

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 384 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-2-10.1-12, AS AMENDED BY P.L.132-2007,
- 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2012]: Sec. 12. (a) Each school within a school corporation
- 6 shall establish a safe school committee. The committee may be a
- 7 subcommittee of the committee that develops the strategic and
- 8 continuous school improvement and achievement plan under
- 9 IC 20-31-5.
- 10 (b) The department of education and the school corporation's school
- 11 safety specialist shall provide materials **and guidelines** to assist a safe
- 12 school committee in developing a plan for the school that addresses the
- 13 following issues:
- 14 (1) Unsafe conditions, crime prevention, school violence,
- 15 bullying, and other issues that prevent the maintenance of a safe
- 16 school.
- 17 (2) Professional development needs for faculty and staff to
- 18 implement methods that decrease problems identified under
- 19 subdivision (1).
- 20 (3) Methods to encourage:
- 21 (A) involvement by the community and students;
- 22 (B) development of relationships between students and school
- 23 faculty and staff; and
- 24 (C) use of problem solving teams.

1 (c) As a part of the plan developed under subsection (b), each safe
 2 school committee shall provide a copy of the floor plans for each
 3 building located on the school's property that clearly indicates each
 4 exit, the interior rooms and hallways, and the location of any hazardous
 5 materials located in the building to the law enforcement agency and the
 6 fire department that have jurisdiction over the school.

7 **(d) The guidelines developed under subsection (b) must include**
 8 **information that assists school corporations and safe school**
 9 **committees in:**

10 **(1) developing and implementing bullying prevention**
 11 **programs; and**

12 **(2) establishing investigation and reporting procedures**
 13 **related to bullying."**

14 Page 3, between lines 9 and 10, begin a new paragraph and insert:
 15 "SECTION 4. IC 20-20-8-8, AS AMENDED BY P.L.3-2008,
 16 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2012]: Sec. 8. The report must include the
 18 following information:

19 (1) Student enrollment.

20 (2) Graduation rate (as defined in IC 20-26-13-6).

21 (3) Attendance rate.

22 (4) The following test scores, including the number and
 23 percentage of students meeting academic standards:

24 (A) ISTEP program test scores.

25 (B) Scores for assessments under IC 20-32-5-21, if
 26 appropriate.

27 (C) For a freeway school, scores on a locally adopted
 28 assessment program, if appropriate.

29 (5) Average class size.

30 (6) The number and percentage of students in the following
 31 groups or programs:

32 (A) Alternative education, if offered.

33 (B) Career and technical education.

34 (C) Special education.

35 (D) High ability.

36 (E) Remediation.

37 (F) Limited English language proficiency.

38 (G) Students receiving free or reduced price lunch under the
 39 national school lunch program.

40 (H) School flex program, if offered.

41 (7) Advanced placement, including the following:

42 (A) For advanced placement tests, the percentage of students:

43 (i) scoring three (3), four (4), and five (5); and

44 (ii) taking the test.

45 (B) For the Scholastic Aptitude Test:

46 (i) test scores for all students taking the test;

- 1 (ii) test scores for students completing the academic honors
 2 diploma program; and
 3 (iii) the percentage of students taking the test.
- 4 (8) Course completion, including the number and percentage of
 5 students completing the following programs:
 6 (A) Academic honors diploma.
 7 (B) Core 40 curriculum.
 8 (C) Career and technical programs.
- 9 (9) The percentage of grade 8 students enrolled in algebra I.
 10 (10) The percentage of graduates who pursue higher education.
 11 (11) School safety, including:
 12 (A) the number of students receiving suspension or expulsion
 13 for the possession of alcohol, drugs, or weapons; ~~and~~
 14 (B) the number of incidents reported under IC 20-33-9; **and**
 15 **(C) the number and nature of bullying incidents reported**
 16 **under IC 20-34-6.**
- 17 (12) Financial information and various school cost factors,
 18 including the following:
 19 (A) Expenditures per pupil.
 20 (B) Average teacher salary.
 21 (C) Remediation funding.
- 22 (13) Technology accessibility and use of technology in
 23 instruction.
 24 (14) Interdistrict and intradistrict student mobility rates, if that
 25 information is available.
 26 (15) The number and percentage of each of the following within
 27 the school corporation:
 28 (A) Teachers who are certificated employees (as defined in
 29 IC 20-29-2-4).
 30 (B) Teachers who teach the subject area for which the teacher
 31 is certified and holds a license.
 32 (C) Teachers with national board certification.
- 33 (16) The percentage of grade 3 students reading at grade 3 level.
 34 (17) The number of students expelled, including the number
 35 participating in other recognized education programs during their
 36 expulsion.
 37 (18) Chronic absenteeism, which includes the number of students
 38 who have been absent more than ten (10) days from school within
 39 a school year without being excused.
 40 (19) The number of students who have dropped out of school,
 41 including the reasons for dropping out.
 42 (20) The number of student work permits revoked.
 43 (21) The number of student driver's licenses revoked.
 44 (22) The number of students who have not advanced to grade 10
 45 due to a lack of completed credits.
 46 (23) The number of students suspended for any reason.

