



February 13, 2025

HOUSE BILL No. 1539

DIGEST OF HB 1539 (Updated February 12, 2025 12:47 pm - DI 152)

Citations Affected: IC 20-26; IC 20-33.

Synopsis: Education matters. Requires a public school to do the following: (1) Notify a parent of a student not later than 24 hours after the student makes an allegation that an employee of the public school engaged in misconduct. (2) If the public school determines that an allegation is unsubstantiated or otherwise dismissed, notify the employee and parent of the student not later than 14 days after the determination. Amends the definition of "bullying". Provides that certain discipline rules adopted by the governing body of a school corporation include timetables for reporting of bullying incidents to the parents of both the targeted student and the alleged perpetrator not later than one business day after the incident is reported. (Current law provides reporting of bullying incidents not later than five business days after the incident is reported.) Requires the governing body of a school corporation to: (1) require a school corporation to determine the severity of an incident of bullying and whether the incident may warrant transfer of the victim or the alleged perpetrator to another school in the school corporation; and (2) require a school corporation to approve the transfer of a victim or the alleged perpetrator of an act of bullying to another school in the school corporation under certain circumstances.

Effective: July 1, 2025.

Smith V, Behning, Cash

January 21, 2025, read first time and referred to Committee on Education.
February 13, 2025, amended, reported — Do Pass.

HB 1539—LS 7726/DI 152



February 13, 2025

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. 1539

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 20-26-5-45 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 45. (a) As used in this section, "public school" means**
4 **the following:**
5 (1) **A school maintained by a school corporation.**
6 (2) **A charter school.**
7 (b) **If a student enrolled in a public school makes an allegation**
8 **that an employee of the public school engaged in misconduct with,**
9 **or pertaining to, the student, the public school shall notify a parent**
10 **of the student that the student has made the allegation not more**
11 **than twenty-four (24) hours after the student makes the allegation.**
12 (c) **If:**
13 (1) **a student makes an allegation as described in subsection**
14 **(b); and**
15 (2) **the public school determines that the allegation is**
16 **unsubstantiated or otherwise dismissed;**
17 **the public school shall, not later than fourteen (14) days after the**

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1 **date the public school makes the determination, notify the**
 2 **employee of the public school and a parent of the student that the**
 3 **allegation has been determined to be unsubstantiated or otherwise**
 4 **dismissed.**

5 SECTION 2. IC 20-33-8-0.2, AS AMENDED BY P.L.285-2013,
 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2025]: Sec. 0.2. (a) As used in this chapter, "bullying" means
 8 overt, unwanted ~~repeated~~ acts or gestures **which are repeated or**
 9 **occur one (1) time to a degree of severity**, including verbal or written
 10 communications or images transmitted in any manner (including
 11 digitally or electronically), physical acts committed, aggression, or any
 12 other behaviors, that are committed by a student or group of students
 13 against another student with the intent to harass, ridicule, humiliate,
 14 intimidate, or harm the targeted student and create for the targeted
 15 student an objectively hostile school environment that:

- 16 (1) places the targeted student in reasonable fear of harm to the
- 17 targeted student's person or property;
- 18 (2) has a substantially detrimental effect on the targeted student's
- 19 physical or mental health;
- 20 (3) has the effect of substantially interfering with the targeted
- 21 student's academic performance; or
- 22 (4) has the effect of substantially interfering with the targeted
- 23 student's ability to participate in or benefit from the services,
- 24 activities, and privileges provided by the school.

25 (b) The term may not be interpreted to impose any burden or
 26 sanction on, or include in the definition of the term, the following:

- 27 (1) Participating in a religious event.
- 28 (2) Acting in an emergency involving the protection of a person
- 29 or property from an imminent threat of serious bodily injury or
- 30 substantial danger.
- 31 (3) Participating in an activity consisting of the exercise of a
- 32 student's rights protected under the First Amendment to the
- 33 United States Constitution or Article I, Section 31 of the
- 34 Constitution of the State of Indiana, or both.
- 35 (4) Participating in an activity conducted by a nonprofit or
- 36 governmental entity that provides recreation, education, training,
- 37 or other care under the supervision of one (1) or more adults.
- 38 (5) Participating in an activity undertaken at the prior written
- 39 direction of the student's parent.
- 40 (6) Engaging in interstate or international travel from a location
- 41 outside Indiana to another location outside Indiana.

42 SECTION 3. IC 20-33-8-13.5, AS AMENDED BY P.L.238-2023,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2025]: Sec. 13.5. (a) Discipline rules adopted by the
3 governing body of a school corporation under section 12 of this chapter
4 must:

5 (1) prohibit bullying; and

6 (2) include:

7 (A) provisions concerning education, parental involvement,
8 and intervention;

9 (B) a detailed procedure for the expedited investigation of
10 incidents of bullying that includes:

11 (i) appropriate responses to bullying behaviors, wherever the
12 behaviors occur;

13 (ii) provisions for anonymous and personal reporting of
14 bullying to a teacher or other school staff;

15 (iii) provisions that require a school to prioritize the safety
16 of the victim;

17 (iv) timetables for reporting of bullying incidents to the
18 parents of both the targeted student and the alleged
19 perpetrator in an expedited manner that is not later than ~~five~~

20 ~~(5) one (1) business days day~~ after the incident is reported;

21 (v) timetables for reporting of bullying incidents to school
22 counselors, school administrators, the superintendent, or law
23 enforcement, if it is determined that reporting the bullying
24 incident to law enforcement is necessary;

25 **(vi) provisions to determine the severity of an incident of**
26 **bullying and to determine whether an incident of**
27 **bullying may warrant the transfer of the victim or the**
28 **alleged perpetrator to another school in the school**
29 **corporation;**

30 ~~(vi)~~ **(vii)** discipline provisions for teachers, school staff, or
31 school administrators who fail to initiate or conduct an
32 investigation of a bullying incident; and

33 ~~(vii)~~ **(viii)** discipline provisions for false reporting of
34 bullying; and

35 (C) a detailed procedure outlining the use of follow-up
36 services that includes:

37 (i) support services for the victim; and

38 (ii) bullying education for the alleged perpetrator.

