test, or psychiatric or psychological treatment without the
- 31 informed written consent of the student's parent as provided
- 32 under section 9 of this chapter.
- 33 (b) A school corporation or school shall store a student
- 34 education record concerning any medical health assessments or
- 35 services, mental health assessments, mental health services,
- 36 psychiatric or psychological examinations or tests, or psychiatric
- 37 or psychological treatments of a student in a secure location.
- 38 (c) If a school corporation or school violates this section, a
- 39 student, who is at least eighteen (18) years of age or emancipated,
- 40 or the parent of a student may file a complaint with the
- 41 department.
- 42 (d) If the department determines that a school corporation or



1 school has violated this section, the department may deny a grant  
 2 or grant funds under the integrated school based mental health and  
 3 substance use disorder services grant program established by  
 4 IC 20-34-9-5 to the school corporation or school.

5 SECTION 13. IC 20-34-9 IS ADDED TO THE INDIANA CODE  
 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2019]:

8 **Chapter 9. Integrated School Based Mental Health and**  
 9 **Substance Use Disorder Services Plan Grants**

10 **Sec. 1. This chapter does not apply to a virtual charter school**  
 11 **(as defined in IC 20-24-7-13(a)) or a virtual accredited nonpublic**  
 12 **school.**

13 **Sec. 2. As used in this chapter, "plan" refers to an integrated**  
 14 **school based mental health and substance use disorder services**  
 15 **plan described in section 6(2) of this chapter.**

16 **Sec. 3. As used in this chapter, "program" refers to the**  
 17 **integrated school based mental health and substance use disorder**  
 18 **services grant program established by section 5 of this chapter.**

19 **Sec. 4. Beginning after June 30, 2020, and subject to available**  
 20 **funding, a school corporation, a charter school, and an accredited**  
 21 **nonpublic school are eligible for a grant under this chapter if the**  
 22 **school corporation, charter school, or accredited nonpublic school**  
 23 **meets the requirements of this chapter.**

24 **Sec. 5. (a) The integrated school based mental health and**  
 25 **substance use disorder services grant program is established to**  
 26 **provide grants to school corporations, charter schools, and**  
 27 **accredited nonpublic schools for the development and**  
 28 **implementation of integrated school based mental health and**  
 29 **substance use disorder services plans.**

30 **(b) The department, in coordination with the division of mental**  
 31 **health and addiction, shall administer the program.**

32 **Sec. 6. A school corporation, a charter school, or an accredited**  
 33 **nonpublic school must do the following to participate in the**  
 34 **program:**

- 35 (1) Apply to the department to participate in the program.  
 36 (2) Submit to the department an integrated school based  
 37 mental health and substance use disorder services plan that  
 38 the school corporation, charter school, or accredited  
 39 nonpublic school intends to implement that includes the  
 40 following:

- 41 (A) The selection of designated personnel who will  
 42 facilitate and ensure the successful integration of social



- 1 emotional learning and mental health in the school  
 2 corporation, charter school, or accredited nonpublic  
 3 school.
- 4 **(B) The provision of integrated school based mental health**  
 5 **and substance use disorder services that:**  
 6 (i) are delivered in a culturally responsive manner;  
 7 (ii) include research based practices; and  
 8 (iii) include a seamless referral and follow up process.
- 9 **(C) The implementation of:**  
 10 (i) a research based social emotional learning program;  
 11 (ii) a research based educational neuroscience program;  
 12 or  
 13 (iii) both programs described in items (i) and (ii).
- 14 **(D) The implementation of systematic, research based**  
 15 **training and coaching for schools, parents, and students of**  
 16 **the school corporation, charter school, or accredited**  
 17 **nonpublic school concerning:**  
 18 (i) wellness;  
 19 (ii) mental health;  
 20 (iii) social emotional learning;  
 21 (iv) creating a positive school climate; and  
 22 (v) suicide prevention.
- 23 **(E) The coordination of care and collaborative safety**  
 24 **planning with students, families, and health care providers.**
- 25 **(F) Establishing research based peer programs for**  
 26 **students to collaborate and share information concerning**  
 27 **the subjects listed in clause (D) with other students within**  
 28 **the school corporation, charter school, or accredited**  
 29 **nonpublic school and community and other school**  
 30 **corporations, charter schools, or accredited nonpublic**  
 31 **schools as applicable.**
- 32 **(G) Coordinating with other school corporations, charter**  
 33 **schools, or accredited nonpublic schools and the**  
 34 **community to share information and best practice**  
 35 **guidelines regarding integrated school based mental health**  
 36 **and substance use disorder services and plans.**
- 37 **(H) Evaluating and providing a report to the department**  
 38 **regarding the impact of the school corporation's, charter**  
 39 **school's, or accredited nonpublic school's plan on clinical**  
 40 **and educational outcomes.**
- 41 **(I) The intended timeline and process for implementing the**  
 42 **school corporation's, charter school's, or accredited**





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nonpublic school's plan.

(3) Meet any other requirements established by the state board.

Sec. 7. (a) Before June 30, 2020, and before each June 30 thereafter, the department shall evaluate and prepare a report concerning development and implementation of the following:

(1) The program.

(2) The plans submitted and implemented by school corporations, charter schools, and accredited nonpublic schools.

(b) The department shall submit the report described in subsection (a) to the legislative council in an electronic format under IC 5-14-6.

Sec. 8. (a) The state board may adopt rules under IC 4-22-2 to do the following:

(1) Require that school corporations, charter schools, and accredited nonpublic schools include additional information on integrated school based mental health and substance use disorder services plans.

(2) Require that school corporations, charter schools, and accredited nonpublic schools provide information regarding the implementation and maintenance of the school corporation's, charter school's, or accredited nonpublic school's plan.

