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## Reference Guide of Indiana Laws Related to School Safety

[Attendance Records - Review & Enforcement](#)

[Autism Training – School Resource Officers](#)

[Background Checks](#)

[Bullying Definition and Discipline Rules](#)

[Charter Schools](#)

[Child Abuse - Education, Training & Reporting](#)

[County School Safety Commission](#)

[Criminal Organizations](#)

[Cyberbullying](#)

[Drills – Fire, Tornado & Manmade](#)

[Emergency Medication](#)

[Expulsion and Suspension](#)

[Fire Code – Safety Plans, Drills & Training](#)

[Gangs – Criminal Organizations](#)

[Human Trafficking](#)

[Indiana School Safety Specialist Academy - ISSSA](#)

[Indiana State Board of Education Rules](#)

[Information Sharing](#)

[Locker Searches](#)

[Medication - Emergency](#)

[Non Public - Accredited](#)

[Police Departments within School Corporations](#)

[Public Disclosure – Items Exempted](#)

[Reporting Requirements](#)

[Safe School Committees](#)

[School Corporation Police Departments](#)

[School Resource Officers](#)

[Sex Offenders](#)

[Student Safety Reporting](#)

[Students with Disabilities](#)

[Substance Abuse and Threats](#)

[Suicide Awareness & Prevention](#)

[Suspension and Expulsion](#)

[Threats and Substance Abuse](#)

[Training Requirements](#)

[Weapons – School Property](#)

# Indiana School Safety Specialist Academy

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## **IC 5-2-10.1-9 School safety specialists; duties; school safety plan**

Sec. 9. (a) Each school corporation shall designate an individual to serve as the school safety specialist for the school corporation.

(b) The school safety specialist shall be chosen by the superintendent of the school corporation with the approval of the governing body.

(c) The school safety specialist shall perform the following duties:

(1) Serve on the county school safety commission, if a county school safety commission is established under section 10 of this chapter.

(2) Participate each year in a number of days of school safety training that the council determines.

(3) With the assistance of the county school safety commission, if a county school safety commission is established under section 10 of this chapter, develop a safety plan for each school in the school corporation.

(4) Coordinate the safety plans of each school in the school corporation as required under rules adopted by the Indiana state board of education.

(5) Act as a resource for other individuals in the school corporation on issues related to school discipline, safety, and security.

(d) A school safety plan:

(1) developed by the school safety specialist must include the requirements set forth in

[IC 20-26-18.2-2\(b\)](#);

(2) must be provided to a member of the secured school safety board (as established by [IC 10-21-1-3](#)) if a member requests the plan; and

(3) shall be filed with the county school safety commission under [IC 5-2-10.1-10](#) if the county has established a county school safety commission.

*As added by P.L.273-1999, SEC.224. Amended by P.L.172-2013, SEC.3.*

## **IC 5-2-10.1-11 School safety specialist training and certification program**

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:

(A) identifying, preventing, and intervening in bullying;

(B) identifying, preventing, and intervening in criminal organization activity; and

(C) identifying, preventing, and intervening in actions by a person who is present on school property with the intent to harm another person.

(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.

*As added by P.L.273-1999, SEC.226. Amended by P.L.106-2005, SEC.2; P.L.190-2013, SEC.2; P.L.25-2016, SEC.2; P.L.211-2018(ss), SEC.1.*

### **IC 20-19-3-14 Division of School Building Physical Security and Safety; Establishment; Duties**

Sec. 14. (a) As used in this section, "division" refers to the division of school building physical security and safety established by subsection (c).

(b) As used in this section, "physical security" refers to security measures that are designed to deny unauthorized access to a building or facility, including equipment and resources, and to protect individuals and property from damage or harm.

(c) The division of school building physical security and safety is established within the department.

(d) The division shall:

- (1) establish and maintain guidelines for using professional architectural and engineering services to integrate physical security improvements and safety practices in the construction, renovation, repair, or alteration of a school facility;
- (2) carry out the department's responsibilities with regards to the school safety specialist training and certification program established in [IC 5-2-10.1-11](#);
- (3) establish and maintain guidelines for establishing emergency response protocols in cooperation with other state agencies;
- (4) carry out the department's responsibilities under [IC 5-2-10.1-12](#);
- (5) coordinate the department's response and recovery assistance to a school in the event of a manmade or natural disaster;
- (6) provide information and guidance to assist school corporations or schools to establish mutual aid disaster assistance agreements with other schools or school corporations; and
- (7) study and collect information to integrate lessons learned from previous school disasters throughout the country into the curriculum of the school safety specialist training and certification program established in [IC 5-2-10.1-11](#) and guidelines established by the division under this subsection.

(e) The division may, upon request by a school corporation:

- (1) review a school safety plan;
- (2) provide an onsite safety review for a school; and
- (3) provide guidance or assistance relating to school safety matters to the school corporation.

(f) The division shall maintain a secure Internet web site to provide school officials and public safety officials access to information that is considered classified under [IC 5-14-3-4\(b\)\(1\)](#), [IC 5-14-3-4\(b\)\(18\)](#), and [IC 5-14-3-4\(b\)\(19\)](#) or other sensitive information that may assist school officials and public safety officials in improving school safety or responding to a manmade or natural disaster.

(g) The division shall maintain a public Internet web site that contains:

- (1) the guidelines established by the division under subsection (d);
- (2) best practices pertaining to school safety; and
- (3) any other information the division determines may be necessary to carry out the division's duties or responsibilities under this section.

