

SENATE BILL No. 355

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-10.1-12; IC 20-19-3-11; IC 20-26-5-35.5; IC 20-30-5-5.7.

Synopsis: Child abuse education and policies. Requires, not later than July 1, 2018, the department of education (department) to make available model educational materials and model response policies and reporting procedures concerning child abuse and child sexual abuse to assist schools with the implementation of: (1) child abuse and child sexual abuse education programs in kindergarten through grade 12; and (2) child abuse and child sexual abuse response and reporting policies. (Current law requires the department to make available the model educational materials and model response policies and reporting procedures concerning child abuse and child sexual abuse to assist schools with the implementation of: (1) child abuse and child sexual abuse education programs in grades 2 through 5; and (2) child abuse and child sexual abuse response and reporting policies.) Requires that the: (1) materials and guidelines provided to assist a safe school committee in developing a plan and policy for a school include the model educational materials and the model response policies and reporting procedures; and (2) plan and policy developed by the safe school committee; must address the issues of child abuse and child sexual abuse. Requires a school corporation to: (1) adopt child abuse and child sexual abuse response and reporting policies; and (2) provide training to certain employees and volunteers concerning the child abuse and child sexual abuse response and reporting policies. Beginning in 2018, requires, not later than October 15 of each year, a public school to provide age appropriate, research and evidence based instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

Effective: July 1, 2017.

Messmer

January 10, 2017, read first time and referred to Committee on Family and Children Services.



First Regular Session 120th General Assembly (2017)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

SENATE BILL No. 355

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 5-2-10.1-12, AS AMENDED BY P.L.25-2016,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 12. (a) Each school corporation shall establish a
4 safe school committee. The committee may be a subcommittee of the
5 committee that develops the strategic and continuous school
6 improvement and achievement plan under IC 20-31-5. Each committee
7 may include at least one (1) member who is a member of the support
8 staff of the school or school corporation career and technical education
9 school.

10 (b) The department of education, the school corporation's school
11 safety specialist, and, upon request, a school resource officer (as
12 described in IC 20-26-18.2-1) shall provide materials and guidelines to
13 assist a safe school committee in developing a plan and policy for the
14 school that addresses the following issues:

15 (1) Unsafe conditions, crime prevention, school violence,
16 bullying, criminal organization activity, **child abuse and child**
17 **sexual abuse**, and other issues that prevent the maintenance of a



- 1 safe school.
- 2 (2) Professional development needs for faculty and staff to
- 3 implement methods that decrease problems identified under
- 4 subdivision (1).
- 5 (3) Methods to encourage:
- 6 (A) involvement by the community and students;
- 7 (B) development of relationships between students and school
- 8 faculty and staff; and
- 9 (C) use of problem solving teams.
- 10 (c) As a part of the plan developed under subsection (b), each safe
- 11 school committee shall provide a copy of the floor plans for each
- 12 building located on the school's property that clearly indicates each
- 13 exit, the interior rooms and hallways, and the location of any hazardous
- 14 materials located in the building to the law enforcement agency and the
- 15 fire department that have jurisdiction over the school.
- 16 (d) The guidelines developed under subsection (b) must include age
- 17 appropriate, research based information that assists school corporations
- 18 and safe school committees in:
- 19 (1) developing and implementing bullying prevention programs;
- 20 (2) establishing investigation and reporting procedures related to
- 21 bullying; and
- 22 (3) adopting discipline rules that comply with IC 20-33-8-13.5.
- 23 (e) In addition to developing guidelines under subsection (b), the
- 24 department of education shall establish categories of types of bullying
- 25 incidents to allow school corporations to use the categories in making
- 26 reports under IC 20-20-8-8 and IC 20-34-6-1.
- 27 **(f) The materials and guidelines provided under subsection (b)**
- 28 **must include the model educational materials and model response**
- 29 **policies and reporting procedures on child abuse and child sexual**
- 30 **abuse developed or identified under IC 20-19-3-11.**
- 31 SECTION 2. IC 20-19-3-11, AS AMENDED BY P.L.13-2013,
- 32 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2017]: Sec. 11. (a) The department, in collaboration with the
- 34 department of child services and organizations that have expertise in
- 35 child abuse, including child sexual abuse, shall identify or develop:
- 36 (1) research and evidence based model educational materials on
- 37 child abuse and child sexual abuse; and
- 38 (2) a model for child abuse and child sexual abuse response
- 39 policies and reporting procedures.
- 40 To identify or develop models under this subsection, the department
- 41 may not hire additional staff members or expend funds not already
- 42 included in the department's budget.



1 (b) Not later than July 1, ~~2013~~, **2018**, the department shall make the
 2 models developed or identified under this section available to assist
 3 schools with the implementation of:

4 (1) child abuse and child sexual abuse education programs in
 5 ~~grade 2 kindergarten~~ through grade 5; **12 as provided in**
 6 **IC 20-30-5-5.7**; and

7 (2) child abuse and child sexual abuse response and reporting
 8 policies.

9 (c) The model educational materials on child abuse and child sexual
 10 abuse identified or developed under subsection (a) may include the
 11 following topics:

12 (1) Warning signs of a child who is being abused or sexually
 13 abused.

14 (2) The basic principles of child abuse and child sexual abuse
 15 prevention.

16 (3) Methods of student, teacher, and parental education and
 17 outreach.

18 (d) The model child abuse and child sexual abuse response and
 19 reporting policies referred to in subsection (b) may include the
 20 following topics:

21 (1) Actions that a child who is a victim of abuse or sexual abuse
 22 may take to obtain assistance.

23 (2) Interventions.

24 (3) Counseling options.

25 (4) Educational support available for a child who is a victim of
 26 abuse or sexual abuse to enable the child to continue to be
 27 successful in school.

28 (5) Reporting procedures.

29 (e) A school that chooses to use the model educational materials
 30 developed under subsection (a) shall inform the parents of students in
 31 the grade levels in which the materials could be used, in writing and by
 32 posting on the school's Internet web site, that a parent may:

33 (1) examine and review the model educational materials before
 34 the materials are taught; and

35 (2) decide if the parent's child will be instructed with the model
 36 educational materials.

37 (f) If a parent decides that the parent's child may be taught using the
 38 model educational materials, the parent shall notify the school of the
 39 parent's decision in writing or electronically.

40 SECTION 3. IC 20-26-5-35.5 IS ADDED TO THE INDIANA
 41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2017]: **Sec. 35.5. (a) A school corporation**



1 shall adopt child abuse and child sexual abuse response and
2 reporting policies.

3 (b) A school corporation shall provide to the school
4 corporation's employees and volunteers who have direct, ongoing
5 contact with students training on the child abuse and child sexual
6 abuse response and reporting policies adopted by the school
7 corporation under subsection (a).

8 SECTION 4. IC 20-30-5-5.7 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2017]: Sec. 5.7. (a) Not later than October 15, 2018, and each
11 October 15 thereafter, each public school shall provide age
12 appropriate, research and evidence based instruction on child
13 abuse and child sexual abuse to students in kindergarten through
14 grade 12.

15 (b) The department, in consultation with school safety
16 specialists and school counselors, shall prepare outlines or
17 materials for the instruction described in subsection (a) and
18 incorporate the instruction in kindergarten through grade 12.

19 (c) Instruction on child abuse and child sexual abuse may be
20 delivered by a school safety specialist, school counselor, or any
21 other person with training and expertise in the area of child abuse
22 and child sexual abuse.