39 (b) The discipline rules described in subsection (a) may be applied
40 regardless of the physical location in which the bullying behavior
41 occurred, whenever:

42 (1) the individual committing the bullying behavior and any of the



1 intended targets of the bullying behavior are students attending a
2 school within a school corporation; and

3 (2) disciplinary action is reasonably necessary to avoid substantial
4 interference with school discipline or prevent an unreasonable
5 threat to the rights of others to a safe and peaceful learning
6 environment.

7 (c) The discipline rules described in subsection (a) must prohibit
8 bullying through the use of data or computer software that is accessed
9 through a:

10 (1) computer;

11 (2) computer system;

12 (3) computer network; or

13 (4) cellular telephone or other wireless or cellular
14 communications device.

15 (d) The discipline rules described in subsection (a) must include
16 policies to allow a parent of a child in the school corporation to review
17 any materials used in any bullying prevention or suicide prevention
18 program.

19 (e) ~~The discipline rules described in subsection (a) may include A~~
20 ~~school corporation may transfer either the victim or the alleged~~
21 ~~perpetrator of a severe incident of bullying to another school in the~~
22 ~~school corporation if the following conditions are met:~~

23 (1) ~~The school completes an expedited investigation of the~~
24 ~~bullying incident following procedure adopted under~~
25 ~~subsection (a)(2)(B).~~

26 (2) ~~The school determines that the severity of the incident of~~
27 ~~bullying may warrant a transfer under subsection~~
28 ~~(a)(2)(B)(vi).~~

29 (3) ~~The school prioritizes the victim by providing the~~
30 ~~following accommodations:~~

31 (A) ~~If the victim requests a transfer to another school in~~
32 ~~the school corporation, the school must approve the~~
33 ~~transfer of the victim.~~

34 (B) ~~If the victim requests the transfer of the alleged~~
35 ~~perpetrator to another school in the school corporation,~~
36 ~~the school must approve the transfer of the alleged~~
37 ~~perpetrator. provisions to determine:~~

38 (1) ~~the severity of an incident of bullying; and~~

39 (2) ~~whether an incident of bullying may warrant the transfer of the~~
40 ~~victim or the alleged perpetrator to another school in the school~~
41 ~~corporation.~~

42 (f) This section may not be construed to give rise to a cause of



1 action against a person or school corporation based on an allegation of
2 noncompliance with this section. Noncompliance with this section may
3 not be used as evidence against a school corporation in a cause of
4 action.

5 (g) A record made of an investigation, a disciplinary action, or a
6 follow-up action performed under rules adopted under this section is
7 not a public record under IC 5-14-3.

8 (h) The department shall periodically review each policy adopted
9 under this section to ensure the policy's compliance with this section.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1539, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-45 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 45. (a) As used in this section, "public school" means the following:**

- (1) A school maintained by a school corporation.**
- (2) A charter school.**

(b) If a student enrolled in a public school makes an allegation that an employee of the public school engaged in misconduct with, or pertaining to, the student, the public school shall notify a parent of the student that the student has made the allegation not more than twenty-four (24) hours after the student makes the allegation.

(c) If:

- (1) a student makes an allegation as described in subsection (b); and**
- (2) the public school determines that the allegation is unsubstantiated or otherwise dismissed;**

the public school shall, not later than fourteen (14) days after the date the public school makes the determination, notify the employee of the public school and a parent of the student that the allegation has been determined to be unsubstantiated or otherwise dismissed."

Page 2, delete lines 1 through 17.

Page 2, line 21, delete ", have".

Page 2, line 22, delete "the potential to be repeated,".

Page 3, between lines 38 and 39, begin a new line triple block indented and insert:

"(vi) provisions to determine the severity of an incident of bullying and to determine whether an incident of bullying may warrant the transfer of the victim or the alleged perpetrator to another school in the school corporation;".

Page 3, line 39, strike "(vi)" and insert "(vii)".

Page 3, line 42, strike "(vii)" and insert "(viii)".

Page 4, line 27, strike "The discipline rules described in subsection (a) may include" and insert "A school corporation may transfer either the victim or the alleged perpetrator of a severe incident of



bullying to another school in the school corporation if the following conditions are met:

- (1) The school completes an expedited investigation of the bullying incident following procedure adopted under subsection (a)(2)(B).**
- (2) The school determines that the severity of the incident of bullying may warrant a transfer under subsection (a)(2)(B)(vi).**
- (3) The school prioritizes the victim by providing the following accommodations:**
 - (A) If the victim requests a transfer to another school in the school corporation, the school must approve the transfer of the victim.**
 - (B) If the victim requests the transfer of the alleged perpetrator to another school in the school corporation, the school must approve the transfer of the alleged perpetrator."**

Page 4, strike lines 28 through 32.

and when so amended that said bill do pass.

(Reference is to HB 1539 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.

