

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1492

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 IC 5-2-10.1 IS REPEALED [EFFECTIVE JULY 1, 2023]. (Indiana Safe Schools Fund).

SECTION 2. IC 10-21-1-1, AS AMENDED BY P.L.92-2020, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Accredited nonpublic school" means a nonpublic school that:
 - (A) has voluntarily become accredited under IC 20-31-4.1; or
 - (B) is accredited by a national or regional accrediting agency that is recognized by the state board of education.
- (2) "Active event warning system" refers to a system that includes services and technology that will notify available law enforcement agencies in the area of a school building of a life threatening emergency.
- (3) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.
- (4) "Board" refers to the secured school safety board established by section 3 of this chapter.

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(5) "Bullying prevention program" refers to a program that must contain one (1) or more of the following components:

(A) Offers students and school personnel opportunities to develop the skills and strategies to prevent bullying and potential bullying situations in digital and physical spaces, including the usage of research based models.

(B) Enables school personnel, including school safety specialists, safe school committee members, and school resource officers, to identify and acquire the programs, technology software, resources, and training necessary concerning the:

(i) development and implementation of bullying and cyberbullying prevention programs and school violence, human trafficking, and self-harm mitigation programs;

(ii) establishment of bullying and cyberbullying investigation, intervention, and reporting procedures;

(iii) adoption of discipline rules that comply with IC 20-33-8-13.5; and

(iv) integration of the program into wider school efforts, including a school safety plan, to promote educational progress and the physical safety and well-being of school students, families, faculty, and staff.

(6) "County school safety commission" has the meaning set forth in section 12 of this chapter.

(7) "Critical incidence digital mapping" means the digitized mapping of a school building and school grounds to best assist first responders in an emergency that must:

(A) include accurate floor plans overlaid on or current aerial imagery of a school building or school plan with surrounding school grounds;

(B) include site-specific labeling that matches:

(i) the structure of the school building, including room labels, hallway names, room numbers, external doors, interior doors, stairwell numbers, locations of hazardous materials, key utility locations, key boxes, automated external defibrillators, and trauma kits; and

(ii) the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(C) be compatible with platforms and applications used by local, state, and federal public safety agencies;

(D) be verified for accuracy through a walk through of a school building and school grounds;



(E) not require the purchase of additional software for use;

(F) be accessible in a printable format;

(G) be shared with:

(i) the law enforcement agency and fire department that have jurisdiction over the mapped school building; and

(ii) the statewide 911 system as described in IC 36-8-16.7-22 through the public safety answer point, or "PSAP", described in IC 36-8-16.7-20 that has jurisdiction over the mapped school building; and

(H) be kept confidential and withheld from public disclosure.

~~(5)~~ **(8) "Fund"** refers to the Indiana secured school fund established by section 2 of this chapter.

~~(6)~~ **(9) "Law enforcement agency"** refers to a state, local, or federal agency or department that would respond to an emergency event at a school, including both on duty and off duty officers within the agency or department.

(10) "Multi-disciplinary threat assessment team" means a group of individuals with expertise in school physical security, school administration, educational instruction, youth counseling, mental health and behavioral health, and law enforcement established by the leadership of the school corporation or charter school that may serve one (1) or more schools, that must meet the following requirements:

(A) Be comprised of at least:

(i) a school safety specialist or an individual designated by the school safety committee;

(ii) a member of a safe school committee;

(iii) a school building level administrator;

(iv) a school resource officer, if one (1) is either employed by or assigned to the school corporation or charter school;

(v) an individual with expertise in special education; and

(vi) a school counselor or social worker.

(B) Conduct multi-disciplinary threat assessments that shall:

(i) provide guidance to students, faculty, and staff regarding the recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;

(ii) identify members of the school community to whom threatening behavior should be reported;



(iii) establish procedures to assess, identify, and intervene with individuals whose behavior may pose a threat to the safety of school students, families, faculty, and staff; and

(iv) inform the adoption, implementation, and updating of policies adopted by the school corporation or charter school, including school safety plans and the policies of a safe school committee for a particular school.

(11) "Safe school committee" means a safe school committee established under section 14 of this chapter.

~~(7)~~ "Local plan" means the school safety plan described in ~~IC 20-26-18.2-2(b)~~.

~~(8)~~ **(12) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:**

(A) a coalition of school corporations;

(B) a coalition of charter schools; or

(C) a coalition of both school corporations and charter schools; that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.

~~(9)~~ **(13) "School official" refers to an employee of a school corporation, charter school, or accredited nonpublic school who has access to an active event warning system.**

~~(10)~~ **(14) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.**

(15) "School safety plan" means the school safety plan described in section 10 of this chapter.

(16) "School safety specialist" means a school safety specialist designated under section 9 of this chapter.

(17) "Site vulnerability assessment" means an examination of the physical safety, security, accessibility, and emergency preparedness of buildings and grounds.

(18) "Student safety management technology" refers to an information technology platform and related services to improve student safety by mitigating cyberbullying, school violence, human trafficking, and self-harm.

SECTION 3. IC 10-21-1-2, AS AMENDED BY P.L.139-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The Indiana secured school fund is established to provide:



(1) matching grants to enable school corporations, charter schools, and accredited nonpublic schools to establish programs under which a school corporation, charter school, or accredited nonpublic school (or a coalition of schools) may: **school corporations, charter schools, and accredited nonpublic schools, where the matching grants may be used to:**

(A) employ a school resource officer, employ a law enforcement officer, or enter into a contract or a memorandum of understanding with a:

- (i) local law enforcement agency;
- (ii) private entity; or
- (iii) nonprofit corporation;

to employ a school resource officer or a law enforcement officer;

(B) conduct:

- (i) a ~~threat~~ **site vulnerability** assessment of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;
- or**
- (ii) **critical incident digital mapping of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;**

(C) purchase equipment, **hardware, materials,** and technology to:

- (i) restrict access to school property **and classrooms;** ~~or~~
- (ii) **assist with visitor management on school property;**
- ~~(ii)~~ (iii) expedite notification of first responders; ~~or~~
- (iv) **expedite access to school property for first responders;**
- (v) **provide school staff with information about the open or closed status of interior and exterior doors;**
- (vi) **detect fire, chemical, visual, or audible threats;**
- (vii) **enhance emergency communications inside the building; or**
- (viii) **assist with emergency medical response on school property;**

(D) implement a student and parent support services plan as described in ~~section 4(a)(6) of this chapter;~~ and **IC 20-34-9;**

(E) **purchase or provide training for a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school**



employees and the canine shall:

(i) be primarily assigned to a school corporation, charter school, or accredited nonpublic school;

(ii) be primarily assigned to a school resource officer or law enforcement officer described in clause (A) who has received appropriate training for handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees, including training regarding handling a canine in a school setting; and

(iii) receive continuous training as appropriate;

(F) provide funding for school employees to receive training, including expenses for per diem, travel, and lodging, related to:

(i) site vulnerability assessments;

(ii) mental health or behavioral health threat assessments;

(iii) multi-disciplinary threat assessment teams; or

(iv) emergency preparedness or response activities;

(G) provide funding for school resource officers or law enforcement officers described in clause (A) to receive training, including expenses for per diem, travel, and lodging, related to handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees;

(H) purchase student safety management technology;

(I) design and construct additions or renovations on school property if the primary purpose of the construction project is to enhance the physical security of the school building;

or

(J) implement a bullying prevention program; and

(2) one (1) time grants to enable school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located, to provide the initial set up costs for an active event warning system.

