

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 ENROLLED ACT No. 355

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AN ACT to amend the Indiana Code concerning education.

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

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

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

- (1) Unsafe conditions, crime prevention, school violence, bullying, criminal organization activity, **child abuse and child sexual abuse**, and other issues that prevent the maintenance of a safe school.
- (2) Professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (1).
- (3) Methods to encourage:

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- (A) involvement by the community and students;
- (B) development of relationships between students and school faculty and staff; and
- (C) use of problem solving teams.

(c) As a part of the plan developed under subsection (b), each safe school committee shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.

(d) The guidelines developed under subsection (b) must include age appropriate, research based information that assists school corporations and safe school committees in:

- (1) developing and implementing bullying prevention programs;
- (2) establishing investigation and reporting procedures related to bullying; and
- (3) adopting discipline rules that comply with IC 20-33-8-13.5.

(e) In addition to developing guidelines under subsection (b), the department of education shall establish categories of types of bullying incidents to allow school corporations to use the categories in making reports under IC 20-20-8-8 and IC 20-34-6-1.

**(f) The materials and guidelines provided under subsection (b) must include the model educational materials and model response policies and reporting procedures on child abuse and child sexual abuse developed or identified under IC 20-19-3-11.**

SECTION 2. IC 20-19-3-11, AS AMENDED BY P.L.13-2013, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) The department, in collaboration with the department of child services and organizations that have expertise in child abuse, including child sexual abuse, shall identify or develop:

- (1) research and evidence based model educational materials on child abuse and child sexual abuse; and
- (2) a model for child abuse and child sexual abuse response policies and reporting procedures.

**The model for child abuse and child sexual abuse response policies and reporting procedures described in subdivision (2) must include information on the duty to report suspected child abuse or neglect under IC 31-33-5.** To identify or develop models under this subsection, the department may not hire additional staff members or expend funds not already included in the department's budget.

(b) Not later than July 1, ~~2013~~, **2018**, the department shall make the models developed or identified under this section available to assist



schools with the implementation of:

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

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

- (1) Warning signs of a child who is being abused or sexually abused.
- (2) The basic principles of child abuse and child sexual abuse prevention.
- (3) Methods of student, teacher, and parental education and outreach.

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

- (1) Actions that a child who is a victim of abuse or sexual abuse may take to obtain assistance.
- (2) Interventions.
- (3) Counseling options.
- (4) Educational support available for a child who is a victim of abuse or sexual abuse to enable the child to continue to be successful in school.
- (5) Reporting procedures.

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

- (1) examine and review the model educational materials before the materials are taught; and
- (2) decide if the parent's child will be instructed with the model educational materials.

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

SECTION 3. IC 20-26-1-1, AS AMENDED BY P.L.121-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. ~~(a)~~ **Except as otherwise provided**, IC 20-26-1 through IC 20-26-5 and IC 20-26-7 apply to all school corporations.

~~(b)~~ **Notwithstanding subsection (a), IC 20-26-5-10 applies to:**

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- (1) a school corporation;
- (2) a charter school; and
- (3) an accredited nonpublic school.

SECTION 4. IC 20-26-5-35.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 35.5. (a) This section applies to a:**

- (1) school corporation;**
- (2) charter school; or**
- (3) nonpublic school that employs one (1) or more employees.**

**(b) A school corporation, including a charter school and a nonpublic school, may not establish any policy that restricts or delays the duty of an employee or individual to report suspected child abuse or neglect as required under IC 31-33-5.**

SECTION 5. IC 20-30-5-5.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.7. (a) Not later than December 15, 2018, 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, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.**

**(c) 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 6. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "committee" refers to the education interim study committee established by IC 2-5-1.3-4(5).**

**(b) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

**(c) The legislative council is urged to assign to the committee during the 2017 legislative interim the topic of teacher training requirements regarding student behavior and health issues. If the topic is assigned to the committee, the committee may make recommendations on ways that the amount of teacher training can be streamlined or eliminated while considering ways to ensure that teachers are thoroughly prepared to recognize and respond to student behavior and health issues. Not later than November 1,**



**2017, the committee shall report its findings in the committee's final report.**

**(d) This SECTION expires December 31, 2017.**

**SECTION 7. An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

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

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