

# HOUSE BILL No. 1192

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-26-22; IC 20-33-7.5-4; IC 31-32-11-1.

**Synopsis:** Chaplains in public and charter schools. Allows a school corporation or charter school to employ or accept as a volunteer a school chaplain under certain circumstances. Provides that a school chaplain is not required to disclose privileged or confidential communications with a student under certain circumstances.

**Effective:** July 1, 2024.

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January 9, 2024, read first time and referred to Committee on Education.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1192

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 20-26-22 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]:  
4 **Chapter 22. School Chaplains**  
5 **Sec. 1. A school corporation or charter school may employ or**  
6 **accept as a volunteer a chaplain to provide support, services, and**  
7 **programs for students as determined by the governing body of the**  
8 **school corporation or the equivalent authority for a charter school,**  
9 **if the individual:**  
10 (1) has at least:  
11 (A) a bachelor's degree; and  
12 (B) two (2) years experience counseling children;  
13 (2) obtains an expanded criminal history check and expanded  
14 child protection index check under IC 20-26-5-10; and  
15 (3) has never been convicted of an offense requiring  
16 registration as a sex offender as described in IC 11-8-8-4.5.  
17 **Sec. 2. Except as provided in IC 20-33-7.5 and IC 31-32-11-1:**



1           **(1) communications made by a student to a school chaplain as**  
 2           **a school chaplain are privileged and confidential; and**  
 3           **(2) a school chaplain is not required to disclose**  
 4           **communications described in subdivision (1).**

5           SECTION 2. IC 20-33-7.5-4, AS ADDED BY P.L.248-2023,  
 6           SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7           JULY 1, 2024]: Sec. 4. Nothing in this chapter may be construed to  
 8           require a school psychologist, a school nurse, a school social worker,  
 9           ~~or~~ a school counselor, **or a school chaplain** to violate a federal law or  
 10          regulation.

11          SECTION 3. IC 31-32-11-1, AS AMENDED BY P.L.122-2009,  
 12          SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13          JULY 1, 2024]: Sec. 1. The privileged communication between:

- 14           (1) a husband and wife;  
 15           (2) a health care provider and the health care provider's patient;  
 16           (3) a:  
 17                (A) licensed social worker;  
 18                (B) licensed clinical social worker;  
 19                (C) licensed marriage and family therapist;  
 20                (D) licensed mental health counselor;  
 21                (E) licensed addiction counselor; or  
 22                (F) licensed clinical addiction counselor;  
 23           and a client of any of the professionals described in clauses (A)  
 24           through (F);  
 25           (4) a school counselor and a student; ~~or~~  
 26           (5) a school psychologist and a student; ~~or~~  
 27           **(6) a school chaplain and a student;**

28          is not a ground for excluding evidence in any judicial proceeding  
 29          resulting from a report of a child who may be a victim of child abuse  
 30          or neglect or relating to the subject matter of the report or failing to  
 31          report as required by IC 31-33.

