

# SENATE BILL No. 427

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-10.1; IC 10-21-1; IC 20-49-10.

**Synopsis:** Student mental health and safety. Adds providing grants for integrated, school based mental health services for students to the purposes of the Indiana safe schools fund and Indiana secured school fund. Adds the school mental health specialist or the mental health provider for each school corporation to the membership of the county school safety commission. Expands the membership of the secured school safety board to include the director of the division of mental health and addiction or the director's designee. Provides that a school corporation or charter school may use an advance from the school corporation and charter school safety advance program to implement integrated, school based mental health services for students.

**Effective:** July 1, 2019.

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## Head

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January 14, 2019, read first time and referred to Committee on Education and Career Development.

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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. 427

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 5-2-10.1-2, AS AMENDED BY P.L.25-2016,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established  
4 to do the following:  
5 (1) Promote school safety through the:  
6 (A) use of dogs trained to detect drugs and illegal substances;  
7 and  
8 (B) purchase of other equipment and materials used to  
9 enhance the safety of schools.  
10 (2) Combat truancy.  
11 (3) Provide matching grants to schools for school safe haven  
12 programs.  
13 (4) Provide grants for school safety and safety plans.  
14 (5) Provide educational outreach and training to school personnel  
15 concerning:  
16 (A) the identification of;  
17 (B) the prevention of; and



- 1 (C) intervention in;  
 2 bullying.  
 3 (6) Provide educational outreach to school personnel and training  
 4 to school safety specialists and school resource officers  
 5 concerning:  
 6 (A) the identification of;  
 7 (B) the prevention of; and  
 8 (C) intervention in;  
 9 criminal organization activities.  
 10 (7) Provide grants for school wide programs to improve school  
 11 climate ~~and or~~ professional development and training for school  
 12 personnel concerning:  
 13 (A) alternatives to suspension and expulsion; ~~and~~  
 14 (B) evidence based practices that contribute to a positive  
 15 school environment, including classroom management skills,  
 16 positive behavioral intervention and support, restorative  
 17 practices, and social emotional learning; ~~and~~  
 18 **(C) integrated, school based mental health services that are**  
 19 **accessible to all students.**  
 20 (b) The fund consists of amounts deposited:  
 21 (1) under IC 33-37-9-4; and  
 22 (2) from any other public or private source.  
 23 (c) The institute shall determine grant recipients from the fund with  
 24 a priority on awarding grants in the following order:  
 25 (1) A grant for a safety plan.  
 26 (2) A safe haven grant requested under section 10 of this chapter.  
 27 (3) A safe haven grant requested under section 7 of this chapter.  
 28 (d) Upon recommendation of the council, the institute shall establish  
 29 a method for determining the maximum amount a grant recipient may  
 30 receive under this section.  
 31 SECTION 2. IC 5-2-10.1-10, AS AMENDED BY P.L.40-2014,  
 32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2019]: Sec. 10. (a) A county may establish a county school  
 34 safety commission.  
 35 (b) The members of the commission are as follows:  
 36 (1) The school safety specialist for each school corporation  
 37 located in whole or in part in the county.  
 38 (2) The judge of the court having juvenile jurisdiction in the  
 39 county or the judge's designee.  
 40 (3) The sheriff of the county or the sheriff's designee.  
 41 (4) The chief officer of every other law enforcement agency in the  
 42 county, or the chief officer's designee.



- 1 (5) A representative of the juvenile probation system, appointed  
 2 by the judge described under subdivision (2).  
 3 (6) Representatives of community agencies that work with  
 4 children within the county.  
 5 (7) A representative of the Indiana state police district that serves  
 6 the county.  
 7 (8) A representative of the prosecuting attorneys council of  
 8 Indiana who specializes in the prosecution of juveniles.  
 9 **(9) The school mental health specialist or the mental health**  
 10 **provider for each school corporation located in whole or in**  
 11 **part in the county.**  
 12 ~~(9)~~ **(10)** Other appropriate individuals selected by the  
 13 commission.  
 14 (c) If a commission is established, the school safety specialist of the  
 15 school corporation having the largest ADM (as defined in  
 16 IC 20-18-2-2), as determined in the fall count of ADM in the school  
 17 year ending in the current calendar year, in the county shall convene  
 18 the initial meeting of the commission.  
 19 (d) The members shall annually elect a chairperson.  
 20 (e) A commission shall perform the following duties:  
 21 (1) Perform a cumulative analysis of school safety needs within  
 22 the county.  
 23 (2) Coordinate and make recommendations for the following:  
 24 (A) Prevention of juvenile offenses and improving the  
 25 reporting of juvenile offenses within the schools.  
 26 (B) Proposals for identifying and assessing children who are  
 27 at high risk of becoming juvenile offenders.  
 28 (C) Methods to meet the educational needs of children who  
 29 have been detained as juvenile offenders.  
 30 (D) Methods to improve communications among agencies that  
 31 work with children.  
 32 (E) Methods to improve security and emergency preparedness.  
 33 (F) Additional equipment or personnel that are necessary to  
 34 carry out safety plans.  
 35 (G) Any other topic the commission considers necessary to  
 36 improve school safety within the school corporations within  
 37 the commission's jurisdiction.  
 38 (3) Provide assistance to the school safety specialists on the  
 39 commission in developing and requesting grants for safety plans.  
 40 (4) Provide assistance to the school safety specialists on the  
 41 commission and the participating school corporations and school  
 42 corporation career and technical education schools described in