(b) The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 14. IC 20-49-10-4, AS ADDED BY P.L.211-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The school corporation and charter school safety advance program is established. The purpose of the program is to make advances to school corporations or charter schools (or one (1) or more coalitions of public schools applying jointly) for:

(1) equipment purchases or capital improvements necessary to improve school security;

(2) the provision of school based mental health services to students or the formation of partnerships with mental health providers as described in section 5(a)(2) of this chapter;

(3) the provision of school based social emotional wellness services to students or the formation of partnerships with social emotional wellness providers as described in section 5(a)(3) of this chapter; or

(4) the implementation of integrated school based mental



1           **health services.**

2           (b) The state board, in consultation with the secured school safety  
3 board established by IC 10-21-1-3, shall administer the program.

4           (c) The total amount of advances that the state board may make  
5 under this chapter during the state biennium beginning July 1, 2017,  
6 and ending June 30, 2019, may not exceed thirty-five million dollars  
7 (\$35,000,000).

8           SECTION 15. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss),  
9 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2019]: Sec. 5. (a) Advances made under this chapter may be  
11 used to:

- 12           (1) purchase equipment or make capital improvements needed to:  
13            (+) (A) restrict access to schools;  
14            (±) (B) expedite the notification of first responders; or  
15            (∓) (C) improve school security;  
16           (2) **provide school based mental health services to students or**  
17           **form partnerships with mental health providers to provide**  
18           **school based mental health services to students;**  
19           (3) **provide school based social emotional wellness services to**  
20           **students or form partnerships with social emotional wellness**  
21           **providers to provide school based social emotional wellness**  
22           **services; or**  
23           (4) **implement integrated school based mental health services.**

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

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

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

37           SECTION 16. [EFFECTIVE UPON PASSAGE] (a) **The legislative**  
38 **council is urged to assign to an appropriate interim study**  
39 **committee the task of studying school districts, within and outside**  
40 **of Indiana, that have:**

- 41           (1) **implemented trauma informed approaches in the school**  
42 **districts; and**



1           **(2) worked with community partners to provide systems of**  
2           **care for students.**  
3           **(b) This SECTION expires January 1, 2020.**  
4           **SECTION 17. An emergency is declared for this act.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 266, 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 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 31, begin a new paragraph and insert: "SECTION 1. IC 2-5-36-9, AS AMENDED BY P.L.144-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. The commission shall do the following:

- (1) Study and evaluate the following:
  - (A) Access to services for vulnerable youth.
  - (B) Availability of services for vulnerable youth.
  - (C) Duplication of services for vulnerable youth.
  - (D) Funding of services available for vulnerable youth.
  - (E) Barriers to service for vulnerable youth.
  - (F) Communication and cooperation by agencies concerning vulnerable youth.
  - (G) Implementation of programs or laws concerning vulnerable youth.
  - (H) The consolidation of existing entities that serve vulnerable youth.
  - (I) Data from state agencies relevant to evaluating progress, targeting efforts, and demonstrating outcomes.
  - (J) Crimes of sexual violence against children.
  - (K) The impact of social networking web sites, cellular telephones and wireless communications devices, digital media, and new technology on crimes against children.
- (2) Review and make recommendations concerning pending legislation.
- (3) Promote information sharing concerning vulnerable youth across the state.
- (4) Promote best practices, policies, and programs.
- (5) Cooperate with:
  - (A) other child focused commissions;
  - (B) the judicial branch of government;
  - (C) the executive branch of government;
  - (D) stakeholders; and
  - (E) members of the community.



(6) Submit a report not later than ~~July 1~~ **September 1** of each year regarding the commission's work during the previous year. The report shall be submitted to the legislative council, the governor, and the chief justice of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

(7) Study the topic of what specific authority a law enforcement officer has in order to take custody of or detain a child in certain situations where the officer believes a child may be a victim of human trafficking (as defined in IC 35-42-3.5-0.5) and who is potentially a child in need of services. This subdivision expires November 2, 2018.

SECTION 2. IC 2-5-36-9.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 9.3. (a) The commission shall:**

**(1) develop and coordinate the children's social, emotional, and behavioral health plan to provide recommendations concerning:**

- (A) comprehensive mental health services;**
- (B) early intervention; and**
- (C) treatment services;**

**for individuals from birth through twenty-two (22) years of age; and**

**(2) make recommendations to the state board, which shall adopt rules under IC 4-22-2, concerning the children's social, emotional, and behavioral health plan.**

**(b) The children's social, emotional, and behavioral health plan shall include recommendations concerning:**

- (1) procedures for the identification and assessment of social, emotional, and mental health issues;**
- (2) procedures to assist a child and the child's family in obtaining necessary services to treat social, emotional, and mental health issues;**
- (3) procedures to coordinate provider services and interagency referral networks for an individual from birth through twenty-two (22) years of age;**
- (4) guidelines for incorporating social, emotional, and behavioral development into school learning standards and education programs;**
- (5) including social, emotional, and mental health screening as a part of routine examinations in schools and by health care providers;**
- (6) procedures concerning the positive development of**



**children, including:**

- (A) social, emotional, and behavioral development;
  - (B) learning; and
  - (C) behavioral health;
- (7) plans for creating a children's social, emotional, and behavioral health system with shared accountability among state agencies that will:
- (A) conduct ongoing needs assessments;
  - (B) use outcome indicators and benchmarks to measure progress; and
  - (C) implement quality data tracking and reporting systems;
- (8) a state budget for children's social, emotional, and mental health prevention and treatment;
- (9) how state agencies and local entities can obtain federal funding and other sources of funding to implement a children's social, emotional, and behavioral health plan;
- (10) how to maintain and expand the workforce to provide mental health services for individuals from birth through twenty-two (22) years of age and families;
- (11) how employers of mental health professionals may:
- (A) improve employee job satisfaction; and
  - (B) retain employees;
- (12) how to facilitate research on best practices and model programs for children's social, emotional, and behavioral health;
- (13) how to disseminate research and provide training and educational materials concerning the children's social, emotional, and behavioral health program to:
- (A) policymakers;
  - (B) practitioners; and
  - (C) the general public; and
- (14) how to implement a public awareness campaign to:
- (A) reduce the stigma of mental illness; and
  - (B) educate individuals about:
    - (i) the benefits of children's social, emotional, and behavioral development; and
    - (ii) how to access children's social, emotional, and behavioral development services.