(b) A school corporation or charter school may use money received under a matching grant for a purpose listed in subsection (a) to provide a response to a threat in a manner that the school corporation or charter school sees fit, including firearms training or other self-defense training.



(c) The fund shall be administered by the department of homeland security.

(d) The fund consists of:

- (1) appropriations from the general assembly;
- ~~(2) grants from the Indiana safe schools fund established by IC 5-2-10.1-2;~~
- ~~(3) (2) federal grants; and~~
- ~~(4) (3) amounts deposited from any other public or private source.~~

(e) The expenses of administering the fund shall be paid from money in the fund.

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

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

SECTION 4. IC 10-21-1-4, AS AMENDED BY P.L.139-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) The board may award a matching grant to enable a school corporation, charter school, or accredited nonpublic school (or a coalition of schools applying jointly) to:

- ~~(1) establish a program to employ a school resource officer;~~
- ~~(2) employ a law enforcement officer;~~
- ~~(3) provide school resource officer training described in IC 20-26-18.2-1(c);~~
- ~~(4) conduct a threat assessment;~~
- ~~(5) purchase equipment to restrict access to the school or expedite the notification of first responders; or~~
- ~~(6) implement a student and parent support services plan in the manner set forth in IC 20-34-9;~~

(1) employ a school resource officer, employ a law enforcement officer, or enter into a contract or memorandum of understanding with a:

- (A) local law enforcement agency;**
- (B) private entity; or**
- (C) nonprofit corporation;**

to employ a school resource officer or a law enforcement officer;

- (2) conduct a site vulnerability assessment of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;**
- (3) conduct critical incident digital mapping of the buildings**



within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;

(4) purchase equipment, hardware, materials, and technology to:

- (A) restrict access to school property and classrooms;
- (B) assist with visitor management on school property;
- (C) expedite notification of first responders;
- (D) expedite access to school property for first responders;
- (E) provide staff with information about open or closed status of interior and exterior doors;
- (F) detect fire, chemical, visual, or audible threats;
- (G) enhance emergency communications inside the school building; or
- (H) assist with emergency medical response on school property;

(5) implement a student and parent support services plan in the manner set forth in IC 20-34-9;

(6) purchase or provide training for a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees and the canine shall:

- (A) be primarily assigned to a school corporation, charter school, or accredited nonpublic school;
- (B) be primarily assigned to a school resource officer or law enforcement officer described in subdivision (1)(A) who has received appropriate training for handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees, including training regarding handling a canine in a school setting; and
- (C) receive continuous training as appropriate;

(7) provide funding for:

- (A) school employees to receive training, including expenses for per diem, travel, and lodging, related to:
 - (i) site vulnerability assessments;
 - (ii) mental health or behavioral health threat assessments;
 - (iii) multi-disciplinary threat assessment teams; or
 - (iv) emergency preparedness or response activities; or
- (B) school resource officers or law enforcement officers described in subdivision (1)(A) to receive training, including expenses for per diem, travel, and lodging,



- related to handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees;**
- (8) design and construct additions or renovations on school property if the primary purpose of the construction project is to enhance the physical security of the school building;**
- (9) provide one (1) time grants to enable school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located to provide the initial set up costs for an active event warning system;**
- (10) implement a bullying prevention program; or**
- (11) purchase student safety management technology;**

in accordance with section 2(a) of this chapter.

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

- (1) The total cost of the program established by the school corporation, charter school, or accredited nonpublic school (or the coalition of schools applying jointly).
- (2) Except as provided in subsection (d), the following amounts:
- (A) Thirty-five thousand dollars (\$35,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:
- (i) has an ADM of at least one (1) and less than one thousand one (1,001) students; and
 - (ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.
- (B) Fifty thousand dollars (\$50,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:
- (i) has an ADM of more than one thousand (1,000) and less than five thousand one (5,001) students; and
 - (ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.
- (C) Seventy-five thousand dollars (\$75,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:
- (i) has an ADM of more than five thousand (5,000) and less than fifteen thousand one (15,001) students; and
 - (ii) is not applying jointly with any other school corporation,



charter school, or accredited nonpublic school.

(D) One hundred thousand dollars (\$100,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:

- (i) has an ADM of more than fifteen thousand (15,000); and
- (ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.

(E) One hundred thousand dollars (\$100,000) per year, in the case of a coalition of schools applying jointly.

(c) Except as provided in subsection (d), the match requirement for a grant under this chapter is based on the ADM **for the school corporation, charter school, or accredited nonpublic school (or coalition of schools applying jointly) that is the subject of the grant** as follows:

(1) For a school corporation, charter school, or accredited nonpublic school with an ADM of less than five hundred one (501) students, the grant match must be twenty-five percent (25%) of the grant amount described in subsection (b).

(2) For a school corporation, charter school, or accredited nonpublic school with an ADM of more than five hundred (500) and less than one thousand one (1,001) students, the grant match must be fifty percent (50%) of the grant amount described in subsection (b).

(3) For a school corporation, charter school, or accredited nonpublic school with an ADM of more than one thousand (1,000) students or a coalition of schools applying jointly, the grant match must be one hundred percent (100%) of the grant amount described in subsection (b).

(d) A school corporation, charter school, or accredited nonpublic school may be eligible to receive a grant of up to:

(1) one hundred thousand dollars (\$100,000) if:

- (A) the school corporation, charter school, or accredited nonpublic school receives a grant match of one hundred percent (100%) of the requested grant amount; and
- (B) the board approves the grant request; or

(2) for a school corporation, charter school, or accredited nonpublic school described in subsection (c)(1) or (c)(2), a grant of up to fifty thousand dollars (\$50,000) if:

- (A) the school corporation, charter school, or accredited nonpublic school receives a grant match of fifty percent (50%) of the requested grant amount; and
- (B) the board approves the grant request.



(e) A school corporation, charter school, or accredited nonpublic school may receive only one (1) matching grant under this section each year.

(f) The board may not award a grant to a school corporation, charter school, or accredited nonpublic school under this section unless the school corporation, charter school, or accredited nonpublic school is in a county that has a county school safety commission, as described in ~~IC 5-2-10.1-10.~~ **section 12 of this chapter.**

SECTION 5. IC 10-21-1-4.5, AS ADDED BY P.L.50-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4.5. (a) The board may award a grant to provide for the initial set up costs for an active event warning system to a school corporation, charter school, or accredited nonpublic school that jointly applies with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located. The specifications for an active event warning system must include the following:

- (1) A two (2) phone application based system that includes school officials as a sender within the system and law enforcement agencies as a receiver within the system.
- (2) An adjusted geofence to alert law enforcement agencies that are within a certain geographic location, including settings based on rural and urban locations, with an urban setting having a reduced geofence and a rural setting having a broader geofence.
- (3) The ability for students and the public to submit anonymous tips through a free reporting application.
- (4) The ability for information within the system to be interoperable with 911 dispatch.
- (5) The ability to display the school's address and location on a map.
- (6) The ability to provide notifications during emergencies and nonemergencies.
- (7) The ability to call 911 automatically when the system is triggered.
- (8) The ability to operate several individual school response plans.