*As added by P.L.36-2014, SEC.1.*

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## **Indiana State Board of Education Rules**

### **511 IAC 6.1-2-2.5 Safe schools and emergency preparedness planning**

Authority: IC 20-19-2-8; IC 20-31-4-17

Affected: IC 20-31-4-1

Sec. 2.5. (a) Each school corporation shall, in consultation with local public safety agencies, develop a written emergency preparedness plan for the school corporation and each school in the corporation. An emergency preparedness plan shall, at a minimum, contain the following:

- (1) Appropriate warning systems.
- (2) Procedures for notifying other agencies and organizations.
- (3) Posting of evacuation routes.
- (4) Emergency preparedness instruction for staff and students.
- (5) Public information procedures.
- (6) Steps that will be taken prior to a decision to evacuate buildings or dismiss classes.
- (7) Provisions to protect the safety and well-being of staff, students, and the public in case of:
  - (A) fire;
  - (B) natural disaster, such as tornado, flood, or earthquake;
  - (C) adverse weather conditions, such as winter storms or extreme heat;
  - (D) nuclear contamination, such as power plant or transport vehicle spills;
  - (E) exposure to chemicals, such as pesticides, industrial spills and contaminants, laboratory chemicals, and cleaning agents; and
  - (F) manmade occurrences, such as student disturbance, weapon, weapon of mass destruction, contamination of water supply or air supply, hostage, and kidnapping incidents.

(b) Within sixty (60) days after the beginning date of each school year, the superintendent shall certify to the department that the emergency preparedness plans for the school corporation and each school in the school corporation have been reviewed and revised, if necessary. Within sixty (60) days of opening a new or significantly remodeled school, the superintendent shall certify to the department that a new plan has been developed or that the existing plan has been reviewed and revised, if necessary.

(c) Emergency preparedness plans shall be available for inspection by the department.

*(Indiana State Board of Education; 511 IAC 6.1-2-2.5; filed Aug 28, 1998, 4:58 p.m.: 22 IR 91; readopted filed Sep 7, 2004, 5:10 p.m.: 28 IR 323; readopted filed Nov 20, 2007, 11:36 a.m.: 20071219-IR-511070386RFA; readopted filed Dec 2, 2013, 3:26 p.m.: 20140101-IR-511130419RFA)*

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## **Students with Disabilities Safety Planning**

### **511 IAC 7-36-6 Facilities**

Authority: IC 20-19-2-8; IC 20-19-2-16

Affected: IC 20-19-2; IC 20-34-3-20; IC 20-35

Sec. 6. (a) The public agency shall provide instructional space for students with disabilities that is:

- (1) not less than the per student instructional space for general education students of the same chronological age in the same building;
- (2) comparable to the general space and instructional environment of the general education students in the same building; and
- (3) sufficient to accommodate a student's:
  - (A) special equipment;
  - (B) assistive devices; or
  - (C) curricular needs.

(b) Each public agency, when developing written emergency preparedness plans in accordance with 511 IAC 6.1-2-2.5, shall include provisions for warning and evacuating students whose disabilities require special warning or evacuation procedures. Special warning and evacuation provisions shall:

- (1) address individual needs of students;
- (2) be reviewed on an annual and as needed basis; and
- (3) be implemented during tornado (shelter) preparedness drills, fire drills, and manmade occurrence disaster drills as required by IC 20-34-3-20.

### **511 IAC 4-1.5-7 Crisis intervention plans**

Authority: IC 20-19-2-8; IC 20-31-4-17

Affected: IC 20-31-4-6

Sec. 7. Each school corporation shall, in concert with the emergency preparedness plan developed under 511 IAC 6.1-2-2.5, develop a crisis intervention plan for the school corporation and for each school in the school corporation. The plan, which should be developed by student services personnel in conjunction with school administrators and community crisis intervention personnel, shall include crisis management and intervention provisions.

*(Indiana State Board of Education; 511 IAC 4-1.5-7; filed Jun 19, 2000, 10:37 a.m.: 23 IR 2717; readopted filed Aug 15, 2006, 8:44 a.m.: 20060830-IR-511060144RFA; readopted filed Nov 30, 2012, 3:16 p.m.: 20121226-IR-511120541RFA)*

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## **County School Safety Commissions**

### **IC 5-2-10.1-10 County school safety commissions; members; duties**

Sec. 10. (a) A county may establish a county school safety commission.

(b) The members of the commission are as follows:

- (1) The school safety specialist for each school corporation located in whole or in part in the county.
- (2) The judge of the court having juvenile jurisdiction in the county or the judge's designee.
- (3) The sheriff of the county or the sheriff's designee.
- (4) The chief officer of every other law enforcement agency in the county, or the chief officer's designee.
- (5) A representative of the juvenile probation system, appointed by the judge described under subdivision (2).
- (6) Representatives of community agencies that work with children within the county.
- (7) A representative of the Indiana state police district that serves the county.
- (8) A representative of the prosecuting attorneys council of Indiana who specializes in the prosecution of juveniles.
- (9) Other appropriate individuals selected by the commission.

(c) If a commission is established, the school safety specialist of the school corporation having the largest ADM (as defined in [IC 20-18-2-2](#)), as determined in the fall count of ADM in the school year ending in the current calendar year, in the county shall convene the initial meeting of the commission.

(d) The members shall annually elect a chairperson.

(e) A commission shall perform the following duties:

- (1) Perform a cumulative analysis of school safety needs within the county.
- (2) Coordinate and make recommendations for the following:
  - (A) Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools.
  - (B) Proposals for identifying and assessing children who are at high risk of becoming juvenile offenders.
  - (C) Methods to meet the educational needs of children who have been detained as juvenile offenders.
  - (D) Methods to improve communications among agencies that work with children.
  - (E) Methods to improve security and emergency preparedness.
  - (F) Additional equipment or personnel that are necessary to carry out safety plans.
  - (G) Any other topic the commission considers necessary to improve school safety within the school corporations within the commission's jurisdiction.
- (3) Provide assistance to the school safety specialists on the commission in developing and requesting grants for safety plans.

