



Reprinted
January 25, 2019

HOUSE BILL No. 1004

DIGEST OF HB 1004 (Updated January 24, 2019 12:29 pm - DI 129)

Citations Affected: IC 5-2; IC 10-21; IC 20-34; IC 20-49.

Synopsis: School safety. Provides that the Indiana safe schools fund may not be used to provide grants to employ a school resource officer or a law enforcement officer. Provides that an Indiana secured school fund matching grant may be used to employ a law enforcement officer. Provides that an accredited nonpublic school may receive a grant from the Indiana secured school fund (fund). Makes changes to the maximum grant amounts that a school corporation, charter school, accredited nonpublic school, or coalition of schools may receive from the fund. Provides that a virtual charter school or a virtual accredited nonpublic school may not receive a grant from the fund. Establishes minimum grant match percentages necessary to be eligible to receive a grant from the fund. Provides that, before July 1, 2021, 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 fund matching grant. Provides that the Indiana safe schools fund may be used to provide grants to provide school based mental health services or social emotional wellness services to students. Provides that the secured school safety board may award a secured school grant to certain schools to provide school based mental health services or social
(Continued next page)

Effective: Upon passage; July 1, 2019.

McNamara, Cook, Mahan, Wright

January 7, 2019, read first time and referred to Committee on Veterans Affairs and Public Safety.
January 16, 2019, amended, reported — Do Pass.
January 24, 2019, read second time, amended, ordered engrossed.

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Digest Continued

emotional wellness services to students. Provides that advances made under the school corporation and charter school safety advance program may be used to provide school based mental health services or social emotional wellness services to students. Requires that at least one of the manmade disaster drills that is required to be conducted by each school in a school corporation during each semester must be an active shooter drill and must be conducted within 90 days after the beginning of the semester. Provides that each: (1) accredited nonpublic school; and (2) charter school; must conduct at least one active shooter drill during each school year. Provides that, beginning after July 1, 2019, for each year that the federal Centers for Disease Control and Prevention Youth Risk Behavior Survey or a successor survey is administered by the state department of health, the state department of health shall work with each school corporation, charter school, and nonpublic school with at least one employee (school) to provide students in grades 9 through 12 with the opportunity to participate in the survey. Provides that if a school decides not to participate in the survey, the school shall notify the state department of health in writing of the school's decision not to participate. Establishes a procedure for both the state department of health and the school to use to notify the parent of a student or the student, if the student is an adult or an emancipated minor, to opt the student out of participation in the survey. Provides that each school corporation and charter school shall: (1) identify; and (2) enter into a memorandum of understanding for referral with; a provider or providers to provide appropriate and necessary mental health services to students. A memorandum of understanding for referral shall be developed by the division of mental health and addiction.

HB 1004—LS 6969/DI 116



Reprinted
January 25, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in *this style type*, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1004

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

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

- 1 SECTION 1. IC 5-2-10.1-2, AS AMENDED BY P.L.25-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2. (a) The Indiana safe schools fund is
4 established to do the following:
5 (1) Promote school safety through the:
6 (A) use of dogs trained to detect drugs and illegal substances;
7 and
8 (B) purchase of other equipment and materials used to
9 enhance the safety of schools.
10 (2) Combat truancy.
11 (3) Provide matching grants to schools for school safe haven
12 programs.
13 (4) Provide grants for school safety and safety plans. **However,**
14 **a grant from the fund may not be used to employ a school**
15 **resource officer (as defined in IC 20-26-18.2-1) or a law**

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- 1 **enforcement officer (as defined in IC 35-31.5-2-185).**
 2 (5) Provide educational outreach and training to school personnel
 3 concerning:
 4 (A) the identification of;
 5 (B) the prevention of; and
 6 (C) intervention in;
 7 bullying.
 8 (6) Provide educational outreach to school personnel and training
 9 to school safety specialists and school resource officers
 10 concerning:
 11 (A) the identification of;
 12 (B) the prevention of; and
 13 (C) intervention in;
 14 criminal organization activities.
 15 (7) Provide grants for school wide programs to improve school
 16 climate and professional development and training for school
 17 personnel concerning:
 18 (A) alternatives to suspension and expulsion; and
 19 (B) evidence based practices that contribute to a positive
 20 school environment, including classroom management skills,
 21 positive behavioral intervention and support, restorative
 22 practices, and social emotional learning.
 23 **(8) Provide grants for school based mental health services to**
 24 **students or form partnerships with mental health providers**
 25 **to provide school based mental health services to students.**
 26 **(9) Provide grants for school based social emotional wellness**
 27 **services to students or form partnerships with social**
 28 **emotional wellness providers to provide school based social**
 29 **emotional wellness services.**
 30 (b) The fund consists of amounts deposited:
 31 (1) under IC 33-37-9-4; and
 32 (2) from any other public or private source.
 33 (c) The institute shall determine grant recipients from the fund with
 34 a priority on awarding grants in the following order:
 35 (1) A grant for a safety plan.
 36 (2) A safe haven grant requested under section 10 of this chapter.
 37 (3) A safe haven grant requested under section 7 of this chapter.
 38 (d) Upon recommendation of the council, the institute shall establish
 39 a method for determining the maximum amount a grant recipient may
 40 receive under this section.
 41 SECTION 2. IC 10-21-1-0.5 IS ADDED TO THE INDIANA CODE
 42 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE



1 UPON PASSAGE]: **Sec. 0.5. This chapter does not apply to a virtual**
 2 **charter school or a virtual accredited nonpublic school.**

3 SECTION 3. IC 10-21-1-2, AS ADDED BY P.L.172-2013,
 4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 UPON PASSAGE]: Sec. 2. (a) The Indiana secured school fund is
 6 established to provide matching grants to enable school corporations,
 7 ~~and~~ charter schools, **and accredited nonpublic schools** to establish
 8 programs under which a school corporation, ~~or~~ charter school, **or**
 9 **accredited nonpublic school** (or a coalition of schools) may:

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

13 (A) local law enforcement agency;

14 (B) private entity; or

15 (C) nonprofit corporation;

16 to employ a school resource officer **or a law enforcement**
 17 **officer;**

18 (2) conduct a threat assessment of the buildings within a school
 19 corporation or **the buildings that are** operated by a charter school
 20 **or accredited nonpublic school; or**

21 (3) purchase equipment and technology to:

22 (A) restrict access to school property; or

23 (B) expedite notification of first responders;

24 **(4) provide school based mental health services to students or**
 25 **form partnerships with mental health providers to provide**
 26 **school based mental health services to students; or**

27 **(5) provide school based social emotional wellness services to**
 28 **students or form partnerships with social emotional wellness**
 29 **providers to provide school based social emotional wellness**
 30 **services.**

31 (b) The fund shall be administered by the department of homeland
 32 security.

33 (c) The fund consists of:

34 (1) appropriations from the general assembly;

35 (2) grants from the Indiana safe schools fund established by
 36 IC 5-2-10.1-2;

37 (3) federal grants; and

38 (4) amounts deposited from any other public or private source.

39 (d) The expenses of administering the fund shall be paid from
 40 money in the fund.

41 (e) The treasurer of state shall invest the money in the fund not
 42 currently needed to meet the obligations of the fund in the same



1 manner as other public money may be invested. Interest that accrues
2 from these investments shall be deposited in the fund.

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

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

10 (b) The board consists of seven (7) members appointed as follows:

11 (1) The executive director of the department of homeland security
12 or the executive director's designee. The executive director of the
13 department of homeland security or the executive director's
14 designee serves as the chairperson of the board.

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

16 (3) The superintendent of the state police department or the
17 superintendent's designee.

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

19 (5) The state superintendent of public instruction or the
20 superintendent's designee.

21 (6) The director of the criminal justice institute or the director's
22 designee.

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

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

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

28 (2) provide for an equitable distribution of grants to school
29 corporations, ~~and~~ charter schools, **and accredited nonpublic**
30 **schools** located throughout Indiana.

31 SECTION 5. IC 10-21-1-4, AS AMENDED BY P.L.30-2014,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 UPON PASSAGE]: Sec. 4. (a) The board may award a matching grant
34 to enable a school corporation, ~~or~~ charter school, **or accredited**
35 **nonpublic school** (or a coalition of schools applying jointly) to
36 establish a program to employ a school resource officer, **employ a law**
37 **enforcement officer**, provide school resource officer training
38 described in IC 20-26-18.2-1(b)(2), conduct a threat assessment,
39 **provide school based mental health services to students or form**
40 **partnerships with mental health providers to provide school based**
41 **mental health services to students, provide school based social**
42 **emotional wellness services to students or form partnerships with**



1 **social emotional wellness providers to provide school based social**
 2 **emotional wellness services**, or purchase equipment to restrict access
 3 to the school or expedite the notification of first responders in
 4 accordance with section 2(a) of this chapter.