SECTION 3. IC 4-3-28 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

SB 266—LS 6342/DI 110



**Chapter 28. Governor's Student Advisory Council**

**Sec. 1.** As used in this chapter, "council" refers to the governor's student advisory council established by section 3 of this chapter.

**Sec. 2.** As used in this chapter, "department" refers to the department of education established by IC 20-19-3-1.

**Sec. 3.** The governor's student advisory council is established to provide to the governor information concerning education issues that are important to students in Indiana.

**Sec. 4. (a)** The council consists of twenty (20) members, appointed by the governor, who are students:

- (1) in grades 10 through 12; and
- (2) attending a high school in Indiana.

(b) The members of the council shall be selected so as to give representation to the various geographical areas of Indiana.

(c) The members of the council shall annually elect a chairperson of the council from among the members.

(d) Members of the council shall serve for two (2) year terms.

(e) The governor may remove an appointed member of the council for cause.

**Sec. 5. (a)** This section applies to a student who attends either a public school or a nonpublic school.

(b) Attending a meeting of the council as a member is a lawful excuse for a student to be absent from school, when verified by a certificate of the office of the state superintendent of public instruction. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

**Sec. 6.** The council has the following duties:

- (1) To advise the governor concerning education matters related to students, including school safety.
- (2) To report to the governor, not later than December 1 of each year, concerning the council's activities, including any recommendations of the council.

**Sec. 7. (a)** The council shall meet at least three (3) times, and not more than six (6) times, per year.

(b) Meetings held under this section must include not more than two (2) public hearings per year concerning issues of importance to students regarding education.

(c) The affirmative votes of a majority of the members appointed to the council are required for the council to take action



on any measure, including annual reports.

**Sec. 8. (a) The department shall supervise the activities of the council.**

**(b) The department shall staff the council.**

**Sec. 9. The council members are not eligible for per diem reimbursement or reimbursement for expenses incurred for travel to and from council meetings.**

SECTION 4. IC 5-2-10.1-2, AS AMENDED BY P.L.25-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established to do the following:

- (1) Promote school safety through the:
  - (A) use of dogs trained to detect drugs, **firearms, explosives,** and illegal substances; and
  - (B) purchase of other equipment and materials used to enhance the safety of schools.
- (2) Combat truancy.
- (3) Provide matching grants to schools for school safe haven programs.
- (4) Provide grants for school safety and safety plans.
- (5) Provide educational outreach and training to school personnel concerning:
  - (A) the identification of;
  - (B) the prevention of; and
  - (C) intervention in;
 bullying.
- (6) Provide educational outreach to school personnel and training to school safety specialists and school resource officers concerning:
  - (A) the identification of;
  - (B) the prevention of; and
  - (C) intervention in;
 criminal organization activities.
- (7) Provide grants for school wide programs to improve school climate ~~and~~ **or** professional development and training for school personnel concerning:
  - (A) alternatives to suspension and expulsion; ~~and~~
  - (B) evidence based practices that contribute to a positive school environment, including classroom management skills, positive behavioral intervention and support, restorative practices, and social emotional learning; **and**
  - (C) **integrated school based mental health services that are**





**accessible to all students.**

- (b) The fund consists of amounts deposited:
- (1) under IC 33-37-9-4; and
  - (2) from any other public or private source.
- (c) The institute shall determine grant recipients from the fund with a priority on awarding grants in the following order:
- (1) A grant for a safety plan.
  - (2) A safe haven grant requested under section 10 of this chapter.
  - (3) A safe haven grant requested under section 7 of this chapter.
- (d) Upon recommendation of the council, the institute shall establish a method for determining the maximum amount a grant recipient may receive under this section.

SECTION 5. IC 5-2-10.1-10, AS AMENDED BY P.L.40-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) A county may establish a county school safety commission.

- (b) The members of the commission are as follows:
- (1) The school safety specialist for each school corporation located in whole or in part in the county.
  - (2) The judge of the court having juvenile jurisdiction in the county or the judge's designee.
  - (3) The sheriff of the county or the sheriff's designee.
  - (4) The chief officer of every other law enforcement agency in the county, or the chief officer's designee.
  - (5) A representative of the juvenile probation system, appointed by the judge described under subdivision (2).
  - (6) Representatives of community agencies that work with children within the county.
  - (7) A representative of the Indiana state police district that serves the county.
  - (8) A representative of the prosecuting attorneys council of Indiana who specializes in the prosecution of juveniles.
  - (9) The school mental health specialist or the mental health provider for each school corporation located in whole or in part in the county.**
  - ~~(9)~~ **(10)** Other appropriate individuals selected by the commission.

(c) If a commission is established, the school safety specialist of the school corporation having the largest ADM (as defined in IC 20-18-2-2), as determined in the fall count of ADM in the school year ending in the current calendar year, in the county shall convene the initial meeting of the commission.