(4) Provide assistance to the school safety specialists on the commission and the participating school corporations and school corporation career and technical education schools described in [IC 20-37-1-1](#) in developing and requesting grants for school safe haven programs under section 7 of this chapter.

(5) Assist each participating school corporation and each school corporation career and technical education schools described in [IC 20-37-1-1](#) in carrying out the school corporation's or career and technical education school's safety plans.

(f) The affirmative votes of a majority of the voting members of the commission are required for the commission to take action on a measure.

(g) A commission shall receive the school safety plans described in [IC 20-26-18.2-2](#) for the schools and school corporations located in the county. The commission may share the school safety plans with law enforcement agencies.

*As added by P.L.273-1999, SEC.225. Amended by P.L.2-2006, SEC.11; P.L.172-2013, SEC.4; P.L.205-2013, SEC.74; P.L.2-2014, SEC.11; P.L.40-2014, SEC.3.*

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## Safe School Committees

### **IC 5-2-10.1-12 Safe school committees; school plans; copies of floor plans to law enforcement agency and fire department**

Sec. 12. (a) Each 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 [IC 20-31-5](#). Each committee may include at least one (1) member who is a member of the support staff of the school or school corporation career and technical education school.

(b) The department of education, the school corporation's school safety specialist, and, upon request, a school resource officer (as described in [IC 20-26-18.2-1](#)) shall provide materials and guidelines to assist a safe school committee in developing a plan and policy for the school that addresses the following issues:

(1) Unsafe conditions, crime prevention, school violence, bullying, criminal organization activity, child abuse and child sexual abuse, 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.

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

(d) The guidelines developed under subsection (b) must include age appropriate, research based information that assists school corporations and safe school committees in:

(1) developing and implementing bullying prevention programs;

(2) establishing investigation and reporting procedures related to bullying; and

(3) adopting discipline rules that comply with [IC 20-33-8-13.5](#).

(e) In addition to developing guidelines under subsection (b), the department of education shall establish categories of types of bullying incidents to allow school corporations to use the categories in making reports under [IC 20-20-8-8](#) and [IC 20-34-6-1](#).

(f) The materials and guidelines provided under subsection (b) must include the model educational materials and model response policies and reporting procedures on child abuse and child sexual abuse developed or identified under **IC 20-19-3-11**.

*As added by P.L.106-2005, SEC.3. Amended by P.L.1-2006, SEC.90; P.L.132-2007, SEC.3; P.L.172-2013, SEC.5; P.L.190-2013, SEC.3; P.L.285-2013, SEC.1; P.L.2-2014, SEC.12; P.L.40-2014, SEC.4; P.L.233-2015, SEC.7; P.L.25-2016, SEC.3; P.L.115-2017, SEC.1.*

### **511 IAC 6.1-2-2.5 Safe schools and emergency preparedness planning**

Authority: IC 20-19-2-8; IC 20-31-4-17

Affected: IC 20-31-4-1

Sec. 2.5. (a) Each school corporation shall, in consultation with local public safety agencies, develop a written emergency preparedness plan for the school corporation and each school in the corporation. An emergency preparedness plan shall, at a minimum, contain the following:

- (1) Appropriate warning systems.
- (2) Procedures for notifying other agencies and organizations.
- (3) Posting of evacuation routes.
- (4) Emergency preparedness instruction for staff and students.
- (5) Public information procedures.
- (6) Steps that will be taken prior to a decision to evacuate buildings or dismiss classes.
- (7) Provisions to protect the safety and well-being of staff, students, and the public in case of:
  - (A) fire;
  - (B) natural disaster, such as tornado, flood, or earthquake;
  - (C) adverse weather conditions, such as winter storms or extreme heat;
  - (D) nuclear contamination, such as power plant or transport vehicle spills;
  - (E) exposure to chemicals, such as pesticides, industrial spills and contaminants, laboratory chemicals, and cleaning agents; and
  - (F) manmade occurrences, such as student disturbance, weapon, weapon of mass destruction, contamination of water supply or air supply, hostage, and kidnaping incidents.

(b) Within sixty (60) days after the beginning date of each school year, the superintendent shall certify to the department that the emergency preparedness plans for the school corporation and each school in the school corporation have been reviewed and revised, if necessary. Within sixty (60) days of opening a new or significantly remodeled school, the superintendent shall certify to the department that a new plan has been developed or that the existing plan has been reviewed and revised, if necessary.

(c) Emergency preparedness plans shall be available for inspection by the department. (*Indiana State Board of Education; 511 IAC 6.1-2-2.5; filed Aug 28, 1998, 4:58 p.m.: 22 IR 91; readopted filed Sep 7, 2004, 5:10 p.m.: 28 IR 323; readopted filed Nov 20, 2007, 11:36 a.m.: 20071219-IR-511070386RFA; readopted filed Dec 2, 2013, 3:26 p.m.: 20140101-IR-511130419RFA*)

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## **Bullying Definition and Discipline Rules**

### **IC 20-33-8-0.2 "Bullying"**

Sec. 0.2. (a) As used in this chapter, "bullying" means overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner (including digitally or electronically), physical acts committed, aggression, or any other behaviors, that are committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:

- (1) places the targeted student in reasonable fear of harm to the targeted student's person or property;
- (2) has a substantially detrimental effect on the targeted student's physical or mental health;
- (3) has the effect of substantially interfering with the targeted student's academic performance; or
- (4) has the effect of substantially interfering with the targeted student's ability to participate in or benefit

from the services, activities, and privileges provided by the school.