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

9 (1) The total cost of the program established by the school
 10 corporation, **or** charter school, **or accredited nonpublic school**
 11 (or the coalition of schools applying jointly).

12 (2) **Except as provided in subsection (d)**, the following amounts:

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

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

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

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

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

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

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

25 (A) Thirty-five thousand dollars (\$35,000) per year, in the
 26 case of a school corporation, charter school, or accredited
 27 nonpublic school that:

28 (i) has an ADM of at least one (1) and less than one
 29 thousand one (1,001) students; and

30 (ii) is not applying jointly with any other school
 31 corporation, charter school, or accredited nonpublic
 32 school.

33 (B) Fifty thousand dollars (\$50,000) per year, in the case of
 34 a school corporation, charter school, or accredited
 35 nonpublic school that:

36 (i) has an ADM of more than one thousand (1,000) and
 37 less than five thousand one (5,001) students; and

38 (ii) is not applying jointly with any other school
 39 corporation, charter school, or accredited nonpublic
 40 school.

41 (C) Seventy-five thousand dollars (\$75,000) per year, in the
 42 case of a school corporation, charter school, or accredited



- 1 **nonpublic school that:**
- 2 (i) has an ADM of more than five thousand (5,000) and
- 3 less than fifteen thousand one (15,001) students; and
- 4 (ii) is not applying jointly with any other school
- 5 corporation, charter school, or accredited nonpublic
- 6 school.
- 7 **(D) One hundred thousand dollars (\$100,000) per year, in**
- 8 **the case of a school corporation, charter school, or**
- 9 **accredited nonpublic school that:**
- 10 (i) has an ADM of more than fifteen thousand (15,000);
- 11 and
- 12 (ii) is not applying jointly with any other school
- 13 corporation, charter school, or accredited nonpublic
- 14 school.
- 15 **(E) One hundred thousand dollars (\$100,000) per year, in**
- 16 **the case of a coalition of schools applying jointly.**
- 17 **(c) Except as provided in subsection (d), the match requirement**
- 18 **for a grant under this chapter is based on the ADM, as follows:**
- 19 **(1) For a school corporation, charter school, or accredited**
- 20 **nonpublic school with an ADM of less than five hundred one**
- 21 **(501) students, the grant match must be twenty-five percent**
- 22 **(25%) of the grant amount described in subsection (b).**
- 23 **(2) For a school corporation, charter school, or accredited**
- 24 **nonpublic school with an ADM of more than five hundred**
- 25 **(500) and less than one thousand one (1,001) students, the**
- 26 **grant match must be fifty percent (50%) of the grant amount**
- 27 **described in subsection (b).**
- 28 **(3) For a school corporation, charter school, or accredited**
- 29 **nonpublic school with an ADM of more than one thousand**
- 30 **(1,000) students or a coalition of schools applying jointly, the**
- 31 **grant match must be one hundred percent (100%) of the**
- 32 **grant amount described in subsection (b).**
- 33 **(d) A school corporation, charter school, or accredited**
- 34 **nonpublic school may be eligible to receive a grant of up to:**
- 35 **(1) one hundred thousand dollars (\$100,000) if:**
- 36 **(A) the school corporation, charter school, or accredited**
- 37 **nonpublic school receives a grant match of one hundred**
- 38 **percent (100%) of the requested grant amount; and**
- 39 **(B) the board approves the grant request; or**
- 40 **(2) for a school corporation, charter school, or accredited**
- 41 **nonpublic school described subsection (c)(1) or (c)(2), a grant**
- 42 **of up to fifty thousand dollars (\$50,000) if:**