- (d) The members shall annually elect a chairperson.
- (e) A commission shall perform the following duties:
  - (1) Perform a cumulative analysis of school safety needs within the county.
  - (2) Coordinate and make recommendations for the following:
    - (A) Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools.
    - (B) Proposals for identifying and assessing children who are at high risk of becoming juvenile offenders.
    - (C) Methods to meet the educational needs of children who have been detained as juvenile offenders.
    - (D) Methods to improve communications among agencies that work with children.
    - (E) Methods to improve security and emergency preparedness.
    - (F) Additional equipment or personnel that are necessary to carry out safety plans.
    - (G) Any other topic the commission considers necessary to improve school safety within the school corporations within the commission's jurisdiction.
  - (3) Provide assistance to the school safety specialists on the commission in developing and requesting grants for safety plans.
  - (4) Provide assistance to the school safety specialists on the commission and the participating school corporations and school corporation career and technical education schools described in IC 20-37-1-1 in developing and requesting grants for school safe haven programs under section 7 of this chapter.
  - (5) Assist each participating school corporation and each school corporation career and technical education schools described in IC 20-37-1-1 in carrying out the school corporation's or career and technical education school's safety plans.
- (f) The affirmative votes of a majority of the voting members of the commission are required for the commission to take action on a measure.
- (g) A commission shall receive the school safety plans described in IC 20-26-18.2-2 for the schools and school corporations located in the county. The commission may share the school safety plans with law enforcement agencies.

SECTION 6. IC 10-21-1-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2019]: **Sec. 0.5. This chapter does not apply to a virtual charter school or a virtual accredited nonpublic school.**

SECTION 7. IC 10-21-1-1, AS AMENDED BY P.L.109-2015,



SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.
- (2) "Board" refers to the secured school safety board established by section 3 of this chapter.
- (3) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.
- (4) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).
- (5) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:
  - (A) a coalition of school corporations;
  - (B) a coalition of charter schools; or
  - (C) a coalition of both school corporations and charter schools; that intend to jointly employ a school resource officer or to jointly apply for a **matching secured school** grant under this chapter, unless the context clearly indicates otherwise.
- (6) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.

SECTION 8. IC 10-21-1-2, AS ADDED BY P.L.172-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The Indiana secured school fund is established to provide **matching secured school** grants to enable school corporations, **and** charter schools, **and accredited nonpublic schools** to establish programs under which a school corporation, **or** a charter school, **or an accredited nonpublic school** (or a coalition of schools) may:

- (1) employ a school resource officer or enter into a contract or a memorandum of understanding with a:
  - (A) local law enforcement agency;
  - (B) private entity; or
  - (C) nonprofit corporation;
 to employ a school resource officer;
- (2) conduct a threat assessment of the buildings within a school



corporation or **buildings that are** operated by a charter school or **accredited nonpublic school; or**

(3) purchase equipment and technology to:

(A) restrict access to school property; or

(B) expedite notification of first responders;

**(4) provide school based mental health services to students or form partnerships with mental health providers to provide school based mental health services to students;**

**(5) provide school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness services; or**

**(6) implement integrated school based mental health services that are accessible to all students.**

(b) The fund shall be administered by the department of homeland security.

(c) The fund consists of:

(1) appropriations from the general assembly;

(2) grants from the Indiana safe schools fund established by IC 5-2-10.1-2;

(3) federal grants; and

(4) amounts deposited from any other public or private source.

(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 money 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.

SECTION 9. IC 10-21-1-3, AS ADDED BY P.L.172-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The secured school safety board is established to approve or disapprove applications for ~~matching~~ **secured school** grants to fund programs described in section 2(a) of this chapter.

(b) The board consists of ~~seven (7)~~ **eight (8)** members appointed as follows:

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



- (2) The attorney general or the attorney general's designee.
- (3) The superintendent of the state police department or the superintendent's designee.
- (4) A local law enforcement officer appointed by the governor.
- (5) The state superintendent of public instruction or the superintendent's designee.
- (6) The director of the criminal justice institute or the director's designee.
- (7) An employee of a local school corporation or a charter school appointed by the governor.
- (8) The director of the division of mental health and addiction or the director's designee.**

(c) The board shall establish criteria to be used in evaluating applications for ~~matching~~ **secured school** grants from the fund. These criteria must:

- (1) be consistent with the fund's goals; and
- (2) provide for an equitable distribution of grants to school corporations, ~~and~~ charter schools, **and accredited nonpublic schools** located throughout Indiana.

**(d) The board may require a school corporation, a charter school, or an accredited nonpublic school (or a coalition of schools) to provide matching funds to match all or a portion of the amount of a secured school grant the school corporation, charter school, or accredited nonpublic school (or coalition of schools) receives under this chapter.**

SECTION 10. IC 10-21-1-4, AS AMENDED BY P.L.30-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The board may award a ~~matching secured school~~ grant to enable a school corporation, ~~or a charter school, or an accredited nonpublic school~~ (or a coalition of schools applying jointly) to establish a program to employ a school resource officer, provide school resource officer training described in IC 20-26-18.2-1(b)(2), conduct a threat assessment, **provide school based mental health services to students or form partnerships with mental health providers to provide school based mental health services to students, provide school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness services, implement integrated school based mental health services that are accessible to all students,** or purchase equipment to restrict access to the school or expedite the notification of first responders in accordance with section 2(a) of this chapter.