(b) The term may not be interpreted to impose any burden or sanction on, or include in the definition of the term, the following:

- (1) Participating in a religious event.
- (2) Acting in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial danger.
- (3) Participating in an activity consisting of the exercise of a student's rights protected under the First Amendment to the United States Constitution or Article I, Section 31 of the Constitution of the State of Indiana, or both.
- (4) Participating in an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults.
- (5) Participating in an activity undertaken at the prior written direction of the student's parent.
- (6) Engaging in interstate or international travel from a location outside Indiana to another location outside Indiana.

*As added by P.L.106-2005, SEC.6. Amended by P.L.285-2013, SEC.5.*

### **IC 20-26-5-34.2 Bully prevention; training for employees and volunteers**

Sec. 34.2. A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact with students concerning the school's bullying prevention and reporting policy adopted under [IC 20-33-8-13.5](#).

*As added by P.L.285-2013, SEC.3.*

### **IC 20-30-5-5.5 Bullying prevention; student instruction**

Sec. 5.5. (a) Not later than October 15 of each year, each public school shall provide age appropriate, research based instruction as provided under [IC 5-2-10.1-12](#)(d)(1) focusing on bullying prevention for all students in grades 1 through 12.

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

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

*As added by P.L.285-2013, SEC.4.*

### **IC 20-33-8-13.5 Discipline rules prohibiting bullying required**

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:
  - (A) provisions concerning education, parental involvement, and intervention;
  - (B) a detailed procedure for the expedited investigation of incidents of bullying that includes:
    - (i) appropriate responses to bullying behaviors, wherever the behaviors occur;
    - (ii) provisions for anonymous and personal reporting of bullying to a teacher or other school staff;
    - (iii) timetables for reporting of bullying incidents to the parents of both the targeted student and the bully, in an expedited manner;
    - (iv) timetables for reporting of bullying incidents to school counselors, school administrators, the superintendent, or law enforcement, if it is determined that reporting the bullying incident to law enforcement is necessary;
    - (v) discipline provisions for teachers, school staff, or school administrators who fail to initiate or conduct an investigation of a bullying incident; and
    - (vi) discipline provisions for false reporting of bullying; and
  - (C) a detailed procedure outlining the use of follow-up services that includes:

- (i) support services for the victim; and
- (ii) bullying education for the bully.

(b) The discipline rules described in subsection (a) may be applied regardless of the physical location in which the bullying behavior occurred, whenever:

- (1) the individual committing the bullying behavior and any of the intended targets of the bullying behavior are students attending a school within a school corporation; and
- (2) disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of others to a safe and peaceful learning environment.

(c) The discipline rules described in subsection (a) must prohibit bullying through the use of data or computer software that is accessed through a:

- (1) computer;
- (2) computer system;
- (3) computer network; or
- (4) cellular telephone or other wireless or cellular communications device.

(d) 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.

(e) A record made of an investigation, a disciplinary action, or a follow-up action performed under rules adopted under this section is not a public record under [IC 5-14-3](#).

(f) The department shall periodically review each policy adopted under this section to ensure the policy's compliance with this section.

*As added by P.L.106-2005, SEC.7. Amended by P.L.180-2011, SEC.2; P.L.285-2013, SEC.6; P.L.211-2018(ss), SEC.9.*

### **IC 20-34-6-2 Notice of reporting requirements; audits**

Sec. 2. (a) Not later than June 1, 2018, and each June 1 thereafter, the department shall send notification via electronic mail or a letter to each school corporation explaining:

- (1) the school corporation's obligation to report bullying incidents under section 1(8) of this chapter; and
- (2) that the department may conduct an audit of a school corporation under subsection (b) to ensure the school corporation's compliance with the requirements of section 1(8) of this chapter.

(b) The department may conduct an audit of a school corporation to ensure that the school corporation is accurately reporting bullying incidents under section 1(8) of this chapter. If the department finds discrepancies in the school corporation's reporting of bullying incidents under section 1(8) of this chapter, the department shall post a copy of the department's findings on the department's Internet web site.

*As added by P.L.83-2018, SEC.3.*

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## **Cyberbullying**

### **IC 20-19-3-11.5 Cyberbullying resources**

Sec. 11.5. (a) As used in this section, "cyberbullying" refers to bullying (as defined in [IC 20-33-8-0.2](#)) that occurs through the use of data or computer software that is accessed through a:

- (1) computer;
- (2) computer system;
- (3) computer network; or
- (4) cellular telephone or other wireless or cellular communications device.

(b) The department shall maintain a link on the department's Internet web site that provides parents and school officials with resources or best practices regarding the prevention and reporting of bullying and cyberbullying. The resources must include guidance on how to report to law enforcement agencies instances of bullying and cyberbullying that occur off campus. The department shall also include guidelines developed by the department under [IC 5-2-10.1-12](#)(d).

(c) The department shall consult with law enforcement agencies, school officials, and organizations that have expertise in the prevention or reporting of bullying or cyberbullying for purposes of developing or providing the resources or best practices described in subsection (b).

(d) The following entities shall maintain a link on their Internet web sites to the Internet web site described in subsection (b):

(1) The state board.

(2) A school corporation.

*As added by P.L.211-2018(ss), SEC.6.*

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## Suspension and Expulsion

### IC 20-33-8-14 Grounds for suspension or expulsion

Sec. 14. (a) The following are the grounds for student suspension or expulsion, subject to the procedural requirements of this chapter and as stated by school corporation rules:

(1) Student misconduct.

(2) Substantial disobedience.

(b) The grounds for suspension or expulsion listed in subsection (a) apply when a student is:

(1) on school grounds immediately before or during school hours, or 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; or

(3) traveling to or from school or a school activity, function, or event.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-5.1-8.]