(b) A school corporation, charter school, or accredited nonpublic school may receive only one (1) grant under this section.

(c) A sheriff for a county may receive multiple grants under this section.

(d) The board may not award a grant to a school corporation or charter school under this section unless the school corporation or



charter school is in a county that has a county school safety commission, as described in ~~IC 5-2-10.1-10~~: **section 12 of this chapter.**

SECTION 6. IC 10-21-1-5, AS AMENDED BY P.L.170-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) A school corporation, charter school, or accredited nonpublic school may annually apply to the board for a matching grant from the fund for a program described in section 2(a)(1) of this chapter.

(b) The application must include the following:

(1) A concise description of the school corporation's, charter school's, or accredited nonpublic school's security needs.

(2) The estimated cost of the program to the school corporation, charter school, or accredited nonpublic school.

(3) The extent to which the school corporation, charter school, or accredited nonpublic school has access to and support from a nearby law enforcement agency **and other first responder services**, if applicable.

(4) The ADM of the school corporation or charter school or the equivalent for an accredited nonpublic school (or the combined ADM of the coalition of schools applying jointly) **that is the subject of the grant application.**

(5) Any other information required by the board.

(6) **This subdivision applies to an application from a school corporation or charter school (or coalition of public schools applying jointly).** A statement whether the school corporation ~~or charter school~~ has completed a ~~local~~ **school safety plan** and has filed the **school safety plan** with the county school safety commission for the county in which the school corporation ~~or charter school~~ is located. **In the case of a charter school, each charter school shall include a statement whether the charter school has developed and filed with the county school safety commission for the county in which the charter school is located:**

(A) a local school safety and emergency plan under IC 20-34-3-23(a); or

(B) not later than July 1, 2024, a school safety plan.

For a charter school in operation on July 1, 2023, the information described in clauses (A) or (B) shall comply with this subdivision on or before July 1, 2024.

(7) **This subdivision applies to an application from a school corporation or charter school (or coalition of public schools**



applying jointly). A statement whether the school corporation or charter school (or coalition of public schools applying jointly) requests an advance under IC 20-49-10 in addition to a matching grant under this chapter.

(8) If the application requests funding for school employee training, the extent to which the school corporation, charter school, or accredited nonpublic school has used or attempted to use training offered at no cost, or a reduced cost, by law enforcement, the department of homeland security, the department of education, or the federal government, including an explanation as to why grant funding is necessary to fund any training expenses except for per diem, travel, and lodging costs associated with training.

(9) If the application requests funding to employ a school resource officer, a statement whether the school resource officer information required under IC 20-26-18.2-5 has been, if applicable, submitted to the department of homeland security.

(10) This subdivision applies to an application from a school corporation, charter school, or an accredited nonpublic school (or coalition of public and accredited nonpublic schools applying jointly). A statement of whether the school corporation, charter school, or accredited nonpublic school has:

(A) provided a copy of the floor plans for each building located on the school's property to the law enforcement agency and the fire department that have jurisdiction over each school building that clearly indicates each entrance and exit, the interior rooms and hallways, and the location of any hazardous materials located in the building; or

(B) conducted critical incidence digital mapping as defined in section 1 of this chapter for each school building, including whether it has provided the critical incidence digital mapping information to:

(i) the law enforcement agency and fire department that have jurisdiction over the mapped school buildings; and

(ii) the statewide 911 system described in IC 36-8-16.7-22 through the public safety answer point, or "PSAP", (as described in IC 36-8-16.7-20) that has jurisdiction over the mapped school buildings.

(c) This subsection applies to an application from a school corporation, charter school, or accredited nonpublic school (or



coalition of public and accredited nonpublic schools applying jointly). Each school corporation, charter school, or accredited nonpublic school shall certify to the department of homeland security that the school corporation, charter school, or accredited nonpublic school has: ~~conducted a threat assessment for each school building used by the school corporation, charter school, or accredited nonpublic school before applying for a grant under this chapter.~~

(1) conducted a site vulnerability assessment for each school building used by the school corporation, charter school, or accredited nonpublic school; and

(2) a memorandum of understanding in place with a community mental health center established under IC 12-29-2 or provider certified or licensed by the state to provide mental or behavioral health services to students before applying for a grant under this chapter. A provider described in this subdivision may be employed by the school corporation, charter school, or accredited nonpublic school.

(d) This subsection applies to an application from a school corporation or charter school (or coalition of public schools applying jointly). Each school corporation shall certify to the department of homeland security that the school safety plan of the school corporation was reviewed by the governing body as described in section 11 of this chapter. In the case of a charter school, beginning July 1, 2024, each charter school shall certify to the department of homeland security that the school safety plan of the charter school was reviewed by the organizer as described in section 11 of this chapter.

~~(d) Each school corporation, charter school, or accredited nonpublic school shall certify to the department of homeland security that the school corporation, charter school, or accredited nonpublic school has a memorandum of understanding in place with a community mental health center established under IC 12-29-2 or provider certified or licensed by the state to provide mental or behavioral health services to students before applying for a grant under this chapter. A provider described in this subsection may be employed by the school corporation, charter school, or accredited nonpublic school.~~

SECTION 7. IC 10-21-1-5.5, AS ADDED BY P.L.50-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5.5. (a) A school corporation, charter school, or accredited nonpublic school and the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located may jointly apply to the board for a one (1) time grant from the



fund to provide for the initial set up costs for an active event warning system.

(b) The application must include the following:

- (1) A concise description of the school corporation's, charter school's, or accredited nonpublic school's security needs.
- (2) Any other information required by the board.
- (3) A statement whether the school corporation or charter school has completed a ~~local~~ **school safety** plan and has filed the plan with the county school safety commission for the county in which the school corporation or charter school is located.
- (4) A statement from the school corporation, charter school, or accredited nonpublic school verifying that the active event warning system meets the specifications listed under section 4.5(a) of this chapter.

SECTION 8. IC 10-21-1-6, AS AMENDED BY P.L.211-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. A school corporation, charter school, or accredited nonpublic school that is awarded a grant under this chapter is not required to repay or reimburse the board or fund the amount of the grant.

SECTION 9. IC 10-21-1-8, AS ADDED BY P.L.211-2018(ss), SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. ~~On or before December 1, 2018, and periodically thereafter, Not later than November 1, 2023, and each November 1 thereafter,~~ the board shall conduct a review and submit a report to the **governor and** legislative council in an electronic format under IC 5-14-6. The report:

- (1) must provide an overview of the current status of school safety across the state; ~~and~~
- (2) must include information concerning grants awarded under this chapter since the establishment of this chapter;**
- (3) must include the aggregate statewide school resource officer information specified and collected under IC 20-26-18.2-5(d); and**
- ~~(4)~~ **(4)** may make recommendations to improve the safety of elementary and secondary school students.

SECTION 10. IC 10-21-1-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 9. (a) Each school corporation shall designate at least one (1) individual who is not a school resource officer as described in IC 20-26-18.2-2 to serve as the school safety specialist for the school corporation.**



(b) Each charter school shall designate at least one (1) individual who is not a school resource officer as described in IC 20-26-18.2-2 to serve as the school safety specialist for the charter school. A charter school in operation on July 1, 2023, shall comply with this subsection on or before July 1, 2024.

(c) All school safety specialists shall be chosen by the superintendent of the school corporation or leadership of the charter school with the approval of the governing body or organizer.