- 1 **(A) the school corporation, charter school, or accredited**
 2 **nonpublic school receives a grant match of fifty percent**
 3 **(50%) of the requested grant amount; and**
 4 **(B) the board approves the grant request.**
- 5 ~~(e)~~ **(e)** A school corporation, ~~or~~ charter school, **or accredited**
 6 **nonpublic school** may receive only one (1) matching grant under this
 7 section each year.
- 8 ~~(f)~~ **(f)** The board may not award a grant to a school corporation, ~~or~~
 9 charter school, **or accredited nonpublic school** under this chapter
 10 unless the school corporation, ~~or~~ charter school, **or accredited**
 11 **nonpublic school** is in a county that has a county school safety
 12 commission, as described in IC 5-2-10.1-10.
- 13 SECTION 6. IC 10-21-1-5, AS AMENDED BY P.L.211-2018(ss),
 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2019]: Sec. 5. (a) A school corporation, ~~or~~ charter school, **or**
 16 **accredited nonpublic school** may annually apply to the board for a
 17 matching grant from the fund for a program described in section 2(a)
 18 of this chapter.
- 19 (b) The application must include the following:
- 20 (1) A concise description of the school corporation's, ~~or~~ charter
 21 school's, **or accredited nonpublic school's** security needs.
- 22 (2) The estimated cost of the program to the school corporation,
 23 ~~or~~ charter school, **or accredited nonpublic school**.
- 24 (3) The extent to which the school corporation, ~~or~~ charter school,
 25 **or accredited nonpublic school** has access to and support from
 26 a nearby law enforcement agency, if applicable.
- 27 (4) The ADM of the school corporation or charter school **or the**
 28 **equivalent for an accredited nonpublic school** (or the combined
 29 ADM of the coalition of schools applying jointly).
- 30 (5) Any other information required by the board.
- 31 (6) A statement whether the school corporation or charter school
 32 has completed a local plan and has filed the plan with the county
 33 school safety commission for the county in which the school
 34 corporation or charter school is located.
- 35 (7) A statement whether the school corporation or charter school
 36 (or coalition of public schools applying jointly) requests an
 37 advance under IC 20-49-10 in addition to a matching grant under
 38 this chapter.
- 39 **(c) Before July 1, 2021, each school corporation, charter school,**
 40 **or accredited nonpublic school shall certify to the department of**
 41 **homeland security that the school corporation, charter school, or**
 42 **accredited nonpublic school has conducted a threat assessment for**



1 **each school building used by the school corporation, charter**
 2 **school, or accredited nonpublic school before applying for a grant**
 3 **under this chapter.**

4 SECTION 7. IC 10-21-1-6, AS ADDED BY P.L.172-2013,
 5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 6. A school corporation, ~~or~~ charter school, **or**
 7 **accredited nonpublic school** that is awarded a matching grant under
 8 this chapter is not required to repay or reimburse the board or fund the
 9 amount of the matching grant.

10 SECTION 8. IC 20-34-3-20, AS AMENDED BY P.L.103-2015,
 11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2019]: Sec. 20. (a) The governing body of a school
 13 corporation shall require each school in the governing body's
 14 jurisdiction to conduct periodic emergency preparedness drills during
 15 the school year in compliance with rules adopted under IC 4-22-2 by
 16 the state board.

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

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

20 during each semester.

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

25 **(d) Each:**

- 26 **(1) accredited nonpublic school; and**
 27 **(2) charter school;**

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

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

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

38 ~~(f)~~ (f) The governing body of a school corporation may direct
 39 schools to conduct emergency preparedness drills in addition to those
 40 required under subsection (b).

41 ~~(g)~~ (g) The governing body of a school corporation shall require
 42 each principal to file a certified statement that all drills have been



1 conducted as required under this section.

2 SECTION 9. IC 20-34-3-24 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2019]: Sec. 24. (a) As used in this section, "school" means any of
5 the following:

6 (1) A school corporation.

7 (2) A charter school.

8 (3) A nonpublic school with at least one (1) employee.

9 (b) Beginning after July 1, 2019, or each year that the federal
10 Centers for Disease Control and Prevention Youth Risk Behavior
11 Survey or a successor survey is administered by the state
12 department of health, the state department of health shall work
13 with each school to provide students in grades 9 through 12 with
14 the opportunity to participate in the survey. A school is not
15 required to participate in the survey. If a school decides not to
16 participate in the survey, the school shall provide written
17 notification to the state department of health of the school's
18 decision not to participate.

19 (c) This subsection applies to the notification that is required to
20 be provided by the state department of health. Before a school may
21 provide a student with the opportunity to participate in the survey,
22 the state department of health, in consultation with the school,
23 shall provide written notification to the parent of the student or the
24 student, if the student is an adult or an emancipated minor, of the
25 student's participation in the survey. The notification described in
26 this subsection must provide a student's parent or the student, if
27 the student is an adult or an emancipated minor, with the
28 opportunity to opt the student out of participation in the survey.
29 The state department of health shall provide written notification
30 to the school if the student's parent or the student, if the student is
31 an adult or an emancipated minor, opts the student out of
32 participation in the survey. A school may not be required to incur
33 any cost to distribute the written notification.