(b) A ~~matching~~ **secured school** grant awarded to a school corporation, ~~or a charter school, or an accredited nonpublic school~~ (or a coalition of schools applying jointly) may not exceed the lesser of the following during a two (2) year period beginning on or after May 1, 2013:

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

(2) The following amounts:

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

(i) has an ADM, ~~or its equivalent for an accredited nonpublic school~~, of at least one thousand (1,000); and

(ii) is not applying jointly with any other school corporation, ~~or charter school, or accredited nonpublic school~~;

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

(i) has an ADM, ~~or its equivalent for an accredited nonpublic school~~, of less than one thousand (1,000); and

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

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

(c) A school corporation, ~~or a charter school, or an accredited nonpublic school~~ may receive only one (1) ~~matching secured school~~ grant under this section each year.

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

SECTION 11. IC 10-21-1-5, AS AMENDED BY P.L.211-2018(ss), SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A school corporation, ~~or a charter school, or an accredited nonpublic school~~ may annually apply to the board for a ~~matching secured school~~ grant from the fund for a program described in section 2(a) of this chapter.

(b) The application must include the following:

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



- (2) The estimated cost of the program to the school corporation, ~~or~~ charter school, **or accredited nonpublic school**.
- (3) The extent to which the school corporation, ~~or~~ charter school, **or accredited nonpublic school** has access to and support from a nearby law enforcement agency, if applicable.
- (4) The ADM of the school corporation or charter school **or the equivalent for an accredited nonpublic school, as determined by the department** (or the combined ADM, **or the equivalent for accredited nonpublic schools**, of the coalition of schools applying jointly).
- (5) Any other information required by the board.
- (6) A statement whether the school corporation or charter school has completed a local plan and has filed the plan with the county school safety commission for the county in which the school corporation or charter school is located.
- (7) A statement whether the school corporation or charter school (or coalition of public schools applying jointly) requests an advance under IC 20-49-10 in addition to a ~~matching secured school~~ grant under this chapter.

SECTION 12. IC 10-21-1-6, AS ADDED BY P.L.172-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. A school corporation, ~~or a~~ charter school, **or an accredited nonpublic school** that is awarded a ~~matching secured school~~ grant under this chapter is not required to repay or reimburse the board or fund the amount of the ~~matching secured school~~ grant."

Page 7, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 15. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

**Chapter 2. Dangerous Person Reporting**

**Sec. 1.** As used in this chapter, "charter school" has the meaning set forth in IC 20-24-1-4.

**Sec. 2.** As used in this chapter, "dangerous" has the meaning set forth in IC 35-47-14-1.

**Sec. 3.** As used in this chapter, "law enforcement agency" means the department or agency of a county, city, or town whose principal function is the apprehension of criminal offenders.

**Sec. 4.** As used in this chapter, "nonpublic school" means a school that:

- (1) is not maintained by a school corporation or charter school; and
- (2) employs one (1) or more employees.



The term includes a private school or a parochial school.

**Sec. 5.** As used in this chapter, "school corporation" has the meaning set forth in IC 20-26-2-4.

**Sec. 6.** As used in this chapter, "superintendent" has the meaning set forth in IC 10-11-1-4.

**Sec. 7.** A law enforcement agency shall, not later than July 1 of each year, send each of the following items to each charter school, nonpublic school, and school corporation in its jurisdiction:

- (1) A written copy of IC 35-47-14-1.
- (2) Written instructions concerning the reporting of a dangerous person to the law enforcement agency.

**Sec. 8. (a)** The superintendent shall adopt guidelines to accomplish the creation and distribution of a reporting form or a specified electronic format, or both, that enables each law enforcement agency to provide:

- (1) a written copy of IC 35-47-14-1;
- (2) instructions concerning the process of reporting a dangerous person to an appropriate law enforcement agency; and
- (3) the ability to report a dangerous person to an appropriate law enforcement agency;

to each charter school, nonpublic school, or school corporation in the law enforcement agency's jurisdiction.

**(b)** The superintendent may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this chapter.

SECTION 16. IC 20-19-3-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 20. (a)** As used in this section, "center" refers to the Indiana intelligence fusion center established by IC 10-11-9-2.

**(b)** As used in this section, "tip line" means the "If You See Something, Say Something" tip line sponsored by the center for the reporting of suspicious criminal or terrorist activity.

**(c)** The department, in coordination with the center, shall do the following:

- (1) Distribute to schools information regarding the tip line.
- (2) Establish guidelines for schools with regard to providing information to students about the tip line.

SECTION 17. IC 20-19-5 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Children's Social, Emotional, and Behavioral Health Plan).

SECTION 18. IC 20-28-3-5.5 IS ADDED TO THE INDIANA





CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. A teacher preparation program shall include content within the curriculum that provides teacher candidates with information concerning school safety, including mental health and social emotional learning.**

SECTION 19. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.7. (a) Not later than December 15, ~~2018~~, **2019**, and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate ~~and research and evidence based~~ instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists, ~~and~~ school counselors, **school social workers, or school psychologists**, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

**(c) Any outlines and materials identified under subsection (b) must be demonstrated to be effective and promising.**

~~(e)~~ **(d)** Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 20. IC 20-30-5-7, AS AMENDED BY P.L.132-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

- (1) Language arts, including:
  - (A) English;
  - (B) grammar;
  - (C) composition;
  - (D) speech; and
  - (E) second languages.
- (2) Mathematics.
- (3) Social studies and citizenship, including the:
  - (A) constitutions;
  - (B) governmental systems; and
  - (C) histories;
 

of Indiana and the United States, including a study of the Holocaust in each high school United States history course.
- (4) Sciences, including, after June 30, 2021, computer science.
- (5) Fine arts, including music and art.



(6) Health education, **including:**

(A) physical fitness;

(B) safety; **and**(C) the effects of alcohol, tobacco, drugs, and other substances on the human body; **and**(D) **mental health as provided under section 7.3 of this chapter.**

(7) Additional studies selected by each governing body, subject to revision by the state board.

