

SENATE BILL No. 266

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-10.1-2; IC 10-21-1; IC 20-49-10.

Synopsis: School security grants and advances. Amends the purpose of the Indiana safe schools fund to include the promotion of school safety through the use of dogs trained to detect firearms and explosives (in addition to drugs and illegal substances under current law). Changes the name of the "matching grant" provided from the Indiana secured school fund to the "secured school grant". Provides that the secured school safety board may require a school corporation or charter school (or a coalition of public schools) to provide matching funds to match all or a portion of the amount of a secured school grant the school corporation or charter school (or a coalition of public schools) receives. (Current law requires a school corporation or charter school (or a coalition of public schools) to provide matching funds.) Provides that the secured school safety board may award a secured school grant to enable a school corporation or charter school (or a coalition of public schools) to establish a program to: (1) 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 (2) 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. Provides that advances made under the school corporation and charter school safety advance program may be used to: (1) 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 (2) 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.

Effective: July 1, 2019.

Head

January 7, 2019, read first time and referred to Committee on Education and Career Development.



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.

SENATE BILL No. 266

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 JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established
- 4 to do the following:
- 5 (1) Promote school safety through the:
- 6 (A) use of dogs trained to detect drugs, **firearms, explosives,**
- 7 and illegal substances; 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.
- 14 (5) Provide educational outreach and training to school personnel
- 15 concerning:
- 16 (A) the identification of;
- 17 (B) the prevention of; and



- 1 (C) intervention in;
 2 bullying.
 3 (6) Provide educational outreach to school personnel and training
 4 to school safety specialists and school resource officers
 5 concerning:
 6 (A) the identification of;
 7 (B) the prevention of; and
 8 (C) intervention in;
 9 criminal organization activities.
 10 (7) Provide grants for school wide programs to improve school
 11 climate and professional development and training for school
 12 personnel concerning:
 13 (A) alternatives to suspension and expulsion; and
 14 (B) evidence based practices that contribute to a positive
 15 school environment, including classroom management skills,
 16 positive behavioral intervention and support, restorative
 17 practices, and social emotional learning.
 18 (b) The fund consists of amounts deposited:
 19 (1) under IC 33-37-9-4; and
 20 (2) from any other public or private source.
 21 (c) The institute shall determine grant recipients from the fund with
 22 a priority on awarding grants in the following order:
 23 (1) A grant for a safety plan.
 24 (2) A safe haven grant requested under section 10 of this chapter.
 25 (3) A safe haven grant requested under section 7 of this chapter.
 26 (d) Upon recommendation of the council, the institute shall establish
 27 a method for determining the maximum amount a grant recipient may
 28 receive under this section.
 29 SECTION 2. IC 10-21-1-1, AS AMENDED BY P.L.109-2015,
 30 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 1. The following definitions apply throughout this
 32 chapter:
 33 (1) "ADM" refers to average daily membership determined under
 34 IC 20-43-4-2. In the case of a school corporation career and
 35 technical education school described in IC 20-37-1-1, "ADM"
 36 refers to the count on a full-time equivalency basis of students
 37 attending the school on the date ADM is determined under
 38 IC 20-43-4-2.
 39 (2) "Board" refers to the secured school safety board established
 40 by section 3 of this chapter.
 41 (3) "Fund" refers to the Indiana secured school fund established
 42 by section 2 of this chapter.



- 1 (4) "Local plan" means the school safety plan described in
 2 IC 20-26-18.2-2(b).
 3 (5) "School corporation or charter school" refers to an individual
 4 school corporation, a school corporation career and technical
 5 education school described in IC 20-37-1-1, or a charter school
 6 but also includes:
 7 (A) a coalition of school corporations;
 8 (B) a coalition of charter schools; or
 9 (C) a coalition of both school corporations and charter schools;
 10 that intend to jointly employ a school resource officer or to jointly
 11 apply for a **matching secured school** grant under this chapter,
 12 unless the context clearly indicates otherwise.
 13 (6) "School resource officer" has the meaning set forth in
 14 IC 20-26-18.2-1.
- 15 SECTION 3. IC 10-21-1-2, AS ADDED BY P.L.172-2013,
 16 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2019]: Sec. 2. (a) The Indiana secured school fund is
 18 established to provide **matching secured school** grants to enable school
 19 corporations and charter schools to establish programs under which a
 20 school corporation or charter school (or a coalition of schools) may:
 21 (1) employ a school resource officer or enter into a contract or a
 22 memorandum of understanding with a:
 23 (A) local law enforcement agency;
 24 (B) private entity; or
 25 (C) nonprofit corporation;
 26 to employ a school resource officer;
 27 (2) conduct a threat assessment of the buildings within a school
 28 corporation or operated by a charter school; ~~or~~
 29 (3) purchase equipment and technology to:
 30 (A) restrict access to school property; or
 31 (B) expedite notification of first responders;
 32 **(4) provide school based mental health services to students or**
 33 **form partnerships with mental health providers to provide**
 34 **school based mental health services to students; or**
 35 **(5) provide school based social emotional wellness services to**
 36 **students or form partnerships with social emotional wellness**
 37 **providers to provide school based social emotional wellness**
 38 **services.**
 39 (b) The fund shall be administered by the department of homeland
 40 security.
 41 (c) The fund consists of:
 42 (1) appropriations from the general assembly;