*As added by P.L.1-2005, SEC.17.*

### IC 20-33-8-15 Unlawful activity by student

Sec. 15. In addition to the grounds specified in section 14 of this chapter, a student may be suspended or expelled for engaging in unlawful activity on or off school grounds if:

(1) the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function; or

(2) the student's removal is necessary to restore order or protect persons on school property; including an unlawful activity during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-5.1-9.]

*As added by P.L.1-2005, SEC.17.*

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## Weapons

### IC 20-33-8-16 Possession of firearms, deadly weapons, or destructive devices

Sec. 16. (a) As used in this section, "firearm" has the meaning set forth in [IC 35-47-1-5](#).

(b) As used in this section, "deadly weapon" has the meaning set forth in [IC 35-31.5-2-86](#). The term does not include a firearm or destructive device.

(c) As used in this section, "destructive device" has the meaning set forth in [IC 35-47.5-2-4](#).

(d) Notwithstanding section 20 of this chapter, a student who is:

(1) identified as bringing a firearm or destructive device to school or on school property; or

(2) in possession of a firearm or destructive device on school property;

must be expelled for at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.

(e) The superintendent may, on a case by case basis, modify the period of expulsion under subsection (d) for a student who is expelled under this section.

(f) Notwithstanding section 20 of this chapter, a student who is:

- (1) identified as bringing a deadly weapon to school or on school property; or
- (2) in possession of a deadly weapon on school property;

may be expelled for not more than one (1) calendar year.

(g) A superintendent or the superintendent's designee shall immediately notify the appropriate law enforcement agency having jurisdiction over the property where the school is located if a student engages in a behavior described in subsection (d). The superintendent may give similar notice if the student engages in a behavior described in subsection (f). Upon receiving notification under this subsection, the law enforcement agency shall begin an investigation and take appropriate action.

(h) A student with a disability (as defined in [IC 20-35-1-8](#)) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-5.1-10.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.114-2012, SEC.42; P.L.233-2015, SEC.261.*

## **IC 35-47-9 Chapter 9. Possession of Firearms on School Property and School Buses**

### **IC 35-47-9-1 Exemptions from chapter**

Sec. 1. (a) This chapter does not apply to the following:

(1) A:

- (A) federal;
- (B) state; or
- (C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who has been authorized by:

- (A) a school board (as defined by [IC 20-26-9-4](#)); or
- (B) the body that administers a charter school established under [IC 20-24](#);

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

- (A) may legally possess a firearm; and
- (B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in [IC 20-26-18.2-1](#).

(5) Except as provided in subsection (b) or (c), a person who:

- (A) may legally possess a firearm; and
- (B) possesses only a firearm that is:
  - (i) locked in the trunk of the person's motor vehicle;
  - (ii) kept in the glove compartment of the person's locked motor vehicle; or
  - (iii) stored out of plain sight in the person's locked motor vehicle.

(b) For purposes of subsection (a)(3) and (a)(5), a person does not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or

(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is authorized by the school or school district to possess a firearm.

*As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.12; P.L.157-2014, SEC.4.*

### **IC 35-47-9-2 Possession of firearms on school property or a school bus; defense to a prosecution; possession of firearms in a motor vehicle parked in a school parking lot**

Sec. 2. (a) A person may not be charged with an offense under this subsection if the person may be charged with an offense described in subsection (c). A person who knowingly or intentionally possesses a firearm:

- (1) in or on school property; or
- (2) on a school bus;

commits a Level 6 felony.

(b) It is a defense to a prosecution under subsection (a) that:

- (1) the person is permitted to legally possess the firearm; and
- (2) the firearm is:
  - (A) locked in the trunk of the person's motor vehicle;
  - (B) kept in the glove compartment of the person's locked motor vehicle; or
  - (C) stored out of plain sight in the person's locked motor vehicle.

(c) A person who is permitted to legally possess a firearm and who knowingly, intentionally, or recklessly leaves the firearm in plain view in a motor vehicle that is parked in a school parking lot commits a Class A misdemeanor.

*As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.13; P.L.158-2013, SEC.601; P.L.157-2014, SEC.5; P.L.168-2014, SEC.89; P.L.109-2015, SEC.54.*

### **IC 35-47-5-2.5 Possession of a knife on school property**

Sec. 2.5. (a) As used in this section, "knife" means an instrument that:

- (1) consists of a sharp edged or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds; and
- (2) is intended to be used as a weapon.

(b) The term includes a dagger, dirk, poniard, stiletto, switchblade knife, or gravity knife.

(c) A person who recklessly, knowingly, or intentionally possesses a knife on:

- (1) school property (as defined in [IC 35-31.5-2-285](#));
- (2) a school bus (as defined in [IC 20-27-2-8](#)); or
- (3) a special purpose bus (as defined in [IC 20-27-2-10](#));

commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a previous unrelated conviction under this section and a Level 6 felony if the offense results in bodily injury to another person.

(d) This section does not apply to a person who possesses a knife:

- (1) if:
  - (A) the knife is provided to the person by the school corporation or possession of the knife is authorized by the school corporation; and
  - (B) the person uses the knife for a purpose authorized by the school corporation; or
- (2) if the knife is secured in a motor vehicle.

*As added by P.L.72-2006, SEC.9. Amended by P.L.114-2012, SEC.140; P.L.158-2013, SEC.592.*

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## **Autism Training**

### **IC 20-26-5-31 School corporation police; autism and Asperger's syndrome training**

Sec. 31. (a) If a school corporation, including a school city (as defined in [IC 20-25-2-12](#)), establishes a school corporation police department, the governing body of the school corporation shall adopt a policy that requires every individual appointed as a school corporation police officer to complete training and education, approved by the state board, that will enable the school corporation police officer to appropriately deal with individuals with autism and Asperger's syndrome.