- 1 IC 20-37-1-1 in developing and requesting grants for school safe  
 2 haven programs under section 7 of this chapter.
- 3 (5) Assist each participating school corporation and each school  
 4 corporation career and technical education schools described in  
 5 IC 20-37-1-1 in carrying out the school corporation's or career and  
 6 technical education school's safety plans.
- 7 (f) The affirmative votes of a majority of the voting members of the  
 8 commission are required for the commission to take action on a  
 9 measure.
- 10 (g) A commission shall receive the school safety plans described in  
 11 IC 20-26-18.2-2 for the schools and school corporations located in the  
 12 county. The commission may share the school safety plans with law  
 13 enforcement agencies.
- 14 SECTION 3. IC 10-21-1-2, AS ADDED BY P.L.172-2013,  
 15 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2019]: Sec. 2. (a) The Indiana secured school fund is  
 17 established to provide matching grants to enable school corporations  
 18 and charter schools to establish programs under which a school  
 19 corporation or charter school (or a coalition of schools) may:
- 20 (1) employ a school resource officer or enter into a contract or a  
 21 memorandum of understanding with a:
- 22 (A) local law enforcement agency;
- 23 (B) private entity; or
- 24 (C) nonprofit corporation;
- 25 to employ a school resource officer;
- 26 (2) conduct a threat assessment of the buildings within a school  
 27 corporation or operated by a charter school; ~~or~~
- 28 (3) purchase equipment and technology to:
- 29 (A) restrict access to school property; or
- 30 (B) expedite notification of first responders; ~~or~~
- 31 **(4) implement integrated, school based mental health services**  
 32 **that are accessible to all students.**
- 33 (b) The fund shall be administered by the department of homeland  
 34 security.
- 35 (c) The fund consists of:
- 36 (1) appropriations from the general assembly;
- 37 (2) grants from the Indiana safe schools fund established by  
 38 IC 5-2-10.1-2;
- 39 (3) federal grants; and
- 40 (4) amounts deposited from any other public or private source.
- 41 (d) The expenses of administering the fund shall be paid from  
 42 money in the fund.



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

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

7 SECTION 4. IC 10-21-1-3, AS ADDED BY P.L.172-2013,  
 8 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2019]: Sec. 3. (a) The secured school safety board is  
 10 established to approve or disapprove applications for matching grants  
 11 to fund programs described in section 2(a) of this chapter.

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

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

18 (2) The attorney general or the attorney general's designee.

19 (3) The superintendent of the state police department or the  
 20 superintendent's designee.

21 (4) A local law enforcement officer appointed by the governor.

22 (5) The state superintendent of public instruction or the  
 23 superintendent's designee.

24 (6) The director of the criminal justice institute or the director's  
 25 designee.

26 (7) An employee of a local school corporation or a charter school  
 27 appointed by the governor.

28 **(8) The director of the division of mental health and addiction**  
 29 **or the director's designee.**

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

32 (1) be consistent with the fund's goals; and

33 (2) provide for an equitable distribution of grants to school  
 34 corporations and charter schools located throughout Indiana.

35 SECTION 5. IC 10-21-1-4, AS AMENDED BY P.L.30-2014,  
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2019]: Sec. 4. (a) The board may award a matching grant to  
 38 enable a school corporation or charter school (or a coalition of schools  
 39 applying jointly) to establish a program to employ a school resource  
 40 officer, provide school resource officer training described in  
 41 IC 20-26-18.2-1(b)(2), conduct a threat assessment, ~~or~~ purchase  
 42 equipment to restrict access to the school or expedite the notification



1 of first responders in accordance with section 2(a) of this chapter, **or**  
 2 **implement integrated, school based mental health services that are**  
 3 **accessible to all students.**

4 (b) A matching grant awarded to a school corporation or charter  
 5 school (or a coalition of schools applying jointly) may not exceed the  
 6 lesser of the following during a two (2) year period beginning on or  
 7 after May 1, 2013:

8 (1) The total cost of the program established by the school  
 9 corporation or charter school (or the coalition of schools applying  
 10 jointly).

11 (2) The following amounts:

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

14 (i) has an ADM of at least one thousand (1,000); and

15 (ii) is not applying jointly with any other school corporation  
 16 or charter school.

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

19 (i) has an ADM of less than one thousand (1,000); and

20 (ii) is not applying jointly with any other school corporation  
 21 or charter school.

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

24 (c) A school corporation or charter school may receive only one (1)  
 25 matching grant under this section each year.

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

30 SECTION 6. IC 20-49-10-4, AS ADDED BY P.L.211-2018(ss),  
 31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2019]: Sec. 4. (a) The school corporation and charter school  
 33 safety advance program is established. The purpose of the program is  
 34 to make advances to school corporations or charter schools (or one (1)  
 35 or more coalitions of public schools applying jointly) for:

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

38 (2) **the implementation of integrated school based mental**  
 39 **health services.**

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

42 (c) The total amount of advances that the state board may make



1 under this chapter during the state biennium beginning July 1, 2017,  
 2 and ending June 30, 2019, may not exceed thirty-five million dollars  
 3 (\$35,000,000).

4 SECTION 7. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss),  
 5 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2019]: Sec. 5. (a) Advances made under this chapter may be  
 7 used to:

8 (1) purchase equipment or make capital improvements needed to:

9 ~~(A)~~ (A) restrict access to schools;

10 ~~(B)~~ (B) expedite the notification of first responders; ~~or~~

11 ~~(C)~~ (C) improve school security; **or**

12 **(2) implement integrated, school based mental health services.**

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

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

18 (1) the maximum amount of an advance that may be awarded as  
 19 established by subsection (b); or

20 (2) the amount needed to cover costs approved by the secured  
 21 school safety board that are in excess of the amount awarded by  
 22 the secured school safety board under IC 10-21-1-4 and the  
 23 amount committed as a match by the school corporation or charter  
 24 school (or coalition of public schools filing jointly) that applied  
 25 for the grant under IC 10-21-1-5.