- 1 (2) grants from the Indiana safe schools fund established by
 2 IC 5-2-10.1-2;
 3 (3) federal grants; and
 4 (4) amounts deposited from any other public or private source.
- 5 (d) The expenses of administering the fund shall be paid from
 6 money in the fund.
- 7 (e) The treasurer of state shall invest the money in the fund not
 8 currently needed to meet the obligations of the fund in the same
 9 manner as other public money may be invested. Interest that accrues
 10 from these investments shall be deposited in the fund.
- 11 (f) Money in the fund at the end of a state fiscal year does not revert
 12 to the state general fund.
- 13 SECTION 4. IC 10-21-1-3, AS ADDED BY P.L.172-2013,
 14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2019]: Sec. 3. (a) The secured school safety board is
 16 established to approve or disapprove applications for **matching secured**
 17 **school** grants to fund programs described in section 2(a) of this
 18 chapter.
- 19 (b) The board consists of seven (7) members appointed as follows:
 20 (1) The executive director of the department of homeland security
 21 or the executive director's designee. The executive director of the
 22 department of homeland security or the executive director's
 23 designee serves as the chairperson of the board.
 24 (2) The attorney general or the attorney general's designee.
 25 (3) The superintendent of the state police department or the
 26 superintendent's designee.
 27 (4) A local law enforcement officer appointed by the governor.
 28 (5) The state superintendent of public instruction or the
 29 superintendent's designee.
 30 (6) The director of the criminal justice institute or the director's
 31 designee.
 32 (7) An employee of a local school corporation or a charter school
 33 appointed by the governor.
- 34 (c) The board shall establish criteria to be used in evaluating
 35 applications for **matching secured school** grants from the fund. These
 36 criteria must:
 37 (1) be consistent with the fund's goals; and
 38 (2) provide for an equitable distribution of grants to school
 39 corporations and charter schools located throughout Indiana.
- 40 **(d) The board may require a school corporation or charter**
 41 **school (or a coalition of public schools) to provide matching funds**
 42 **to match all or a portion of the amount of a secured school grant**



1 **the school corporation or charter school (or coalition of public**
 2 **schools) receives under this chapter.**

3 SECTION 5. IC 10-21-1-4, AS AMENDED BY P.L.30-2014,
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2019]: Sec. 4. (a) The board may award a **matching secured**
 6 **school** grant to enable a school corporation or charter school (or a
 7 coalition of schools applying jointly) to establish a program to employ
 8 a school resource officer, provide school resource officer training
 9 described in IC 20-26-18.2-1(b)(2), conduct a threat assessment,
 10 **provide school based mental health services to students or form**
 11 **partnerships with mental health providers to provide school based**
 12 **mental health services to students, provide school based social**
 13 **emotional wellness services to students or form partnerships with**
 14 **social emotional wellness providers to provide school based social**
 15 **emotional wellness services**, or purchase equipment to restrict access
 16 to the school or expedite the notification of first responders in
 17 accordance with section 2(a) of this chapter.

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

22 (1) The total cost of the program established by the school
 23 corporation or charter school (or the coalition of schools applying
 24 jointly).

25 (2) The following amounts:

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

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

29 (ii) is not applying jointly with any other school corporation
 30 or charter school.

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

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

34 (ii) is not applying jointly with any other school corporation
 35 or charter school.

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

38 (c) A school corporation or charter school may receive only one (1)
 39 **matching secured school** grant under this section each year.

40 (d) The board may not award a grant to a school corporation or
 41 charter school under this chapter unless the school corporation or
 42 charter school is in a county that has a county school safety



1 commission, as described in IC 5-2-10.1-10.

2 SECTION 6. IC 10-21-1-5, AS AMENDED BY P.L.211-2018(ss),
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2019]: Sec. 5. (a) A school corporation or charter school may
5 annually apply to the board for a ~~matching~~ **secured school** grant from
6 the fund for a program described in section 2(a) of this chapter.

7 (b) The application must include the following:

8 (1) A concise description of the school corporation's or charter
9 school's security needs.