34 (d) This subsection applies to the notification that is required to
35 be provided by the school. In addition to the notification provided
36 by the state department of health under subsection (c), a school
37 must provide the parent of the student or the student, if the student
38 is an adult or an emancipated minor, a notice about the survey
39 either by telecommunication or electronic communication. A notice
40 provided to a parent of a student or a student, if the student is an
41 adult or emancipated minor, under this subsection must provide
42 information that:



- 1 **(1) informs the parent or the student, if the student is an adult**
- 2 **or emancipated minor, where he or she can find more**
- 3 **information about the survey; and**
- 4 **(2) entitles the student's parent or the student, if the student**
- 5 **is an adult or an emancipated minor, with the opportunity to**
- 6 **opt the student out of participation in the survey.**

7 SECTION 10. IC 20-34-3-25 IS ADDED TO THE INDIANA
 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2019]: **Sec. 25. (a) Each school corporation**
 10 **and charter school shall:**

- 11 **(1) identify; and**
- 12 **(2) enter into a memorandum of understanding for referral**
- 13 **with;**
- 14 **a provider or providers to provide appropriate and necessary**
- 15 **mental health services to students. A memorandum of**
- 16 **understanding for referral shall be developed by the division of**
- 17 **mental health and addiction.**

18 **(b) A provider or providers described in subsection (a) may be**
 19 **employed by the school corporation or charter school.**

20 SECTION 11. IC 20-49-10-4, AS ADDED BY P.L.211-2018(ss),
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2019]: **Sec. 4. (a) The school corporation and charter school**
 23 **safety advance program is established. The purpose of the program is**
 24 **to make advances to school corporations or charter schools (or one (1)**
 25 **or more coalitions of public schools applying jointly) for:**

- 26 **(1) equipment purchases or capital improvements necessary to**
- 27 **improve school security;**
- 28 **(2) the provision of school based mental health services to**
- 29 **students or the formation of partnerships with mental health**
- 30 **providers as described in section 5(a)(2) of this chapter; or**
- 31 **(3) the provision of school based social emotional wellness**
- 32 **services to students or the formation of partnerships with**
- 33 **social emotional wellness providers as described in section**
- 34 **5(a)(3) of this chapter.**

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

37 **(c) The total amount of advances that the state board may make**
 38 **under this chapter during the state biennium beginning July 1, 2017,**
 39 **and ending June 30, 2019, may not exceed thirty-five million dollars**
 40 **(\$35,000,000).**

41 SECTION 12. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss),
 42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2019]: Sec. 5. (a) Advances made under this chapter may be
 2 used to:
- 3 (1) purchase equipment or make capital improvements needed to:
 4 (†) (A) restrict access to schools;
 5 (‡) (B) expedite the notification of first responders; or
 6 (⊖) (C) improve school security;
- 7 (2) **provide school based mental health services to students or**
 8 **form partnerships with mental health providers to provide**
 9 **school based mental health services to students; or**
 10 (3) **provide school based social emotional wellness services to**
 11 **students or form partnerships with social emotional wellness**
 12 **providers to provide school based social emotional wellness**
 13 **services.**
- 14 (b) The maximum amount of an advance that a school corporation
 15 or charter school may receive under this chapter may not exceed five
 16 hundred thousand dollars (\$500,000).
- 17 (c) The maximum amount of the advance that the state board may
 18 approve under section 6(c) of this chapter is the lesser of:
 19 (1) the maximum amount of an advance that may be awarded as
 20 established by subsection (b); or
 21 (2) the amount needed to cover costs approved by the secured
 22 school safety board that are in excess of the amount awarded by
 23 the secured school safety board under IC 10-21-1-4 and the
 24 amount committed as a match by the school corporation or charter
 25 school (or coalition of public schools filing jointly) that applied
 26 for the grant under IC 10-21-1-5.
- 27 **SECTION 13. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1004, 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 7, line 32, delete "thirty (30)" and insert "**ninety (90)**".

Page 8, line 26, delete "an agreement" and insert "**a memorandum of understanding for referral**".

Page 8, line 28, after "students." insert "**A memorandum of understanding for referral shall be developed by the division of mental health and addiction.**".

and when so amended that said bill do pass.

(Reference is to HB 1004 as introduced.)

FRYE R

Committee Vote: yeas 12, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 4, line 35, delete "The" and insert "**Except as provided in subsection (d), the**".

Page 5, line 40, delete "The" and insert "**Except as provided in subsection (d), the**".