(b) This subsection applies to a regular or special police officer who is assigned as a security police officer for a school corporation under [IC 36-8-3-7](#). The governing body of the school corporation to which the police

officer is assigned shall ensure that the police officer receives training and education, approved by the state board, that will enable the police officer to appropriately deal with individuals with autism and Asperger's syndrome.

*As added by P.L.122-2007, SEC.1.*

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## **School Corporation Police Departments**

### **IC 20-26-16-1 Application**

Sec. 1. This chapter applies to a school corporation, including a school city (as defined in [IC 20-25-2-12](#)).  
*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-2 Authority to establish police department**

Sec. 2. The governing body of a school corporation may establish a school corporation police department under this chapter.  
*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-3 Authority to appoint officers; uniforms; vehicles**

Sec. 3. The governing body of a school corporation may do the following for the school corporation police department:

- (1) Appoint school corporation police officers.
- (2) Prescribe the duties and direct the conduct of school corporation police officers.
- (3) Prescribe distinctive uniforms.
- (4) Provide emergency vehicles.

*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-4 Minimum training requirements**

Sec. 4. An individual appointed as a school corporation police officer must successfully complete at least:

- (1) the pre-basic training course established under [IC 5-2-1-9\(f\)](#); and
- (2) the minimum basic training and educational requirements adopted by the law enforcement training board under [IC 5-2-1-9](#) as necessary for employment as a law enforcement officer.

*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-5 Training for certain officers**

Sec. 5. (a) Notwithstanding section 4 of this chapter and [IC 5-2-1-9](#), an individual appointed as a school corporation police officer before July 1, 2007, must complete, not later than July 1, 2010, at least:

- (1) the pre-basic training course established under [IC 5-2-1-9\(f\)](#); and
  - (2) the minimum basic training and educational requirements adopted by the law enforcement training board under [IC 5-2-1-9](#) as necessary for employment as a law enforcement officer.
- (b) As set forth in [IC 5-2-1-9](#), an individual appointed as a school corporation police officer may not:
- (1) make an arrest;
  - (2) conduct a search or a seizure of a person or property; or
  - (3) carry a firearm;

unless the school corporation police officer successfully completes a pre-basic training course under [IC 5-2-1-9\(f\)](#).

*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-6 School corporation police officers; oath; powers and duties; jurisdiction**

Sec. 6. (a) A school corporation police officer appointed under this chapter:

- (1) is a law enforcement officer (as defined in [IC 5-2-1-2\(1\)](#));
- (2) must take an appropriate oath of office in a form and manner prescribed by the governing body;
- (3) serves at the governing body's pleasure; and

(4) performs the duties that the governing body assigns.

(b) School corporation police officers appointed under this chapter have general police powers, including the power to arrest, without process, all persons who within their view commit any offense. They have the same common law and statutory powers, privileges, and immunities as sheriffs and constables, except that they are empowered to serve civil process only to the extent authorized by the employing governing body; however, any powers may be expressly forbidden them by the governing body employing them. In addition to any other powers or duties, such police officers shall enforce and assist the educators and administrators of their school corporation in the enforcement of the rules and regulations of the school corporation, and assist and cooperate with other law enforcement agencies and officers.

(c) Such police officers may exercise the powers granted under this section only upon any property owned, leased, or occupied by the school corporation, including the streets passing through and adjacent to the property. Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the property is located, dependent upon the jurisdiction involved.

*As added by P.L.132-2007, SEC.7.*

### **IC 20-26-16-7 Existing school corporation police departments**

Sec. 7. A school corporation police department established before July 1, 2007, shall be considered, after June 30, 2007, a school corporation police department established under this chapter.

*As added by P.L.132-2007, SEC.7.*

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## **Information Sharing**

### **IC 20-33-7-3 Report of educational records without parental consent**

Sec. 3. (a) As used in this section, "juvenile justice agency" has the meaning set forth in [IC 10-13-4-5](#).

(b) A school corporation or other entity to which the education records privacy provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) apply may disclose or report on the education records of a child, including personally identifiable information contained in the education records, without the consent of the child's parent under the following conditions:

- (1) The disclosure or reporting of education records is to a state or local juvenile justice agency.
- (2) The disclosure or reporting relates to the ability of the juvenile justice system to serve, before adjudication, the student whose records are being released.
- (3) The juvenile justice agency receiving the information certifies, in writing, to the entity providing the information that the agency or individual receiving the information has agreed not to disclose it to a third party, other than another juvenile justice agency, without the consent of the child's parent.

(c) For purposes of subsection (b)(2), a disclosure or reporting of education records concerning a child who has been adjudicated as a delinquent child shall be treated as related to the ability of the juvenile justice system to serve the child before adjudication if the juvenile justice agency seeking the information provides sufficient information to enable the keeper of the education records to determine that the juvenile justice agency seeks the information in order to identify and intervene with the child as a juvenile at risk of delinquency rather than to obtain information solely related to supervision of the child as an adjudicated delinquent child.

(d) A school corporation to which the education records privacy provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) apply may disclose or report on the education records of a child, including personally identifiable information contained in the education records, without the consent of the child's parent, if the child has been suspended or expelled and referred to a court in accordance with an agreement for court assisted resolution of suspension and expulsion cases under [IC 20-33-8.5](#). The request for the education records of a child by a court must be for the purpose of assisting the child before adjudication.

(e) A school corporation or other entity to which the education records privacy provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) apply that:

(1) discloses or reports on the education records of a child, including personally identifiable information contained in the education records, in violation of this section; and

(2) makes a good faith effort to comply with this section;

is immune from civil liability.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-10.1-22.4-3.]

As added by P.L.1-2005, SEC.17. Amended by P.L.242-2005, SEC.21.