10 (2) The estimated cost of the program to the school corporation or
11 charter school.

12 (3) The extent to which the school corporation or charter school
13 has access to and support from a nearby law enforcement agency,
14 if applicable.

15 (4) The ADM of the school corporation or charter school (or the
16 combined ADM of the coalition of schools applying jointly).

17 (5) Any other information required by the board.

18 (6) A statement whether the school corporation or charter school
19 has completed a local plan and has filed the plan with the county
20 school safety commission for the county in which the school
21 corporation or charter school is located.

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

26 SECTION 7. IC 10-21-1-6, AS ADDED BY P.L.172-2013,
27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2019]: Sec. 6. A school corporation or charter school that is
29 awarded a ~~matching~~ **secured school** grant under this chapter is not
30 required to repay or reimburse the board or fund the amount of the
31 ~~matching~~ **secured school** grant.

32 SECTION 8. IC 10-21-1-6.5, AS ADDED BY P.L.211-2018(ss),
33 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2019]: Sec. 6.5. If a school corporation or charter school (or
35 a coalition of public schools applying jointly) indicates on an
36 application under section 5 of this chapter that the school corporation
37 or charter school (or coalition of public schools applying jointly)
38 requests, in addition to the ~~matching~~ **secured school** grant under this
39 chapter, an advance under IC 20-49-10, the board shall review the
40 application and may make recommendations to the state board to
41 approve or deny an advance in the manner prescribed in IC 20-49-10-6.

42 SECTION 9. IC 10-21-1-7, AS ADDED BY P.L.172-2013,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 7. The department of homeland security shall
3 report before October 1 of each year to the budget committee
4 concerning ~~matching~~ **secured school** grants awarded under this chapter
5 during the previous fiscal year.

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

- 12 (1) equipment purchases or capital improvements necessary to
13 improve school security;
14 (2) **the provision of school based mental health services to**
15 **students or the formation of partnerships with mental health**
16 **providers as described in section 5(a)(2) of this chapter; or**
17 (3) **the provision of school based social emotional wellness**
18 **services to students or the formation of partnerships with**
19 **social emotional wellness providers as described in section**
20 **5(a)(3) of this chapter.**

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

23 (c) The total amount of advances that the state board may make
24 under this chapter during the state biennium beginning July 1, 2017,
25 and ending June 30, 2019, may not exceed thirty-five million dollars
26 (\$35,000,000).

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

- 31 (1) purchase equipment or make capital improvements needed to:
32 (†) (A) restrict access to schools;
33 (‡) (B) expedite the notification of first responders; or
34 (⊖) (C) improve school security;
35 (2) **provide school based mental health services to students or**
36 **form partnerships with mental health providers to provide**
37 **school based mental health services to students; or**
38 (3) **provide school based social emotional wellness services to**
39 **students or form partnerships with social emotional wellness**
40 **providers to provide school based social emotional wellness**
41 **services.**

42 (b) The maximum amount of an advance that a school corporation



1 or charter school may receive under this chapter may not exceed five
2 hundred thousand dollars (\$500,000).

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

5 (1) the maximum amount of an advance that may be awarded as
6 established by subsection (b); or

7 (2) the amount needed to cover costs approved by the secured
8 school safety board that are in excess of the amount awarded by
9 the secured school safety board under IC 10-21-1-4 and, **if**
10 **applicable**, the amount committed as a match by the school
11 corporation or charter school (or coalition of public schools filing
12 jointly) that applied for the grant under IC 10-21-1-5.

13 SECTION 12. IC 20-49-10-6, AS ADDED BY P.L.211-2018(ss),
14 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2019]: Sec. 6. (a) An application to the secured school safety
16 board for a **matching secured school** grant under IC 10-21-1 may serve
17 as an application for an advance under this chapter.

18 (b) To apply for an advance, a school corporation or charter school
19 (or a coalition of public schools applying jointly) shall submit an
20 application to the secured school safety board under IC 10-21-1. If the
21 secured school safety board approves a **matching secured school** grant
22 to the school corporation or charter school (or coalition of public
23 schools filing jointly) under IC 10-21-1-4 and the school corporation
24 or charter school (or coalition of public schools filing jointly) requests
25 an advance under this chapter, the secured school safety board may
26 recommend to the state board the approval of an advance under this
27 chapter.

28 (c) If an advance is recommended by the secured school safety
29 board and the state board finds that the school corporation or charter
30 school (or coalition of public schools filing jointly):

31 (1) qualifies for an advance under this chapter; and

32 (2) will use the advance for purposes described in section 5 of this
33 chapter;

34 the state board may make the advance to the school corporation or
35 charter school (or coalition of public schools filing jointly).