1 (24) The number of students receiving an international
2 baccalaureate diploma.

3 (25) Other indicators of performance as recommended by the
4 education roundtable under IC 20-19-4.

5 Page 5, between lines 9 and 10, begin a new paragraph and insert:
6 "SECTION 3. IC 20-30-5-5.5 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2012]: **Sec. 5.5. (a) Not later than October 15**
9 **of each year, each public school shall provide age appropriate**
10 **instruction focusing on bullying prevention for all students in**
11 **grades 1 through 12.**

12 **(b) The department, in consultation with school safety**
13 **specialists and school counselors, shall prepare outlines or**
14 **materials for the instruction described in subsection (a) and**
15 **incorporate the instruction in grades 1 through 12.**

16 **(c) Instruction on bullying prevention may be delivered by a**
17 **school safety specialist, school counselor, or any other person with**
18 **training and expertise in the area of bullying prevention and**
19 **intervention."**

20 Page 14, between lines 3 and 4, begin a new paragraph and insert:
21 "SECTION 25. IC 20-33-8-0.2, AS ADDED BY P.L.106-2005,
22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 0.2. As used in this chapter, "bullying" means
24 overt, repeated acts or gestures, including (†) verbal or written
25 communications transmitted **in any manner (including digitally or**
26 **electronically), (‡) physical acts committed, or (⊕) any other behaviors**
27 **committed by a student or group of students against another student**
28 **with the intent to harass, ridicule, humiliate, intimidate, or harm the**
29 **other student and create for the other student an objectively hostile**
30 **school environment that:**

31 **(1) places the student in reasonable fear of harm to the**
32 **student's person or property;**

33 **(2) has a substantially detrimental effect on the student's**
34 **physical or mental health;**

35 **(3) has the effect of substantially interfering with the student's**
36 **academic performance; or**

37 **(4) has the effect of substantially interfering with the student's**
38 **ability to participate in or benefit from the services, activities,**
39 **and privileges provided by the school.**

40 SECTION 26. IC 20-33-8-13.5, AS AMENDED BY P.L.180-2011,
41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2012]: Sec. 13.5. (a) Discipline rules adopted by the
43 governing body of a school corporation under section 12 of this chapter
44 must:

45 (1) prohibit bullying; and

46 (2) include:

- 1 (A) provisions concerning education, parental involvement,
 2 ~~reporting, investigation, and intervention;~~
 3 **(B) a detailed procedure for the prompt investigation of**
 4 **incidents of bullying that includes:**
 5 (i) appropriate responses to bullying behaviors that
 6 occur on school property, on a school bus, or at a school
 7 sponsored activity;
 8 (ii) provisions for anonymous and personal reporting of
 9 bullying incidents to a teacher or other school staff;
 10 (iii) timetables for reporting of bullying incidents to
 11 parents, school administrators, the school
 12 superintendent, or law enforcement, if applicable; and
 13 (iv) discipline provisions for teachers, school staff, or
 14 school administrators who fail to initiate or conduct an
 15 investigation of a bullying incident; and
 16 **(C) a detailed procedure outlining the use of follow-up**
 17 **services that includes:**
 18 (i) support services for the victim; and
 19 (ii) bullying education for the bully.
 20 (b) The discipline rules described in subsection (a) must apply when
 21 a student is:
 22 (1) on school grounds immediately before or during school hours,
 23 immediately after school hours, or at any other time when the
 24 school is being used by a school group;
 25 (2) off school grounds at a school activity, function, or event;
 26 (3) traveling to or from school or a school activity, function, or
 27 event; or
 28 (4) using property or equipment provided by the school.
 29 (c) The discipline rules described in subsection (a) must prohibit
 30 bullying through the use of data or computer software that is accessed
 31 through a:
 32 (1) computer;
 33 (2) computer system; or
 34 (3) computer network;
 35 of a school corporation.
 36 (d) This section may not be construed to give rise to a cause of
 37 action against a person or school corporation based on an allegation of
 38 noncompliance with this section. Noncompliance with this section may
 39 not be used as evidence against a school corporation in a cause of
 40 action.
 41 SECTION 27. IC 20-34-6-1, AS ADDED BY P.L.74-2010,
 42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 43 JULY 1, 2012]: Sec. 1. (a) By July 1 of each year, each school
 44 corporation shall submit a report to the department detailing the
 45 following information for the current school year for each school in the
 46 school corporation and for the entire school corporation:

- 1 (1) The number of arrests of students on school corporation
 2 property, including arrests made by law enforcement officers,
 3 security guards, school safety specialists, and other school
 4 corporation employees, and any citizen arrests.
 5 (2) The offenses for which students were arrested on school
 6 corporation property.
 7 (3) The number of contacts with law enforcement personnel from
 8 a school corporation employee that have resulted in arrests of
 9 students not on school corporation property.
 10 (4) Statistics concerning the age, race, and gender of students
 11 arrested on school corporation property and categorizing the
 12 statistics by offenses.
 13 (5) Whether the school corporation has established and employs
 14 a school corporation police department under IC 20-26-16, and if
 15 so, report:
 16 (A) the number of officers in the school corporation police
 17 department; and
 18 (B) the training the officers must complete.
 19 (6) If the school corporation employs private security guards to
 20 enforce rules or laws on school property, a detailed explanation
 21 of the use of private security guards by the school corporation.
 22 (7) If the school corporation has an agreement with a local law
 23 enforcement agency regarding procedures to arrest students on
 24 school property, a detailed explanation of the use of the local law
 25 enforcement agency by the school corporation.
 26 **(8) The number and nature of reported bullying incidents**
 27 **involving a student of the school that occur when a student is:**
 28 **(A) on school grounds immediately before or after school**
 29 **hours, during school hours, or at any other time when the**
 30 **school is being used by a school group;**
 31 **(B) off school grounds at a school activity, function, or**
 32 **event;**
 33 **(C) traveling to or from school or a school activity,**
 34 **function, or event; or**
 35 **(D) using property or equipment provided by the school.**
 36 (b) By August 1 of each year, the department shall submit a report
 37 to:
 38 (1) the legislative council;
 39 (2) the education roundtable established by IC 20-19-4-2;
 40 (3) the board for the coordination of programs serving vulnerable
 41 individuals established by IC 4-23-30.2-8; and
 42 (4) the criminal justice institute;
 43 providing a summary of the reports submitted to the department under
 44 subsection (a). The report to the legislative council must be in an
 45 electronic format under IC 5-14-6.
 46 (c) By August 1 of each year, the department must post the reports

1 described in subsections (a) and (b) on the department's Internet web
2 site."

3 Page 15, between lines 30 and 31, begin a new paragraph and insert:

4 "SECTION 25. IC 21-39-2-2.1 IS ADDED TO THE INDIANA
5 CODE AS A NEW SECTION TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2012]: **Sec. 2.1. (a) This section applies to the
7 board of trustees of the following state educational institutions:**

- 8 (1) **Ball State University.**
- 9 (2) **Indiana University.**
- 10 (3) **Indiana State University.**
- 11 (4) **Purdue University.**
- 12 (5) **University of Southern Indiana.**

13 (b) **As used in this section, "bullying" means overt, repeated
14 acts or gestures, including verbal or written communications
15 transmitted in any manner (including digitally or electronically),
16 physical acts committed, or any other behaviors committed by a
17 student or group of students against another student with the
18 intent to harass, ridicule, humiliate, intimidate, or harm the other
19 student and create for the other student, while the student is on the
20 property owned, used, or occupied by the state educational
21 institution, an objectively hostile environment that:**

- 22 (1) **places the student in reasonable fear of harm to the
23 student's person or property;**
- 24 (2) **has a substantially detrimental effect on the student's
25 physical or mental health;**
- 26 (3) **has the effect of substantially interfering with the student's
27 academic performance; or**
- 28 (4) **has the effect of substantially interfering with the student's
29 ability to participate in or benefit from the services, activities,
30 and privileges provided by the state educational institution.**

31 (c) **If a board of trustees of a state educational institution elects
32 to govern, by regulation or another means, the conduct of students,
33 faculty, employees, and others on the property owned, used, or**

- 1 **occupied by the state educational institution, the regulation must**
- 2 **include a policy prohibiting bullying."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 384 as printed February 27, 2012.)

Representative Porter