### **IC 31-37-4-3 Law enforcement notification to schools of student arrests**

Sec. 3. (a) This section applies if a child is arrested or taken into custody for allegedly committing an act that would be any of the following crimes if committed by an adult:

(1) Murder ([IC 35-42-1-1](#)).

(2) Attempted murder ([IC 35-41-5-1](#)).

(3) Voluntary manslaughter ([IC 35-42-1-3](#)).

(4) Involuntary manslaughter ([IC 35-42-1-4](#)).

(5) Reckless homicide ([IC 35-42-1-5](#)).

(6) Aggravated battery ([IC 35-42-2-1.5](#)).

(7) Battery ([IC 35-42-2-1](#)).

(8) Kidnapping ([IC 35-42-3-2](#)).

(9) A sex crime listed in [IC 35-42-4-1](#) through [IC 35-42-4-8](#).

(10) Sexual misconduct with a minor ([IC 35-42-4-9](#)).

(11) Incest ([IC 35-46-1-3](#)).

(12) Robbery as a Level 2 felony or a Level 3 felony ([IC 35-42-5-1](#)).

(13) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony ([IC 35-43-2-1](#)).

(14) Assisting a criminal as a Level 5 felony ([IC 35-44.1-2-5](#)).

(15) Escape ([IC 35-44.1-3-4](#)) as a Level 4 felony or Level 5 felony.

(16) Trafficking with an inmate as a Level 5 felony ([IC 35-44.1-3-5](#)).

(17) Causing death when operating a vehicle ([IC 9-30-5-5](#)).

(18) Criminal confinement ([IC 35-42-3-3](#)) as a Level 2 or Level 3 felony.

(19) Arson ([IC 35-43-1-1](#)) as a Level 2 felony, Level 3 felony, or Level 4 felony.

(20) Possession, use, or manufacture of a weapon of mass destruction ([IC 35-47-12-1](#)).

(21) Terroristic mischief ([IC 35-47-12-3](#)) as a Level 2 or Level 3 felony.

(22) Hijacking or disrupting an aircraft ([IC 35-47-6-1.6](#)).

(23) A violation of [IC 35-47.5](#) (controlled explosives) as a Level 2 felony, Level 3 felony, or Level 4 felony.

(24) A controlled substances offense under [IC 35-48](#).

(25) A criminal organization offense under [IC 35-45-9](#).

(26) Domestic battery ([IC 35-42-2-1.3](#)).

(b) If a child is taken into custody under this chapter for a crime or act listed in subsection (a) or a situation to which [IC 12-26-4-1](#) applies, the law enforcement agency that employs the law enforcement officer who takes the child into custody shall notify the chief administrative officer of the primary or secondary school, including a public or nonpublic school, in which the child is enrolled or, if the child is enrolled in a public school, the superintendent of the school district in which the child is enrolled:

(1) that the child was taken into custody; and

(2) of the reason why the child was taken into custody.

(c) The notification under subsection (b) must occur within forty-eight (48) hours after the child is taken into custody.

(d) A law enforcement agency may not disclose information that is confidential under state or federal law to a school or school district under this section.

(e) A law enforcement agency shall include in its training for law enforcement officers training concerning the notification requirements under subsection (b).

*As added by P.L.67-2007, SEC.2. Amended by P.L.3-2008, SEC.240; P.L.125-2012, SEC.404; P.L.126-2012, SEC.42; P.L.172-2013, SEC.8; P.L.158-2013, SEC.326; P.L.168-2014, SEC.44; P.L.25-2016, SEC.12; P.L.65-2016, SEC.18.*

### **IC 31-39-2-13.8 School's access to juvenile court records; notice; confidentiality**

Sec. 13.8. (a) The juvenile court may grant a school access to all or a portion of the juvenile court records of a child who is a student at the school if:

- (1) the superintendent, or the superintendent's designee;
- (2) the chief administrative officer of a nonpublic school, or the chief administrative officer's designee; or
- (3) the individual with administrative control within a charter school, or the individual's designee;

submits a written request that meets the requirements of subsection (b).

(b) A written request must establish that the juvenile court records described in subsection (a) are necessary for the school to:

- (1) serve the educational needs of the child whose records are being released; or
- (2) protect the safety or health of a student, an employee, or a volunteer at the school.

(c) A juvenile court that releases juvenile court records under this section shall provide notice to the child and to the child's parent, guardian, or custodian that the child's juvenile records have been disclosed to the school.

(d) A juvenile court that releases juvenile court records under this section shall issue an order requiring the school to keep the juvenile court records confidential. A confidentiality order issued under this subsection does not prohibit a school that receives juvenile court records from forwarding the juvenile records to:

- (1) another school;
- (2) a person if a parent, guardian, or custodian of the child consents to the release of the juvenile court records to the person; or
- (3) an entity listed in [IC 31-39-9-1](#).

A school or a person that receives juvenile court records under this subsection must keep the juvenile court records confidential.

*As added by P.L.85-2004, SEC.51. Amended by P.L.67-2007, SEC.5.*

### **IC 31-39-9-1 Exchange of information regarding delinquent children**

Sec. 1. The following entities and agencies may exchange records of a child who is a child in need of services or has been determined to be a delinquent child under [IC 31-37-1-2](#), if the information or records are not confidential under state or federal law:

- (1) A court.
- (2) A law enforcement agency.
- (3) The department of correction.
- (4) The department of child services.
- (5) The office of the secretary of family and social services.
- (6) A primary or secondary school, including a public or nonpublic school.
- (7) The department of child services ombudsman established by [IC 4-13-19-3](#).

