



January 18, 2019

HOUSE BILL No. 1209

DIGEST OF HB 1209 (Updated January 16, 2019 12:48 pm - DI 116)

Citations Affected: IC 20-26; IC 34-30.

Synopsis: Discipline of coaches and game officials. Requires the department of education (department) to notify the Indiana High School Athletic Association (association) of any license revocation involving a licensed teacher who has been convicted of certain offenses or misconduct. Provides that a school corporation, charter high school, or nonpublic high school with one or more employees must report to the association, in a manner prescribed by the association, when a nonteaching or volunteer coach has been convicted of an offense or committed misconduct. Provides that the association must maintain a data base containing the information the school corporation, charter high school, or nonpublic high school with at least one employee submits to the association. Provides that before hiring a coach, a school corporation, charter high school, or nonpublic school with at least one employee must contact the association to determine whether a coaching candidate is listed in the data base. Provides that the association must develop a policy to determine whether to suspend or revoke the coaching accreditation or sports official license for: (1) a teacher who has been reported to the association by the department; or (2) a nonteacher or volunteer coach reported to the association by a school corporation, charter high school, or nonpublic high school with at least one employee. Requires the association to permanently revoke the accreditation of any coach or license of any sports official who has been convicted of certain offenses. Provides that the: (1) association or its employees; or (2) school corporation, charter high school, or nonpublic high school with at least one employee or their employees are immune from civil liability for any act done or omitted unless the action constitutes gross negligence or willful or wanton misconduct.

Effective: July 1, 2019.

Schaibley, Cook, Thompson, Goodin

January 10, 2019, read first time and referred to Committee on Education.
January 17, 2019, amended, reported — Do Pass.

HB 1209—LS 7073/DI 116



January 18, 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. 1209

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 20-26-14-2.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. As used in this chapter,**
4 **"coach" refers to a coach of grades 9 through 12 in all association**
5 **recognized sports, including nonteaching and volunteer coaches.**
6 SECTION 2. IC 20-26-14-8 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2019]: **Sec. 8. (a) The department shall notify the association of**
9 **any license revocation or suspension involving a licensed teacher**
10 **(as defined in IC 20-18-2-22) under IC 20-28-5-8 who:**
11 **(1) has:**
12 **(A) been convicted of an offense described in**
13 **IC 20-28-5-8(c) or of a known comparable offense in**
14 **another state; or**
15 **(B) committed misconduct described in IC 20-28-5-7; and**
16 **(2) is also a coach accredited or sports official licensed by the**
17 **association.**

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1 (b) A school corporation, charter high school, or nonpublic high
 2 school with at least one (1) employee must report to the association,
 3 in a manner prescribed by the association, when a nonteaching or
 4 volunteer coach or sports official licensed by the association:

5 (1) has:

6 (A) been convicted of an offense described in
 7 IC 20-28-5-8(c) or of a known comparable offense in
 8 another state;

9 (B) committed misconduct described in IC 20-28-5-7; or

10 (C) in the case of a sports official who is not an employee
 11 of the school corporation, committed acts that could be
 12 viewed as misconduct described in IC 20-28-5-7; and

13 (2) is also a coach accredited by the association.

14 (c) The association shall maintain a data base containing the
 15 information the school corporation, charter high school, or
 16 nonpublic school with at least one (1) employee submits to the
 17 association under subsection (b).

18 (d) Before hiring a coach and in addition to meeting the
 19 requirements set forth in IC 20-26-5-10, a school corporation,
 20 charter high school, or nonpublic school with at least one (1)
 21 employee must contact the association to determine whether a
 22 coaching candidate is listed in the data base described in subsection
 23 (c).

24 (e) The association shall develop a rule to suspend or revoke the
 25 coaching accreditation or sports official license for misconduct
 26 under IC 20-28-5-7 or comparable misconduct for a sports official
 27 for:

28 (1) a teacher who has been reported to the association under
 29 subsection (a); and

30 (2) a nonteacher or volunteer coach reported to the
 31 association under subsection (b).

32 (f) The association shall permanently revoke the accreditation
 33 of any coach or license of any sports official who has been
 34 convicted of an offense described in IC 20-28-5-8.

35 (g) Nothing in this section shall be construed to prohibit the
 36 association from revoking a coaching accreditation or sports
 37 official license or otherwise imposing any other form of discipline
 38 for misconduct not described in IC 20-28-5-7 or IC 20-28-5-8.

39 (h) The:

40 (1) association or its employees; or

41 (2) school corporation, charter high school, or nonpublic
 42 school with at least one (1) employee or its employees;



1 **are immune from civil liability for any act done or omitted under**
2 **this section unless the action constitutes gross negligence or willful**
3 **or wanton misconduct.**

4 SECTION 3. IC 34-30-2-86.5 IS ADDED TO THE INDIANA
5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2019]: **Sec. 86.5. IC 20-26-14-8 (Concerning**
7 **teacher license revocation reporting).**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1209, 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, line 16, delete "referee" and insert "**sports official**".

Page 2, line 4, delete ":" and insert "**or sports official licensed by the association:**".

Page 2, line 8, delete "or".

Page 2, line 9, after "IC 20-28-5-7;" insert "**or**

(C) in the case of a sports official who is not an employee of the school corporation, committed acts that could be viewed as misconduct described in IC 20-28-5-7;".

Page 2, line 10, delete "or referee licensed".

Page 2, line 12, delete "must" and insert "**shall**".

Page 2, line 12, delete "repository" and insert "**data base**".

Page 2, line 13, delete "department" and insert "**school corporation, charter high school, or nonpublic school with at least one (1) employee**".

Page 2, line 15, after "coach" delete "," and insert "**and in addition to meeting the requirements set forth in IC 20-26-5-10,**".

Page 2, line 18, delete "repository" and insert "**data base**".

Page 2, line 19, delete "must develop a policy to determine whether" and insert "**shall develop a rule to suspend or revoke**".

Page 2, line 20, delete "to rescind or negate".

Page 2, line 20, delete "referee license" and insert "**sports official license for misconduct under IC 20-28-5-7 or comparable misconduct for a sports official**".

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"(f) The association shall permanently revoke the accreditation of any coach or license of any sports official who has been convicted of an offense described in IC 20-28-5-8.

(g) Nothing in this section shall be construed to prohibit the association from revoking a coaching accreditation or sports official license or otherwise imposing any other form of discipline



for misconduct not described in IC 20-28-5-7 or IC 20-28-5-8."

Page 2, line 26, delete "(f)" and insert "(h)".

and when so amended that said bill do pass.

(Reference is to HB 1209 as introduced.)

BEHNING

Committee Vote: yeas 9, nays 0.

