

HOUSE BILL No. 1285

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-20-50.5; IC 20-26-5-45; IC 20-33-7-5; IC 20-35.

Synopsis: Special education. Establishes the special education classroom grant program to assist school corporations in complying with certain requirements. Requires a school corporation to provide the parent of a student with the opportunity to collect the student's property under certain conditions. Requires school corporations to have electronic recording equipment in each designated special education classroom, seclusion area, sensory room, and time-out area not later than January 1, 2026. Provides that electronic recording equipment must be active and recording when certain areas are in use, and that any recorded images and video must be stored for a period of not less than 90 days. Creates a process by which a parent of a special education student may request to review certain recorded video footage. Requires school corporations to employ at least one behavioral interventionist not later than January 1, 2026. Provides that each school corporation must have a behavioral interventionist on school grounds during the school year while school is in session, and that the behavioral interventionist must be involved in certain school actions.

Effective: Upon passage.

Cash

January 13, 2025, read first time and referred to Committee on Education.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1285

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 20-20-50.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]:
4 **Chapter 50.5. Special Education Classroom Grant Program**
5 **Sec. 1. As used in this chapter, "electronic recording**
6 **equipment" has the meaning set forth in IC 20-35-15-1.**
7 **Sec. 2. As used in this chapter, "grant" refers to the special**
8 **education classroom grant program.**
9 **Sec. 3. The special education classroom grant program is**
10 **established to provide grants to school corporations to comply with**
11 **the requirements of IC 20-35-15-2.**
12 **Sec. 4. Money allocated for grants under this chapter must be**
13 **used for the following:**
14 **(1) Purchasing and installing electronic recording equipment**
15 **in areas described in IC 20-35-15-2.**
16 **(2) Purchasing storage for, and maintaining storage for,**
17 **recorded audio files, recorded images, and video required**



1 under IC 20-35-15-2.

2 **Sec. 5.** The department may, after September 1, 2025, award a
3 grant under this chapter to a school corporation that does the
4 following:

- 5 (1) Applies for a grant on a form provided by the department.
6 (2) Submits a detailed description of a plan concerning the:
7 (A) installation of electronic recording equipment required
8 under IC 20-35-15-2; and
9 (B) storage of recorded audio files, recorded images, and
10 video required under IC 20-35-15-2.
11 (3) Submits the following information:
12 (A) The number of areas described in IC 20-35-15-2 in
13 which the school corporation:
14 (i) has existing electronic recording equipment; or
15 (ii) does not have electronic recording equipment.
16 (B) Any other pertinent information required by the
17 department.

18 **Sec. 6.** Upon review of applications received under section 5 of
19 this chapter, the department may award grants to school
20 corporations subject to available money and in accordance with
21 the following priorities:

- 22 (1) To the extent possible, to achieve geographic balance
23 throughout Indiana and to include urban, suburban, and
24 rural school corporations.
25 (2) To address a substantial need for funding to comply with
26 IC 20-35-15-2.

27 SECTION 2. IC 20-26-5-45 IS ADDED TO THE INDIANA CODE
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
29 UPON PASSAGE]: **Sec. 45.** A school corporation may not adopt a
30 policy or otherwise prevent the parent of a student from recording
31 a meeting concerning the student's individualized education
32 program.

33 SECTION 3. IC 20-33-7-5 IS ADDED TO THE INDIANA CODE
34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
35 UPON PASSAGE]: **Sec. 5.** (a) As used in this section, "student
36 property" refers to property belonging to a student that the
37 student has stored in a locker, desk, or personal cubby that is
38 located on school property and has been assigned to the student for
39 the student's use.

40 (b) In the event that a student enrolled in a school corporation
41 has died, the school corporation may not remove the student's
42 property without providing the student's parent with the



1 opportunity to collect the student's property.

2 (c) Nothing in this section restricts or otherwise limits the
3 authority of a law enforcement agency to:

4 (1) search an area containing student property; or

5 (2) seize student property;

6 pursuant to a law enforcement investigation.

7 SECTION 4. IC 20-35-1-2.5 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
9 UPON PASSAGE]: **Sec. 2.5. "Behavioral interventionist" refers to**
10 **a person who has obtained nonviolent crisis intervention training.**

11 SECTION 5. IC 20-35-6-5 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
13 UPON PASSAGE]: **Sec. 5. (a) The department shall:**

14 (1) review nonviolent crisis intervention training programs;
15 and

16 (2) make recommendations to school corporations;
17 regarding the training of behavioral interventionists.

18 (b) Not later than January 1, 2026, each school corporation shall
19 employ at least one (1) behavioral interventionist in each school
20 building who will be present on school grounds during the school
21 year while school is in session.