Page 6, between lines 13 and 14, begin a new paragraph and insert: "**(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 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

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**(50%) of the requested grant amount; and
(B) the board approves the grant request."**

Page 6, line 14, delete "(d)" and insert "(e)".

Page 6, line 17, delete "(e)" and insert "(f)".

Page 7, line 32, after "(90)" insert "calendar".

Page 8, delete lines 11 through 20, begin a new paragraph and insert:

"SECTION 9. IC 20-34-3-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 24. (a) As used in this section, "school" means any of the following:**

(1) A school corporation.

(2) A charter school.

(3) A nonpublic school with at least one (1) employee.

(b) Beginning after July 1, 2019, or each year that the federal Centers for Disease Control and Prevention Youth Risk BEHAVIOR Survey or a successor survey is administered by the state department of health, the state department of health shall work with each school to provide students in grades 9 through 12 with the opportunity to participate in the survey. A school is not required to participate in the survey. If a school decides not to participate in the survey, the school shall provide written notification to the state department of health of the school's decision not to participate.

(c) This subsection applies to the notification that is required to be provided by the state department of health. Before a school may provide a student with the opportunity to participate in the survey, the state department of health, in consultation with the school, shall provide written notification to the parent of the student or the student, if the student is an adult or an emancipated minor, of the student's participation in the survey. The notification described in this subsection must provide a student's parent or the student, if the student is an adult or an emancipated minor, with the opportunity to opt the student out of participation in the survey. The state department of health shall provide written notification to the school if the student's parent or the student, if the student is an adult or an emancipated minor, opts the student out of participation in the survey. A school may not be required to incur any cost to distribute the written notification.

(d) This subsection applies to the notification that is required to be provided by the school. In addition to the notification provided by the state department of health under subsection (c), a school



must provide the parent of the student or the student, if the student is an adult or an emancipated minor, a notice about the survey either by telecommunication or electronic communication. A notice provided to a parent of a student or a student, if the student is an adult or emancipated minor, under this subsection must provide information that:

- (1) informs the parent or the student, if the student is an adult or emancipated minor, where he or she can find more information about the survey; and
- (2) entitles the student's parent or the student, if the student is an adult or an emancipated minor, with the opportunity to opt the student out of participation in the survey."

(Reference is to HB 1004 as printed January 17, 2019.)

LEHMAN

HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 2, between lines 22 and 23, begin a new line block indented and insert:

"(8) Provide grants for school based mental health services to students or form partnerships with mental health providers to provide school based mental health services to students.

(9) Provide grants for school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness services."

Page 3, line 13, after "school;" strike "or".

Page 3, line 16, delete "." and insert ";".

Page 3, between lines 16 and 17, begin a new line block indented and insert:

"(4) provide school based mental health services to students or form partnerships with mental health providers to provide school based mental health services to students; or

(5) provide school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness services."

Page 4, line 24, after "assessment," insert "provide school based



mental health services to students or form partnerships with mental health providers to provide school based mental health services to students, provide school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness services,".

Page 8, between lines 33 and 34, begin a new paragraph and insert:

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

- (1) equipment purchases or capital improvements necessary to improve school security;
- (2) the provision of school based mental health services to students or the formation of partnerships with mental health providers as described in section 5(a)(2) of this chapter; or**
- (3) the provision of school based social emotional wellness services to students or the formation of partnerships with social emotional wellness providers as described in section 5(a)(3) of this chapter.**

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

(c) The total amount of advances that the state board may make under this chapter during the state biennium beginning July 1, 2017, and ending June 30, 2019, may not exceed thirty-five million dollars (\$35,000,000).

SECTION 11. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) Advances made under this chapter may be used to:

- (1) purchase equipment or make capital improvements needed to:
 - ~~(1)~~ (A) restrict access to schools;
 - ~~(2)~~ (B) expedite the notification of first responders; or
 - ~~(3)~~ (C) improve school security;
- (2) provide school based mental health services to students or form partnerships with mental health providers to provide school based mental health services to students; or**
- (3) provide school based social emotional wellness services to students or form partnerships with social emotional wellness providers to provide school based social emotional wellness**



services.

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

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

- (1) the maximum amount of an advance that may be awarded as established by subsection (b); or
- (2) the amount needed to cover costs approved by the secured school safety board that are in excess of the amount awarded by the secured school safety board under IC 10-21-1-4 and the amount committed as a match by the school corporation or charter school (or coalition of public schools filing jointly) that applied for the grant under IC 10-21-1-5."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 17, 2019.)

PFAFF