## (b) Each:

(1) school corporation;

(2) charter school; and

(3) accredited nonpublic school;

shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

SECTION 21. IC 20-30-5-7.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 7.3. (a) For grades 6 through 12, the study of health education required under section 7(a)(6) of this chapter must include instruction on mental health.**

**(b) A teacher who provides instruction on mental health under subsection (a) must have training on mental health matters.**

SECTION 22. IC 20-33-13 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

**Chapter 13. Protection of Privacy Rights of Students and Families**

**Sec. 1. As used in this chapter, "aggregate data" means data that:**

(1) **is not limited to one (1) student;**(2) **is not able to be used to identify an individual student; and**(3) **can be tracked across time, organizations, and student populations.**

**Sec. 2. (a) As used in this chapter, "biometric record" means a record of one (1) or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual.**

**(b) The term includes fingerprints, retina and iris patterns,**



voice prints, DNA sequence, facial characteristics, and handwriting.

**Sec. 3.** As used in this chapter, "de-identify" or "de-identified" means a process used to prevent an individual's identity from being connected with information.

**Sec. 4.** As used in this chapter, "mental health assessment" means:

- (1) a behavioral evaluation or survey;
- (2) a personality examination or analysis;
- (3) a mental health screening or survey; or
- (4) any assessment regarding interest inventories that would collect or elicit information about attitudes, habits, traits, opinions, beliefs, feelings, or dispositions, including:
  - (A) multi-tiered system of supports;
  - (B) positive behavior intervention and supports;
  - (C) response to intervention;
  - (D) universal design for learning designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group; or
- (5) counseling or treatment, including prescribing medication.

**Sec. 5.** As used in this chapter, "mental health service" means any social, emotional, or behavioral interventions, including:

- (1) multi-tiered systems of support;
- (2) positive behavior interventions and support;
- (3) response to intervention; or
- (4) universal design for learning designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

**Sec. 6.** As used in this chapter, "personally identifiable information" means:

- (1) the name of a student;
- (2) the name of a student's parent or any other family member;
- (3) the address of a student or any family member of a student;
- (4) a personal identifier, including a student's Social Security number, student number, national student number, national identity number, student test number, or biometric record;
- (5) other indirect identifiers, including date of birth, place of birth, and mother's maiden name of a student;
- (6) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable



person in the community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

(7) information requested by a person who the school reasonably believes knows the identity of the student to whom the education record relates.

Sec. 7. As used in this chapter, "psychiatric or psychological examination or test" means a method of obtaining information, including a group activity, that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings.

Sec. 8. As used in this chapter, "psychiatric or psychological treatment" means an activity involving the planned, systematic use of methods or techniques that are designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

Sec. 9. As used in this chapter, "school" means a charter school or an accredited nonpublic school.

Sec. 10. As used in this chapter, "student education record" means a record maintained by a school corporation or school in a digital, paper, or other format that contains information directly related to a student that includes, but is not limited to:

- (1) personally identifiable information;
- (2) medical or mental health information regarding the student;
- (3) academic information;
- (4) career profile information;
- (5) personality information;
- (6) any disciplinary action information; and
- (7) any other information gathered on the student.

Sec. 11. (a) A school corporation or school shall obtain prior informed written consent from the parent of a student who:

- (1) is less than eighteen (18) years of age; and
- (2) is not emancipated;

before the student may participate in any medical health assessment or services, mental health assessment, mental health services, psychiatric or psychological examination or test, or psychiatric or psychological treatment that is conducted in connection with the school corporation, school, a contractor of a school corporation or school, or any individual, agency, or entity that the student is referred to by a school corporation or school.

(b) Before obtaining the prior informed written consent of a parent as described in subsection (a), a school corporation or school shall provide the parent informed written notice describing



in detail the medical health assessment or service, mental health assessment, mental health service, psychiatric or psychological examination or test, or psychiatric or psychological treatment, including:

- (1) the purpose for the assessment, examination, test, treatment, or service;
- (2) the provider or contractor providing the assessment, examination, test, treatment, or service;
- (3) the date and time at which the assessment, examination, test, treatment, or service will take place; and
- (4) the length of time the assessment, examination, test, treatment, or service may likely last.

Sec. 12. Each school corporation and school shall take all measures to protect personally identifiable information.

Sec. 13. Each school corporation and school shall:

- (1) create a unique identification for each student of the school corporation or school;
- (2) de-identify all personally identifiable information for each student when used for any purpose outside of the school corporation or school; and
- (3) maintain personally identifiable information for each student separately from the state longitudinal data system.

Sec. 14. Notwithstanding any other state law, a school corporation or school may not provide personally identifiable information of a student to any individual or entity except as provided in this chapter.

Sec. 15. (a) A parent of a student may request at any time to view the student's student education record.

(b) A parent of a student may deny access to the student's personally identifiable information to any person who is not an employee of the school corporation or school and is otherwise authorized to access the information.

(c) Each school corporation and school shall establish a process for a parent to correct information in or have information removed from the education record of the parent's child.

Sec. 16. Notwithstanding any other state law, a school corporation or school:

- (1) may only provide de-identified aggregate data; and
- (2) may not provide personally identifiable information of a student;

when complying with any state or federal reporting requirement.

Sec. 17. Any disclosure to an organization conducting studies for



or on behalf of educational agencies or institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction, must be done through the school corporation or school and through the release of de-identified aggregate data. A student's personally identifiable information may not be released from a student education record at the local level without the informed written consent of the student's parent.