(d) A school safety specialist shall perform the following duties:

(1) Serve on the county school safety commission with jurisdiction over the school corporation if that individual school safety specialist is chosen by the superintendent of the school corporation with the approval of the governing body. Except as provided in section 12 of this chapter, the school safety specialists of charter schools do not serve on a county school safety commission.

(2) Participate each year in a number of days of school safety training that the department of education determines necessary under section 13 of this chapter.

(3) With the assistance of the county school safety commission with jurisdiction over the school corporation or charter school, develop, implement, and improve a school safety plan for each school building in the school corporation or charter school.

(4) Coordinate the school safety plans of each school building in the school corporation or charter school as required under this chapter and under rules adopted by the Indiana state board of education.

(5) Act as a resource for the school corporation's or charter school's safe school committees and other individuals in the school corporation or charter school on issues related to school discipline, safety, and security.

(6) Serve as a liaison for the school corporation or charter school regarding school safety matters with the board, the department of homeland security, the department of education, the Indiana criminal justice institute, and other state agencies, as applicable.

SECTION 11. IC 10-21-1-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 10. (a)** A school corporation shall develop a school safety plan in accordance with subsection (c) for



review as described in section 11 of this chapter.

(b) Each charter school shall develop a school safety plan in accordance with subsection (c) for review as described in section 11 of this chapter. A charter school in operation on July 1, 2023, shall comply with this subsection on or before July 1, 2024.

(c) The school safety plan:

(1) must be developed by a school safety specialist and the school's safe school committee, including a school resource officer if one (1) is employed by the school corporation or charter school, in consultation with the:

(A) law enforcement agency; and

(B) fire department;

that have jurisdiction over the particular school building;

(2) must:

(A) protect against outside and internal threats to the physical safety of students, faculty, staff, and the public, including unsafe conditions, crime prevention, school violence, bullying and cyberbullying, criminal organization activity, child abuse and child sexual abuse, mental health and behavioral health, suicide awareness and prevention, and other issues that prevent the maintenance of a safe school;

(B) prevent unauthorized access to school property and interior areas or rooms, including the management of authorized visitors on school property, before, during, and after regular school hours;

(C) secure schools against natural and manmade disasters, including all emergency preparedness drill requirements set forth in IC 20-34-3-20;

(D) include a site vulnerability assessment for each school building;

(E) not later than July 1, 2025, include the establishment of a multi-disciplinary threat assessment team;

(F) include measures to expedite notification of first responders and access to school property for first responders; and

(G) include any additional requirements required by the Indiana state board of education;

(3) must be provided to a member of the board if a member requests the school safety plan;

(4) must be available for inspection by the department of education's division of school building physical security and



- safety (as established by IC 20-19-3-14);
- (5) must be provided to the law enforcement agency and the fire department that have jurisdiction over the school corporation or charter school;
- (6) must include an attestation that:
- (A) a copy of the floor plans for each building located on the school's property were provided to the law enforcement agency and the fire department that have jurisdiction over the school corporation or charter school that clearly indicates each entrance and exit, the interior rooms and hallways, and the location of any hazardous materials located in the building; or
 - (B) the school corporation or charter school has conducted critical incidence digital mapping for each school building within the school corporation or the buildings that are operated by a charter school, including providing the critical incidence digital mapping information to:
 - (i) the law enforcement agency and fire department that have jurisdiction over the mapped school buildings; and
 - (ii) the statewide 911 system described in IC 36-8-16.7-22 through the public safety answer point, or "PSAP", described in IC 36-8-16.7-20 that has jurisdiction over the mapped school buildings; and
- (7) must be filed with the county school safety commission under section 12 of this chapter having jurisdiction over the school corporation or charter school.

(d) For purposes of IC 5-14-3, the entities specified in subsection (c) that receive information under this section shall keep the information compiled and retained under this section confidential and shall withhold the information from public disclosure.

SECTION 12. IC 10-21-1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. (a) Before the school safety plan developed under section 10 of this chapter is provided to or filed with the entities specified under this chapter, the superintendent (or the equivalent for a charter school) or a school safety specialist of the school corporation or charter school shall present the proposed school safety plan to the governing body or, if applicable, the charter school organizer, in executive session.

(b) The governing body or organizer may meet in executive session to receive school safety updates from the superintendent, a school safety specialist, a school resource officer, or a member of



a safe school committee under section 14 of this chapter.

(c) Notwithstanding the requirement to submit the school safety plan to certain entities under state law, the school corporation or charter school shall keep the school safety plan confidential and withhold it from public disclosure.

SECTION 13. IC 10-21-1-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 12. (a) Not later than December 31, 2023, a county shall establish a county school safety commission. Unless otherwise specified in subsection (b)(1) through (b)(11), the members described in subsection (b) are appointed by the school corporation having the largest ADM (as defined in IC 20-18-2-2), as determined in the fall count of ADM in the school year ending in the current calendar year.**

(b) The members of the commission are as follows:

- (1) A school safety specialist for each school corporation located in whole or in part in the county.**
- (2) The judge of the court having juvenile jurisdiction in the county or the judge's designee.**
- (3) The sheriff of the county or the sheriff's designee.**
- (4) The chief officer of every other law enforcement agency in the county, or the chief officer's designee.**
- (5) A representative of the juvenile probation system, appointed by the judge described in subdivision (2).**
- (6) Representatives of community agencies that work with children within the county.**
- (7) A representative of the Indiana state police district that serves the county, appointed by the Indiana state police.**
- (8) A representative of the prosecuting attorneys council of Indiana who specializes in the prosecution of juveniles.**
- (9) A school safety specialist of a charter school representing the interests and viewpoints of charter schools within the commission's jurisdiction if at least one (1) charter school within the commission's jurisdiction requests to participate.**
- (10) A school safety specialist of an accredited nonpublic school representing the interests and viewpoints of accredited nonpublic schools within the commission's jurisdiction if at least one (1) accredited nonpublic school requests to participate.**
- (11) Other appropriate individuals selected by the commission.**

(c) Once a commission is established, the school safety specialist



of the school corporation having the largest ADM (as defined in IC 20-18-2-2), as determined in the fall count of ADM in the school year ending in the current calendar year, in the county shall convene the initial meeting of the commission.

(d) The members shall annually elect a chairperson.

(e) A commission shall perform the following duties:

(1) Periodically perform a cumulative analysis of school safety needs within the county.

(2) Coordinate and make recommendations for the following:

(A) Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools.

(B) Proposals for identifying and assessing children who are at high risk of experiencing a mental health or behavioral health crisis or becoming juvenile offenders.

(C) Methods to meet the educational needs of children who have been detained as juvenile offenders.

(D) Methods to improve communications among agencies that work with children.

(E) Methods to improve school security and emergency preparedness.

(F) Additional equipment or personnel that are necessary to carry out school safety plans.

(G) Pooling resources, combining purchases, using shared administrative services, or collaborating among participating school corporations, school corporation career and technical education schools described in IC 20-37-1-1, and charter schools to improve the maintenance of safe schools.

(H) Implementing best practices and procedures to use critical incidence digital mapping in the event of an emergency within the county.

(I) Any other topic the commission considers necessary to improve school safety within the commission's jurisdiction.

(3) Provide assistance to school safety specialists and school resource officers within the commission's jurisdiction in developing and:

(A) implementing school safety plans; and

(B) requesting grants from the fund.

