

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 2004 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 285

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 5-2-10.1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The Indiana safe schools fund is established to do the following:

- (1) Promote school safety through the:
  - (A) purchase of equipment for the detection of firearms and other weapons;
  - (B) use of dogs trained to detect firearms, drugs, explosives, and illegal substances; and
  - (C) purchase of other equipment and materials used to enhance the safety of schools.
- (2) Combat truancy.
- (3) Provide matching grants to schools for school safe haven programs.
- (4) Provide grants for school safety and safety plans.
- (5) Provide educational outreach and training to school personnel concerning:**
  - (A) the identification of;**
  - (B) the prevention of; and**
  - (C) intervention in;****bullying.**
- (b) The fund consists of amounts deposited:
  - (1) under IC 33-37-9-4; and
  - (2) from any other public or private source.

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(c) The institute shall determine grant recipients from the fund with a priority on awarding grants in the following order:

- (1) A grant for a safety plan.
- (2) A safe haven grant requested under section 10 of this chapter.
- (3) A safe haven grant requested under section 7 of this chapter.

(d) Upon recommendation of the council, the institute shall establish a method for determining the maximum amount a grant recipient may receive under this section.

SECTION 2. IC 5-2-10.1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) The school safety specialist training and certification program is established.

(b) The school safety specialist training 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 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 identifying, preventing, and intervening in bullying.**

(3) Administer the school safety specialist training program and notify the institute of candidates for certification who have successfully completed the training program.

(d) The institute shall do the following:

- (1) Establish a school safety specialist certificate.
- (2) Review the qualifications of each candidate for certification named by the department of education.
- (3) Present a certificate to each school safety specialist that the institute determines to be eligible for certification.

SECTION 3. IC 5-2-10.1-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12. (a) Each school within 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**

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**IC 20-10.2-3.**

**(b) The department of education and the school corporation's school safety specialist shall provide materials to assist a safe school committee in developing a plan for the school that addresses the following issues:**

- (1) Unsafe conditions, crime prevention, school violence, bullying, and other issues that prevent the maintenance of a safe school.**
- (2) Professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (1).**
- (3) Methods to encourage:**
  - (A) involvement by the community and students;**
  - (B) development of relationships between students and school faculty and staff; and**
  - (C) use of problem solving teams.**

**SECTION 4. IC 20-8.1-5.1-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 0.2. As used in this chapter, "bullying" means overt, repeated acts or gestures, including:**

- (1) verbal or written communications transmitted;**
- (2) physical acts committed; or**
- (3) any other behaviors committed;**

**by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student.**

**SECTION 5. IC 20-8.1-5.1-7.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7.7. (a) Discipline rules adopted by the governing body of a school corporation under section 7 of this chapter must:**

- (1) prohibit bullying; and**
- (2) include provisions concerning education, parental involvement, reporting, investigation, and intervention.**

**(b) The discipline rules described in subsection (a) must apply when a student is:**

- (1) on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;**
- (2) off school grounds at a school activity, function, or event;**
- (3) traveling to or from school or a school activity, function, or event; or**

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**(4) using property or equipment provided by the school.**

**(c) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.**

SECTION 6. IC 20-33-8-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 0.2. As used in this chapter, "bullying" means overt, repeated acts or gestures, including:**

- (1) verbal or written communications transmitted;**
- (2) physical acts committed; or**
- (3) any other behaviors committed;**

**by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student.**

SECTION 7. IC 20-33-8-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 13.5. (a) Discipline rules adopted by the governing body of a school corporation under section 12 of this chapter must:**

- (1) prohibit bullying; and**
- (2) include provisions concerning education, parental involvement, reporting, investigation, and intervention.**

**(b) The discipline rules described in subsection (a) must apply when a student is:**

- (1) on school grounds immediately before or during school hours, immediately after school hours, or at any other time when the school is being used by a school group;**
- (2) off school grounds at a school activity, function, or event;**
- (3) traveling to or from school or a school activity, function, or event; or**
- (4) using property or equipment provided by the school.**

**(c) This section may not be construed to give rise to a cause of action against a person or school corporation based on an allegation of noncompliance with this section. Noncompliance with this section may not be used as evidence against a school corporation in a cause of action.**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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