**Sec. 18.** A school corporation or school may not request or maintain a student's Social Security number.

**Sec. 19.** A school corporation or school may not release personally identifiable information from a student's student education record without the informed written consent of the student's parent.

**Sec. 20.** Any student identification number or other unique personal identifier that is displayed on a student's identification badge or card may not be used to access a student's student education record except when used in conjunction with one (1) or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the person authorized to access a student's student education record.

**Sec. 21. (a)** Before a school corporation or school may transfer or share student education records or any other personally identifiable information of a student, the school corporation or school shall notify the student's parent regarding the reason for the disclosure and the purpose for which the information will be used.

**(b)** A school corporation or school may not transfer or share student information described in subsection (a) without the prior informed written consent of the student's parent.

**Sec. 22. (a)** Each school corporation and school may not provide any personally identifiable information of the student in directory information without first obtaining informed written consent of the student's parent.

**(b)** Prior to obtaining informed written consent of the student's parent, each school corporation and school shall provide to a student's parent the following information:

- (1)** That the directory information is given to outside vendors and testing contractors.
- (2)** That outside vendors and contractors align unique personal identifiers to the directory information.

**Sec. 23. (a)** For purposes of this section, a student is considered a student subject to a violation of this section if the school



corporation or school does any of the following:

- (1) Releases information regarding the student in violation of this chapter.
- (2) Has the student participate in any medical health assessment or services, mental health assessment, mental health service, psychiatric or psychological examination or test, or psychiatric or psychological treatment a mental health screening or survey without the informed written consent of the student's parent.

(b) If the attorney general determines that a school corporation or school:

- (1) releases information regarding a student in violation of this chapter; or
- (2) has the student participate in any medical health assessment or services, mental health assessment, mental health services, psychiatric or psychological examination or test, or psychiatric or psychological treatment that is conducted in connection with the school corporation, school, a contractor of a school corporation or school, or any individual, agency, or entity that the student is referred to by a school corporation or school without the informed written consent of the student's parent;

the attorney general may assess a civil penalty against the school corporation or school in amount determined under subsection (c).

(c) The amount of a civil penalty under subsection (b) is as follows:

- (1) For a first violation, at least one thousand dollars (\$1,000) but less than five thousand dollars (\$5,000) for each student who is the subject of a violation under this section.
- (2) For a second violation, at least five thousand dollars (\$5,000) but less than ten thousand dollars (\$10,000) for each student who is the subject of a violation under this section.
- (3) For any violation after a second violation, at least ten thousand dollars (\$10,000) for each student who is the subject of a violation under this section.

Sec. 24. (a) A parent of a student may bring a civil action against a school corporation or school if the student is the subject of a violation by the school corporation or school as described in section 23(a) of this chapter.

(b) A court may award the following to an individual who prevails under subsection (a):

- (1) Court costs and reasonable attorney fees.



**(2) The greater of:**

- (A) actual damages resulting from the violation; or**
- (B) liquidated damages in an amount of five thousand dollars (\$5,000).**

SECTION 23. IC 20-34-9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

**Chapter 9. Integrated School Based Mental Health and Substance Use Disorder Services Plan Grants**

**Sec. 1. This chapter does not apply to a virtual charter school (as defined in IC 20-24-7-13(a)) or a virtual accredited nonpublic school.**

**Sec. 2. As used in this chapter, "plan" refers to an integrated school based mental health and substance use disorder services plan described in section 6(2) of this chapter.**

**Sec. 3. As used in this chapter, "program" refers to the integrated school based mental health and substance use disorder services grant program established by section 5 of this chapter.**

**Sec. 4. Beginning after June 30, 2020, a school corporation, a charter school, and an accredited nonpublic school are eligible for a grant under this chapter if the school corporation, charter school, or accredited nonpublic school meets the requirements of this chapter.**

**Sec. 5. (a) The integrated school based mental health and substance use disorder services grant program is established to provide grants to school corporations, charter schools, and accredited nonpublic schools for the development and implementation of integrated school based mental health and substance use disorder services plans.**

**(b) The department, in coordination with the division of mental health and addiction, shall administer the program.**

**Sec. 6. A school corporation, a charter school, or an accredited nonpublic school must do the following to participate in the program:**

- (1) Apply to the department to participate in the program.**
- (2) Submit to the department an integrated school based mental health and substance use disorder services plan that the school corporation, charter school, or accredited nonpublic school intends to implement that includes the following:**
  - (A) The selection of designated personnel who will facilitate and ensure the successful integration of social**





emotional learning and mental health in the school corporation, charter school, or accredited nonpublic school.

**(B) The provision of integrated school based mental health and substance use disorder services that:**

- (i) are delivered in a culturally responsive manner;**
- (ii) include research based practices; and**
- (iii) include a seamless referral and follow up process.**

**(C) The implementation of:**

- (i) a research based social emotional learning program;**
- (ii) a research based educational neuroscience program;**
- or**
- (iii) both programs described in items (i) and (ii).**

**(D) The implementation of systematic, research based training and coaching for schools, parents, and students of the school corporation, charter school, or accredited nonpublic school concerning:**

- (i) wellness;**
- (ii) mental health;**
- (iii) social emotional learning;**
- (iv) creating a positive school climate; and**
- (v) suicide prevention.**

**(E) The coordination of care and collaborative safety planning with students, families, and health care providers.**

**(F) Establishing research based peer programs for students to collaborate and share information concerning the subjects listed in clause (D) with other students within the school corporation, charter school, or accredited nonpublic school and community and other school corporations, charter schools, or accredited nonpublic schools as applicable.**

**(G) Coordinating with other school corporations, charter schools, or accredited nonpublic schools and the community to share information and best practice guidelines regarding integrated school based mental health and substance use disorder services and plans.**