(4) Assist accredited nonpublic schools within the commission's jurisdiction that voluntarily submit a school safety plan or a local school safety and emergency plan (described in IC 20-34-3-23) to the commission seeking



assistance in carrying out the school safety plan.

(f) The affirmative votes of a majority of the voting members of the commission are required for the commission to take action on a measure.

(g) A commission shall receive the school safety plans for the school corporations and charter schools located in the county.

(h) A commission may receive from an accredited nonpublic school within the commission's jurisdiction a school safety plan or a local school safety and emergency plan described in IC 20-34-3-23.

(i) The commission shall keep the school safety plans compiled and retained under this section confidential and shall withhold the information from public disclosure.

(j) The commission may share the school safety plans under subsections (g) and (h) with law enforcement and first responder agencies that have jurisdiction over the school corporation, charter school, or accredited nonpublic school. For the purposes of IC 5-14-3, the entities receiving a school safety plan under this subsection shall keep information compiled and retained under subsections (g) and (h) confidential and shall withhold the information from public disclosure.

(k) A commission shall annually submit to the board on a date established by the board:

- (1) meeting minutes;
- (2) any meeting agenda materials directly related to taking action on a measure under this section; and
- (3) a brief annual summary of its activities and accomplishments.

SECTION 14. IC 10-21-1-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 13. (a) The school safety specialist training and certification program is established.**

(b) The school safety specialist training and certification program shall provide:

- (1) annual training sessions, which may be conducted through distance learning or at regional centers; and
- (2) information concerning best practices and available resources;

for school safety specialists and county school safety commissions.

(c) The department of education, in consultation with the board, shall do the following:

- (1) Assemble an advisory group of school safety specialists



from around the state to make recommendations concerning the curriculum and standards for school safety specialist training.

(2) Develop an appropriate curriculum and the standards for the school safety specialist training and certification program. The department of education may consult with national school safety experts in developing the curriculum and standards. The curriculum developed under this subdivision must include training in:

- (A) identifying, preventing, and intervening in bullying and cyberbullying;
 - (B) identifying, preventing, and intervening in criminal organization activity;
 - (C) identifying, preventing, and intervening in actions by a person who is present on school property with the intent to harm another person;
 - (D) developing and implementing a school safety plan in accordance with this chapter;
 - (E) using a county school safety commission to improve school safety and emergency preparedness; and
 - (F) using safe school committees to improve safety and emergency preparedness for each school building.
- (3) Administer the school safety specialist training and certification program, including the following duties:
- (A) Establish a school safety specialist certificate for candidates eligible under section 9 of this chapter who have successfully completed the training program.
 - (B) Review the qualifications of each candidate, determine their eligibility for certification, and present a certificate to each school safety specialist eligible for certification.

SECTION 15. IC 10-21-1-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 14. (a) Each school operated by a 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) Each school operated by a charter school shall establish a safe school committee. A charter school in operation on July 1, 2023, shall comply with this subsection not later than July 1, 2024.



(c) The safe school committee shall actively participate in and assist with the development of the school safety plan.

(d) The department of education, the school corporation's or charter school's school safety specialist or specialists, and a school resource officer, if one (1) is employed by the school corporation or charter school, shall provide materials and guidelines to assist a safe school committee in developing a policy for a particular school that addresses the following issues:

- (1) Implementation of the school safety plan.
- (2) Addressing outside and internal threats to the physical safety of students, faculty, staff, and the public, including unsafe conditions, crime prevention, school violence, bullying and cyberbullying, criminal organization activity, child abuse and child sexual abuse, mental health and behavioral health, suicide awareness and prevention, and other issues that prevent the maintenance of a safe school.
- (3) Addressing the professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (2).
- (4) Identifying and implementing methods to encourage:
 - (A) involvement by the community, families, and students;
 - (B) development of relationships between students and school faculty and staff; and
 - (C) use of problem solving teams.

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

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

(f) In addition to developing guidelines under subsection (d), 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.

(g) The materials and guidelines provided under subsection (d) 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 16. IC 10-21-1-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2023]: **Sec. 15. An accredited nonpublic school may do one (1) or more of the following:**

- (1) Designate one (1) or more individuals to obtain school safety specialist certification under section 13 of this chapter to perform school safety specialist duties under this chapter.**
- (2) Establish a school safety plan in accordance with section 10 of this chapter.**
- (3) Establish a safe school committee.**
- (4) Submit a school safety plan to the county school safety commission having jurisdiction over the accredited nonpublic school.**
- (5) Request to join the county school safety commission having jurisdiction over the accredited nonpublic school or be represented by another accredited nonpublic school's school safety specialist on the same commission.**
- (6) Request general guidance relating to school safety matters from one (1) or more of the following:**
 - (A) The board.**
 - (B) The department of education.**
 - (C) The department of homeland security.**
 - (D) The county school safety commission having jurisdiction over the accredited nonpublic school.**

SECTION 17. IC 20-19-3-11.5, AS ADDED BY P.L.211-2018(ss), SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11.5. (a) As used in this section, "cyberbullying" refers to bullying (as defined in IC 20-33-8-0.2) that occurs through the use of data or computer software that is accessed through a:

- (1) computer;
- (2) computer system;
- (3) computer network; or
- (4) cellular telephone or other wireless or cellular communications device.

(b) The department shall maintain a link on the department's ~~Internet web site~~ **website** that provides parents and school officials with resources or best practices regarding the prevention and reporting of bullying and cyberbullying. The resources must include guidance on how to report to law enforcement agencies instances of bullying and cyberbullying that occur off campus. The department shall also include guidelines developed by the department under ~~IC 5-2-10.1-12(d)~~: **IC 10-21-1-14(d)**.

(c) The department shall consult with law enforcement agencies, school officials, and organizations that have expertise in the prevention



or reporting of bullying or cyberbullying for purposes of developing or providing the resources or best practices described in subsection (b).

(d) The following entities shall maintain a link on their ~~Internet web sites~~ **websites** to the ~~Internet web site~~ **website** described in subsection (b):

- (1) The state board.
- (2) A school corporation.

SECTION 18. IC 20-19-3-14, AS ADDED BY P.L.36-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 14. (a) As used in this section, "division" refers to the division of school building physical security and safety established by subsection (c).

(b) As used in this section, "physical security" refers to security measures that are designed to deny unauthorized access to a building or facility, including equipment and resources, and to protect individuals and property from damage or harm.

(c) The division of school building physical security and safety is established within the department.

(d) The division shall:

- (1) establish and maintain guidelines for using professional architectural and engineering services to integrate physical security improvements and safety practices in the construction, renovation, repair, or alteration of a school facility;
- (2) carry out the department's responsibilities with regards to the school safety specialist training and certification program established in ~~IC 5-2-10.1-11~~; **IC 10-21-1-13**;
- (3) establish and maintain guidelines for establishing emergency response protocols in cooperation with other state agencies;
- (4) carry out the department's responsibilities **to safe school committees** under ~~IC 5-2-10.1-12~~; **IC 10-21-1-14**;
- (5) coordinate the department's response and recovery assistance to a school in the event of a manmade or natural disaster;
- (6) provide information and guidance to assist school corporations or schools to establish mutual aid disaster assistance agreements with other schools or school corporations; ~~and~~
- (7) study and collect information to integrate lessons learned from previous school disasters throughout the country into the curriculum of the school safety specialist training and certification program established in ~~IC 5-2-10.1-11~~ **IC 10-21-1-13** and guidelines established by the division under this subsection;
- (8) **establish and maintain guidelines, in consultation with the department of homeland security and institute for criminal**



justice, for developing and maintaining school safety plans as described in IC 10-21-1-10 and IC 10-21-1-11; and

(9) assist the secured school safety board established by IC 10-21-1-3 in conducting the review and submitting the report as described in IC 10-21-1-8.