22 (c) A behavioral interventionist shall:

23 (1) be involved in the creation and implementation of the
24 school corporation's restraint and seclusion plan required
25 under IC 20-20-40-14;

26 (2) be available for de-escalation and respond to instances
27 where de-escalation is needed; and

28 (3) respond to any use of:

29 (A) a chemical restraint (as defined in IC 20-20-40-2);

30 (B) a mechanical restraint (as defined in IC 20-20-40-4);

31 (C) a physical restraint (as defined in IC 20-20-40-5);

32 (D) seclusion (as defined in IC 20-20-40-9); or

33 (E) time-out (as defined in IC 20-20-40-10).

34 SECTION 6. IC 20-35-15 IS ADDED TO THE INDIANA CODE
35 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
36 UPON PASSAGE]:

37 **Chapter 15. Special Education Transparency**

38 **Sec. 1. (a) As used in this chapter, "electronic recording**
39 **equipment" means a digital audio visual camera that is capable of:**

40 (1) capturing audio for the entirety of a location described in
41 section 2 of this chapter; and

42 (2) recording and storing audio files, recorded images, and



- 1 video.
- 2 (b) As used in this chapter, "seclusion" has the meaning set
3 forth in IC 20-20-40-9.
- 4 (c) As used in this chapter, "sensory room" refers to a
5 designated area that is designed to support an individual's sensory
6 preferences and needs, permit self-regulation, and prepare the
7 individual for learning and interacting with others.
- 8 (d) As used in this chapter, "time-out" has the meaning set forth
9 in IC 20-20-40-10.
- 10 Sec. 2. (a) Not later than January 1, 2026, each school
11 corporation must have electronic recording equipment in each
12 designated:
- 13 (1) special education classroom where a majority of the
14 students have severe disabilities;
- 15 (2) seclusion area;
- 16 (3) sensory room; and
- 17 (4) time-out area;
- 18 within the school corporation.
- 19 (b) The electronic recording equipment required by subsection
20 (a) must:
- 21 (1) be active and recording whenever the designated special
22 education classroom, seclusion area, sensory room, or
23 time-out area is in use; and
- 24 (2) store recorded audio files, recorded images, and video for
25 not less than ninety (90) days.
- 26 Sec. 3. (a) After January 1, 2026, a parent of a special education
27 student who is enrolled in a school corporation may request to
28 review any electronic recording that documents an occurrence:
- 29 (1) that resulted in an incident report under
30 IC 20-20-40-13(a)(2)(H); or
- 31 (2) that the parent reasonably believes to have negatively
32 affected the education or physical or emotional health of the
33 parent's special education student.
- 34 A parent of a special education student may not request to review
35 an electronic recording under this subsection that does not have a
36 direct correlation to an incident concerning the parent's special
37 education student as described under subdivision (1) or (2).
- 38 (b) Upon receipt of a request made under subsection (a)(1), a
39 school corporation must do the following:
- 40 (1) Immediately preserve any electronic recording that
41 documents the incident report, if a recording exists.
- 42 (2) Respond to the requesting parent not later than five (5)



- 1 **business days after the parent makes the request to inform the**
 2 **parent:**
 3 **(A) whether an electronic recording corresponding to the**
 4 **request exists; and**
 5 **(B) when the parent may review the electronic recording.**
 6 **(c) Upon receipt of a request made under subsection (a)(2), a**
 7 **school corporation must respond to the requesting parent not later**
 8 **than five (5) business days after the parent makes the request to:**
 9 **(1) discuss the parent's reasonable belief concerning an**
 10 **electronic recording described in subsection (a)(2);**
 11 **(2) preserve any electronic recording identified pursuant to**
 12 **the discussion described in subdivision (1); and**
 13 **(3) inform the parent when the parent may review any**
 14 **electronic recording preserved under subdivision (2).**
 15 **(d) If:**
 16 **(1) a parent makes a request under subsection (a); and**
 17 **(2) pursuant to the procedures described in subsections (b)**
 18 **and (c) an electronic recording exists;**
 19 **a school corporation must allow a requesting parent to review the**
 20 **recording.**
 21 **(e) A parent who has requested to review an electronic**
 22 **recording under this section may not take a picture of or otherwise**
 23 **make a recording of the electronic recording the parent has**
 24 **requested to review.**
 25 **Sec. 4. (a) After July 1, 2026:**
 26 **(1) a teacher;**
 27 **(2) an instructional assistant; or**
 28 **(3) another educational professional;**
 29 **employed by a school corporation and whose primary**
 30 **responsibility is to provide instruction or assistance to students**
 31 **with severe disabilities may request to review any electronic record**
 32 **described in section 2 of this chapter.**
 33 **(b) Upon receipt of a request made under subsection (a), a**
 34 **school corporation must immediately preserve any electronic**
 35 **recording that may exist and make the recording available to the**
 36 **requester within five (5) business days.**
 37 **SECTION 7. An emergency is declared for this act.**