**(H) Evaluating and providing a report to the department regarding the impact of the school corporation's, charter school's, or accredited nonpublic school's plan on clinical and educational outcomes.**

**(I) The intended timeline and process for implementing the school corporation's, charter school's, or accredited**



**nonpublic school's plan.**

**(3) Meet any other requirements established by the state board.**

**Sec. 7. (a) This section applies after June 30, 2020.**

**(b) The total amount of a school corporation's, charter school's, or accredited nonpublic school's integrated school based mental health and substance use disorder services plan grant under this chapter for a state fiscal year is equal to:**

**(1) ten dollars (\$10); multiplied by**

**(2) the current ADM of the school corporation or charter school, or the equivalent for an accredited nonpublic school (as determined by the department), for the year.**

**(c) A school corporation, a charter school, or an accredited nonpublic school that receives a grant under this chapter must use the funds the school corporation, charter school, or accredited nonpublic school receives to implement and maintain the school corporation's, charter school's, or accredited nonpublic school's plan.**

**Sec. 8. (a) Before June 30, 2020, and before each June 30 thereafter, the department shall evaluate and prepare a report concerning development and implementation of the following:**

**(1) The program.**

**(2) The plans submitted and implemented by school corporations, charter schools, and accredited nonpublic schools.**

**(b) The department shall submit the report described in subsection (a) to the legislative council in an electronic format under IC 5-14-6.**

**Sec. 9. (a) The state board may adopt rules under IC 4-22-2 to do the following:**

**(1) Require that school corporations, charter schools, and accredited nonpublic schools include additional information on integrated school based mental health and substance use disorder services plans.**

**(2) Require that school corporations, charter schools, and accredited nonpublic schools provide information regarding the implementation and maintenance of the school corporation's, charter school's, or accredited nonpublic school's plan.**

**(b) The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter."**

Page 7, line 16, delete "or".



Page 7, line 20, delete "chapter." and insert "**chapter; or  
(4) the implementation of integrated school based mental health services.**".

Page 7, line 37, delete "or".

Page 7, line 41, delete "services." and insert "**services; or  
(4) implement integrated school based mental health services.**".

Page 8, after line 35, begin a new paragraph and insert:

"SECTION 27. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee the task of studying school districts, within and outside of Indiana, that have:**

**(1) implemented trauma informed approaches in the school districts; and**

**(2) worked with community partners to provide systems of care for students.**

**(b) This SECTION expires January 1, 2020.**

SECTION 28. **An emergency is declared for this act.**".

Re-number 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 266 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 10, Nays 0.

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#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 266, 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, line 29, delete "The commission shall:" and insert "**The commission shall develop and coordinate the children's social, emotional, and behavioral health plan to provide recommendations concerning:**

**(1) comprehensive mental health services;**

**(2) early intervention; and**

**(3) treatment services;**

SB 266—LS 6342/DI 110



**for individuals from birth through twenty-two (22) years of age."**

Page 2, delete lines 30 through 40.

Page 4, delete lines 13 through 42.

Page 5, delete lines 1 through 22.

Page 8, delete lines 11 through 42.

Delete pages 9 through 12.

Page 13, delete lines 1 through 14.

Page 16, delete lines 20 through 32.

Page 16, line 33, delete "3." and insert "1."

Page 16, line 36, delete "4." and insert "2."

Page 17, line 9, delete "5." and insert "3."

Page 17, line 17, delete "6." and insert "4."

Page 17, line 37, delete "7." and insert "5."

Page 17, line 41, delete "8." and insert "6."

Page 18, line 3, delete "9." and insert "7."

Page 18, line 5, delete "10." and insert "8."

Page 18, line 17, delete "11." and insert "9."

Page 19, line 1, delete "12." and insert "10."

Page 19, line 3, delete "13." and insert "11."

Page 19, line 11, delete "14." and insert "12."

Page 19, delete lines 15 through 42.

Delete page 20.

Page 21, delete lines 1 through 34.

Page 22, line 7, after "2020," insert "**and subject to available funding,**".

Page 23, delete lines 34 through 42.

Page 24, delete lines 1 through 6.

Page 24, line 7, delete "8." and insert "7."

Page 24, line 17, delete "9." and insert "8."

Page 25, delete lines 40 through 42.

Page 26, delete lines 1 through 20.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 266 as printed February 8, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 13, Nays 0.

SB 266—LS 6342/DI 110



## SENATE MOTION

Madam President: I move that Senate Bill 266 be amended to read as follows:

Page 10, line 7, after "survey;" delete "or".

Page 10, line 13, after "intervention;" insert "**and**".

Page 12, between lines 23 and 24, begin a new paragraph and insert:  
**"Sec. 13. (a) A school corporation or school may not:**

**(1) release information regarding the student in violation of this chapter; or**

**(2) have the student participate in any medical health assessment or services, mental health assessment, mental health service, psychiatric or psychological examination or test, or psychiatric or psychological treatment without the informed written consent of the student's parent as provided under section 9 of this chapter.**

**(b) A school corporation or school shall store a student education record concerning any medical health assessments or services, mental health assessments, mental health services, psychiatric or psychological examinations or tests, or psychiatric or psychological treatments of a student in a secure location.**

**(c) If a school corporation or school violates this section, a student, who is at least eighteen (18) years of age or emancipated, or the parent of a student may file a complaint with the department.**

**(d) If the department determines that a school corporation or school has violated this section, the department may deny a grant or grant funds under the integrated school based mental health and substance use disorder services grant program established by IC 20-34-9-5 to the school corporation or school."**

(Reference is to SB 266 as printed February 19, 2019.)

CRIDER