(e) The division may: ~~upon request by a school corporation:~~

(1) request a meeting with a school corporation or charter school to review a school safety plan as described in IC 10-21-1-10;

(2) request to provide an onsite safety review for a school corporation or charter school; and

(3) request to provide guidance or assistance relating to school safety matters to ~~the~~ a school corporation or charter school;

(4) provide assistance or guidance relating to school safety matters upon request by a nonpublic school that has voluntarily become accredited under IC 20-31-4.1 or is accredited by a national or regional accrediting agency that is recognized by the state board; and

(5) provide assistance or guidance relating to school safety matters upon request by a county school safety commission under IC 10-21-1-12.

(f) The division shall maintain a secure Internet web site to provide school officials and public safety officials access to information that is considered classified under IC 5-14-3-4(b)(1), IC 5-14-3-4(b)(18), and IC 5-14-3-4(b)(19) or other sensitive information that may assist school officials and public safety officials in improving school safety or responding to a manmade or natural disaster.

(g) The division shall maintain a public ~~Internet web site~~ **website** that contains:

(1) the guidelines established by the division under subsection (d);

(2) best practices pertaining to school safety; and

(3) any other information the division determines may be necessary to carry out the division's duties or responsibilities under this section.

SECTION 19. IC 20-26-5-42.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 42.7. (a) The governing body of a school corporation shall do the following:**

(1) Approve or disapprove all school safety specialists chosen by the superintendent of the school corporation under IC 10-21-1-9. The governing body of a school corporation



shall also approve or disapprove the individual school safety specialist chosen by the superintendent of the school corporation to serve on the county school safety commission under IC 10-21-1-12.

(2) Review a school safety plan described in IC 10-21-1-10 following the procedures outlined in IC 10-21-1-11.

(b) Not later than July 1, 2024, the organizer of a charter school shall do the following:

(1) Approve or disapprove all school safety specialists chosen by leadership of the charter school under IC 10-21-1-9.

(2) Review a school safety plan described in IC 10-21-1-10 following the procedures outlined in IC 10-21-1-11.

SECTION 20. IC 20-26-18.2-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. The following definitions apply throughout this chapter:**

(1) "Safe school committee" refers to the requirements set forth in IC 10-21-1-14.

(2) "School safety plan" refers to the requirements set forth in IC 10-21-1-10.

(3) "School safety specialist" refers to the requirements set forth in IC 10-21-1-9.

SECTION 21. IC 20-26-18.2-1, AS AMENDED BY P.L.139-2022, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1. (a)** As used in this chapter, "school resource officer" means a law enforcement officer who:

(1) has completed the training described in subsection (b);

(2) is assigned to one (1) or more school corporations or charter schools during school hours to:

(A) assist ~~the~~ school safety specialist specialists and the safe school committees with the development and implementation of the school safety plan; ~~as provided in section 2 of this chapter;~~ and

(B) carry out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding and to provide law enforcement services to:

(i) protect against outside threats to the physical safety of students;

(ii) prevent unauthorized access to school property; and

(iii) secure schools against violence and natural disasters; and



(3) is:

- (A) employed by a law enforcement agency;
- (B) appointed as a police reserve officer (as described in IC 36-8-3-20) or as a special deputy (as described in IC 36-8-10-10.6) if the police reserve officer or special deputy:
 - (i) is subject to the direction of the sheriff or appointing law enforcement agency;
 - (ii) is required to obey the rules and orders of the sheriff's department or appointing law enforcement agency;
 - (iii) is required to complete all training required of regular full-time law enforcement officers employed by the sheriff's department or appointing law enforcement agency; and
 - (iv) may be removed by the sheriff or appointing law enforcement agency at any time, with or without cause; or
- (C) a school corporation police officer appointed under IC 20-26-16-3.

The term does not include a law enforcement officer who is assigned to a school to provide security outside a school building for protection from outside threats, traffic duty, or other duties not consistent with the duties of a school resource officer.

(b) Before being appointed as a school resource officer, an individual must have successfully completed the minimum training requirements established for law enforcement officers under IC 5-2-1-9.

(c) The law enforcement officer appointed as a school resource officer must receive at least forty (40) hours of school resource officer training through:

- (1) the Indiana law enforcement training board established by IC 5-2-1-3;
- (2) the National Association of School Resource Officers; or
- (3) another school resource officer training program approved by the Indiana law enforcement training board;

within one hundred eighty (180) days from the date the individual is initially assigned the duties of a school resource officer. However, if the current ADM of a school corporation is less than one thousand (1,000) students, the individual shall complete the school resource officer training within three hundred sixty-five (365) days of the date the individual is initially assigned the duties of a school resource officer.

(d) Training described in subsection (c) must include instruction regarding skills, tactics, and strategies necessary to address the special nature of:

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- (1) school campuses; and
- (2) school building security needs and characteristics.

SECTION 22. IC 20-26-18.2-2, AS AMENDED BY P.L.139-2022, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) A school resource officer may be employed:

- (1) by one (1) or more school corporations or charter schools through a contract between a local law enforcement agency and the school corporation or school corporations or the charter school or charter schools;
- (2) by one (1) or more school corporations or charter schools;
- (3) by a local law enforcement agency that assigns the school resource officer to one (1) or more school corporations or charter schools through a memorandum of understanding between the local law enforcement agency and the school corporation or school corporations or the charter school or charter schools; or
- (4) through a contract between an Indiana business that employs persons who meet the qualifications of a school resource officer and the school corporation or school corporations or the charter school or charter schools.

(b) This subsection does not apply to a school corporation that only has full-time school resource officers who are either employees of the school corporation's school police department or are employees of the school corporation who have successfully completed the law enforcement basic training requirements described in IC 5-2-1-9(d). After June 30, 2023, if a school corporation or charter school enters into a contract for a school resource officer, the school corporation or charter school must enter into a memorandum of understanding with the law enforcement agency that employs or appointed the law enforcement officer who will perform the duties of a school resource officer. The memorandum of understanding must state the nature and scope of a school resource officer's duties and responsibilities. A school resource officer's duties and responsibilities include the duty to assist the school corporation's **or charter school's** school safety ~~specialist~~ **specialists and safe school committees** with the development and implementation of a school safety ~~plans. plan that does the following:~~

- (1) ~~Protects against outside threats to the physical safety of students:~~
- (2) ~~Prevents unauthorized access to school property:~~
- (3) ~~Secures schools against violence and natural disasters:~~
- (4) ~~On or before July 1, 2020, identifies the location of bleeding control kits (as defined in IC 20-34-3-24(a)).~~

(c) A school resource officer shall consult with local law



enforcement officials and first responders when assisting the school corporation's **or charter school's** school safety ~~specialist~~ **specialists and safe school committees** in the development of the school safety plan.

(d) A school resource officer shall participate in the development **and implementation** of programs designed to identify, assess, and provide assistance to ~~troubled youth:~~ **youth who are at high risk of experiencing a mental health crisis or becoming juvenile offenders.**

(e) A school resource officer may not be reassigned to other duties by the school corporation.

SECTION 23. IC 20-26-18.2-5, AS ADDED BY P.L.57-2020, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) **Beginning on September 1, 2023, and each September 1 thereafter, each** ~~A~~ school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall ~~annually~~ **report on a form prescribed by the department of homeland security:**

- (1) the number of school resource officers serving the school corporation or charter school;
- (2) **the amount budgeted and the sources of the funds to employ a school resource officer or school resource officers to serve the school corporation or charter school;**
- (3) **the number of school resource officers serving the school corporation or charter school employed by one (1) or more school corporations or charter schools;**
- (4) **an attestation that the school resource officers employed by the school corporation or charter school have met the training requirements under section 1 of this chapter;**
- (5) **the number of school resource officers serving the school corporation or charter school through a contract or memorandum of understanding with a local law enforcement agency or an Indiana business that employs persons who meet the qualifications of a school resource officer under section 2 of this chapter; and**
- (6) **if applicable, the number of law enforcement officers who are not school resource officers also serving the school corporation or charter school through a contract or memorandum of understanding with a local law enforcement agency;**

to the department of homeland security. ~~before September 1.~~

(b) The department of homeland security shall:



(1) annually compile the information reported under subsection (a); and

(2) retain the information reported under subsection (a).

(c) For purposes of IC 5-14-3, the department of homeland security shall keep information compiled and retained under subsection (b) confidential and shall withhold the information from public disclosure.

(d) The secured school safety board established by IC 10-21-1-3 shall include the following aggregate level information in the review and report submitted to the governor and legislative council as required under IC 10-21-1-8:

(1) The total number of school resource officers employed:

(A) in Indiana, including the number of unique school corporations and charter schools employing a school resource officer;

(B) exclusively by a school corporation;

(C) by one (1) or more school corporations;

(D) exclusively by a charter school;

(E) by a coalition of charter schools; and

(F) by a combination of one (1) or more school corporations and one (1) or more charter schools.

(2) A statewide overview of how school corporations and charter schools are budgeting for the employment of school resource officers and the employment of law enforcement officers.

SECTION 24. IC 20-30-5-5.5, AS ADDED BY P.L.285-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5.5. (a) Not later than October 15 of each year, each public school shall provide age appropriate, research based instruction as provided under ~~IC 5-2-10.1-12(d)(1)~~ **IC 10-21-1-14(d)** focusing on bullying prevention for all students in grades 1 through 12.

(b) The department, in consultation with school safety specialists and school counselors, shall prepare outlines or materials for the instruction described in subsection (a) and incorporate the instruction in grades 1 through 12.

(c) Instruction on bullying prevention may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of bullying prevention and intervention.

SECTION 25. IC 20-34-3-20, AS AMENDED BY P.L.92-2020, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 20. (a) The governing body of a school corporation **and an organizer of a charter school** shall require each school in the governing body's jurisdiction **or organizer's**



responsibility to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under IC 4-22-2 by the state board.

(b) Each school and attendance center shall conduct at least:

- (1) one (1) tornado preparedness drill; and
- (2) one (1) manmade occurrence disaster drill;

during each semester.

(c) At least one (1) manmade occurrence disaster drill required under subsection (b) must be an active shooter drill and must be conducted within ninety (90) calendar days after the beginning of the school year.

(d) Each:

- (1) state accredited nonpublic school; and
- (2) charter school;

must conduct at least one (1) active shooter drill during each school year.

(e) Notwithstanding rules established by the state fire marshal under IC 12-17-12-19, a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

- (1) instead of more than two (2) periodic or monthly fire evacuation drills in a particular school semester; and
- (2) in two (2) consecutive months.

(f) The governing body of a school corporation **or an organizer of a charter school** may direct schools to conduct emergency preparedness drills in addition to those required under subsection (b).

(g) The governing body of a school corporation **or organizer of a charter school** shall require each principal to file a certified statement that all drills have been conducted as required under this section.

SECTION 26. IC 20-34-3-23, AS AMENDED BY P.L.92-2020, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 23. (a) Each charter school and state accredited nonpublic school shall adopt a local school safety and emergency plan that includes:

- (1) safety and emergency training and educational opportunities for school employees; and
- (2) periodic safety and emergency preparedness and evacuation drills.

(b) Each charter school and state accredited nonpublic school 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.

(c) If a charter school or state accredited nonpublic school has conducted critical incidence digital mapping as described in IC 10-21-1-1 for each school building located on the school's property, it may provide the critical incidence digital mapping information to:

- (1) the law enforcement agency and fire department that have jurisdiction over the mapped school buildings; and**
- (2) the statewide 911 system described in IC 36-8-16.7-22 through the public safety answer point, or "PSAP", described in IC 36-8-16.7-20 that has jurisdiction over the mapped school buildings;**

to satisfy the requirement of subsection (b).

(d) Once a charter school develops a school safety plan under IC 10-21-1-10, the charter school has satisfied the requirements of this section.

SECTION 27. IC 20-34-9-1, AS AMENDED BY P.L.156-2020, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. This chapter does not apply to a virtual charter school (as defined in IC 20-24-1-10) or a virtual ~~state~~ accredited nonpublic school.

SECTION 28. IC 20-34-9-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.1. As used in this chapter, "accredited nonpublic school" means a nonpublic school that:**

- (1) has voluntarily become accredited under IC 20-31-4.1; or**
- (2) is accredited by a national or regional accrediting agency that is recognized by the state board.**

SECTION 29. IC 20-34-9-4, AS AMENDED BY P.L.92-2020, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. Beginning after June 30, 2020, and subject to available funding, a school corporation, a charter school, and ~~a state an~~ accredited nonpublic school are eligible for a grant under this chapter if the school corporation, charter school, or ~~state~~ accredited nonpublic school meets the requirements of this chapter.

SECTION 30. IC 20-34-9-5, AS AMENDED BY P.L.92-2020, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The student and parent support services grant program is established to provide grants to school corporations, charter schools, and ~~state~~ accredited nonpublic schools for the



development and implementation of student and parent support services plans to support parents caring for at-risk students.

(b) The department, in coordination with the division of mental health and addiction, shall administer the program.

SECTION 31. IC 20-34-9-6, AS AMENDED BY P.L.92-2020, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. A school corporation, a charter school, or a ~~state~~ **an** accredited nonpublic school must do the following to participate in the program:

- (1) Apply to the department to participate in the program.
- (2) Submit to the department a student and parent support services plan that the school corporation, charter school, or ~~state~~ accredited nonpublic school intends to implement and that includes the following:
 - (A) A process for a teacher or school employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process described in this clause must also include that the school will hold a conference with the student and the student's parent.
 - (B) A requirement that the conference described in clause (A) must address the student's potential need for and benefit from:
 - (i) school based treatment services; or
 - (ii) treatment services provided by an outside professional care provider that is contracted and paid for by the school corporation, charter school, or ~~state~~ accredited nonpublic school.
 - (C) A procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive services by a service provider described under clause (B).
 - (D) A requirement to ensure that a school shall maintain the confidentiality of any medical records that result from a student's participation in any treatment described in clause (B). The school must adopt a policy that prohibits the school from:
 - (i) sharing any reports or notes resulting from the provision of school based treatment services described in clause (B)(i) with other school officials; and
 - (ii) maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in clause (B)(i) through (B)(ii) in the student's permanent educational file.



SECTION 32. IC 20-34-9-7, AS AMENDED BY P.L.92-2020, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) Before June 30, 2020, and before each June 30 thereafter, the department shall evaluate and prepare a report concerning development and implementation of the following:

(1) The program.

(2) The plans submitted and implemented by school corporations, charter schools, and state accredited nonpublic schools.

(b) The department shall submit the report described in subsection (a) to the legislative council in an electronic format under IC 5-14-6.

SECTION 33. IC 20-40-2-10, AS ADDED BY P.L.161-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. (a) After the department completes the school corporation notice requirement under section 9 of this chapter, the department shall notify the state board, fiscal and qualitative indicators committee, and Indiana education employment relations board as soon as possible of all school corporations that received a notice stating they were on the excessive education fund transfer list for the immediately preceding calendar year.

(b) Upon receipt of the department notice to a school corporation under section 9 of this chapter, the school corporation's superintendent and financial personnel, including the school's business officer, shall prepare and submit explanatory documentation within ninety (90) days, explaining the following:

(1) How and why the school corporation's leadership believes the school corporation failed to meet the education fund transfer target percentage.

(2) The steps the school corporation's leadership is planning or actively taking to budget and spend during the next calendar year to meet the education fund transfer target percentage for the next calendar year.

(c) The school corporation's superintendent shall submit the explanatory documentation to the department and the fiscal and qualitative indicators committee.

(d) Upon submission of the explanatory documentation under subsection (b), the school corporation's superintendent shall present the explanatory documentation to the school corporation's governing body at its next public meeting. The governing body shall enter both the actual documentation and corresponding discussion into its official minutes for that meeting.

(e) Upon the completion of the duties under subsection (d), the school corporation shall publish the explanatory documentation



alongside any further notices and related reports from the department on its ~~Internet web site~~ **website** within thirty (30) days.

(f) Upon receipt of a school corporation's explanatory documentation, the fiscal and qualitative indicators committee shall officially acknowledge receipt of the documentation at its next public meeting and enter the receipt into its official minutes for that meeting.

(g) Upon receipt of the explanatory documentation, the department, in collaboration with the fiscal and qualitative indicators committee, shall review the documentation within sixty (60) days to make a preliminary determination of whether the documentation satisfactorily demonstrates that the school corporation's leadership has outlined and begun a corrective action plan to make progress in meeting the education fund transfer target percentage for the next calendar year.

(h) If the department determines the explanatory documentation is not satisfactory, the department may contact the superintendent and financial personnel, including the school business officer, of the school corporation to schedule as soon as possible an appearance before the fiscal and qualitative indicators committee at a public meeting to provide an opportunity to explain the details within the explanatory documentation, and to explain to the fiscal and qualitative indicators committee the school corporation's budgeting and compensation levels in relation to the following for the school corporation:

- (1) How and why the education fund transfer target percentage was not met during the previous calendar year.
- (2) Total combined expenditures.
- (3) Student instructional expenditures.
- (4) Noninstructional expenditures.
- (5) Full-time teacher compensation expenditures.
- (6) Nonteaching, full-time administrative personnel compensation expenditures.
- (7) Nonteaching staff personnel compensation expenditures.
- (8) Any prior or planned attempts to seek the assistance available under this chapter from the Indiana education employment relations board and the department's division of finance.
- (9) Any prior or planned pooling of resources, combined purchases, usage of shared administrative services, or collaboration with contiguous school corporations in reducing noninstructional expenditures as described under IC 20-42.5-2-1.
- (10) Any prior or planned participation in a county school safety commission under ~~IC 5-2-10.1-10~~ **IC 10-21-1-12** to assist and reduce school safety expenditures.
- (11) Any prior or planned consideration of meeting the



requirements of and applying for school corporation efficiency incentive grants under IC 36-1.5-6.

(i) The fiscal and qualitative indicators committee may contact the superintendent and financial personnel, including the school's business officer, of a school corporation that has been included on the department's excessive education fund transfer list for at least two (2) immediately preceding calendar years to provide the school corporation an opportunity to explain to the fiscal and qualitative indicators committee in a public meeting the school corporation's budgeting and compensation levels in relation to the items listed in subsection (h).

(j) After the fiscal and qualitative indicators committee receives the school corporation's explanation under this section, the fiscal and qualitative indicators committee may issue an official recommendation to the school corporation to perform a review and improve its budgeting procedures in consultation with any state agencies the fiscal and qualitative indicators committee considers appropriate. The state agencies specified by the fiscal and qualitative indicators committee shall assist the school corporation before and during its next collective bargaining period with the goal of meeting or making progress toward the education fund transfer target percentage. If the fiscal and qualitative indicators committee issues an official recommendation to a school corporation, the school corporation's governing body shall officially acknowledge receipt of the recommendation at its next public meeting and enter into the school corporation governing body's minutes for that meeting acknowledgment of receipt of the recommendation. In addition, the school corporation shall publish the official recommendation on the school corporation's ~~Internet web site~~ **website**.

(k) The school corporation shall publish the most recent notices from the department, relevant individual reports prepared by the department, explanatory documentation by the school corporation, and official recommendations by the fiscal and qualitative indicators committee on the school corporation's Internet web site.

(l) The school corporation may remove the notice, its explanatory documentation, and the fiscal and qualitative indicators committee's official recommendation from its ~~Internet web site~~ **website** if the department determines that the school corporation met its education fund transfer target percentage and is no longer on the excessive education fund transfer list.

SECTION 34. IC 33-37-9-4, AS AMENDED BY P.L.55-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) The treasurer of state shall distribute semiannually one million two hundred eighty-eight thousand dollars



(\$1,288,000) of the amounts transferred to the state fund under section 3 of this chapter as follows:

(1) Fourteen and ninety-eight hundredths percent (14.98%) shall be deposited into the alcohol and drug countermeasures fund established by IC 9-27-2-11.

(2) Eight and forty-two hundredths percent (8.42%) shall be deposited into the drug interdiction fund established by IC 10-11-7-1.

(3) Four and sixty-eight hundredths percent (4.68%) shall be deposited into the substance abuse prosecution fund established by IC 33-39-8-6.

(4) Five and sixty-two hundredths percent (5.62%) shall be deposited into the corrections drug abuse fund established by IC 11-8-2-11.

(5) Twenty-two and forty-seven hundredths percent (22.47%) shall be deposited into the state drug free communities fund established by IC 5-2-10-2.

(6) Seven and ninety-eight hundredths percent (7.98%) shall be distributed to the Indiana department of transportation for use under IC 8-23-2-15.

(7) Twenty and thirty-two hundredths percent (20.32%) shall be deposited in the family violence and victim assistance fund established by IC 5-2-6.8-3.

(8) Fifteen and fifty-three hundredths percent (15.53%) shall be deposited in the ~~Indiana safe schools fund established by IC 5-2-10-1.~~ **Indiana secured school fund established by IC 10-21-1-2.**

(b) The treasurer of state shall distribute semiannually the amount remaining after the distributions are made under subsection (a) to the court technology fund established by IC 33-24-6-12.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1492 — Concur