*As added by P.L.67-2007, SEC.6. Amended by P.L.182-2009(ss), SEC.386.*

### **IC 35-50-8-1 Student delinquency and criminal conviction information**

Sec. 1. (a) If an individual is enrolled in a primary or secondary school, including a public or nonpublic school, and:

- (1) is convicted of:
  - (A) a Class A felony;
  - (B) a Class B felony;
  - (C) a Class C felony;
  - (D) at least two (2) Class D felonies;
  - (E) a Level 1 felony;

- (F) a Level 2 felony;
- (G) a Level 3 felony;
- (H) a Level 4 felony;
- (I) a Level 5 felony; or
- (J) at least two (2) Level 6 felonies; or
- (2) has been adjudicated as a delinquent child for:
  - (A) an act that would be:
    - (i) a Class A felony;
    - (ii) a Class B felony;
    - (iii) a Class C felony;
    - (iv) a Level 1 felony;
    - (v) a Level 2 felony;
    - (vi) a Level 3 felony;
    - (vii) a Level 4 felony; or
    - (viii) a Level 5 felony; or
  - (B) acts that would be at least two (2):
    - (i) Class D felonies; or
    - (ii) Level 6 felonies;

if committed by an adult;

the judge who presided over the trial, accepted the plea agreement, or adjudicated the child a delinquent child shall give written notification of the conviction or adjudication to the chief administrative officer of the primary or secondary school, including a public or nonpublic school, or, if the individual is enrolled in a public school, the superintendent of the school district in which the individual is enrolled.

(b) Notification under subsection (a) must occur within seven (7) days after the conclusion of the trial, the date a plea agreement is accepted, or the date the child is adjudicated a delinquent child.

(c) The notification sent to a school or school district under subsection (a) must include only:

- (1) the felony for which the individual was convicted or that the individual would have committed if the individual were an adult; and
- (2) the individual's sentence or juvenile law disposition.

(d) If the court later modifies the individual's sentence or juvenile law disposition after giving notice under this section, the court shall notify the school or the school district in which the individual is enrolled of the sentence or disposition modification.

*As added by P.L.67-2007, SEC.7. Amended by P.L.158-2013, SEC.672.*

## **Attendance Records Review and Enforcement**

### **IC 20-33-2-20 Attendance records**

Sec. 20. (a) An accurate daily record of the attendance of each student who is subject to compulsory school attendance under this chapter shall be kept by every public and nonpublic school.

(b) In a public school, the record shall be open at all times for inspection by:

- (1) attendance officers;
- (2) school officials;
- (3) agents of the department of labor;
- (4) security police officers appointed under [IC 36-8-3-7](#); and
- (5) school corporation police officers appointed under [IC 20-26-16](#).

Every teacher shall answer fully all lawful inquiries made by an attendance officer, a school official, an agent of the department of labor, a security police officer appointed under [IC 36-8-3-7](#), or a school corporation police officer appointed under [IC 20-26-16](#).

(c) In a nonpublic school, the record shall be required to be kept solely to verify the enrollment and attendance of a student upon request of the:

- (1) state superintendent; or
- (2) superintendent of the school corporation in which the nonpublic school is located.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-3-23.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.34-2008, SEC.1; P.L.109-2015, SEC.41.*

### **IC 20-33-2-26 Enforcement of chapter**

Sec. 26. (a) It is the duty of each:

- (1) superintendent;
- (2) attendance officer;
- (3) state attendance official;
- (4) security police officer appointed under [IC 36-8-3-7](#); and
- (5) school corporation police officer appointed under [IC 20-26-16](#);

to enforce this chapter in their respective jurisdictions and to execute the affidavits authorized under this section. The duty is several, and the failure of one (1) or more to act does not excuse another official from the obligation to enforce this chapter.

(b) An affidavit against a parent for a violation of this chapter shall be prepared and filed in the same manner and under the procedure prescribed for filing affidavits for the prosecution of public offenses.

(c) An affidavit under this section shall be filed in a court with jurisdiction in the county in which the affected child resides. The prosecuting attorney shall file and prosecute actions under this section as in other criminal cases. The court shall promptly hear cases brought under this section.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-3-32.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.34-2008, SEC.2.*

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## **Locker Searches**

### **IC 20-33-8-32 Locker searches**

Sec. 32. (a) A school corporation must provide each:

- (1) student; and
- (2) student's parent;

a copy of the rules of the governing body on searches of students' lockers and locker contents.

(b) A student who uses a locker that is the property of a school corporation is presumed to have no expectation of privacy in:

- (1) that locker; or
- (2) the locker's contents.

(c) In accordance with the rules of the governing body, a principal may search:

- (1) a student's locker; and
- (2) the locker's contents;

at any time.

(d) A law enforcement agency having jurisdiction over the geographic area having a school facility containing a student's locker may:

- (1) at the request of the school principal; and
- (2) in accordance with rules of the governing body of the school corporation;

assist a school administrator in searching a student's locker and the locker's contents.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-5.1-25.]

*As added by P.L.1-2005, SEC.17.*

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## **Duty to Report Substance Abuse and Threats**

### **IC 20-33-9-5 Controlled substance violations; reports by school employees**

Sec. 5. If a person other than a member of the administrative staff who is an employee of a school corporation has personally observed:

- (1) a violation described in section 1 of this chapter; or
- (2) a delinquent act that would be a violation under section 1 of this chapter if the violator were an adult; in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the person, the person shall immediately report the violation in writing to a member of the administrative staff of the school corporation employing the person.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12-2.]

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-9-6 Controlled substance violations; reports by members of administrative staffs**

Sec. 6. A member of the administrative staff who, based on personal knowledge or on the report of another employee of the school corporation, believes that a person has committed a violation described in section 1 of this chapter or a delinquent act that would be a violation described in section 1 of this chapter if the violator were an adult in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the member, shall immediately report:

- (1) a general description of the violation;
- (2) the name or a general description of each violator known to the member;
- (3) the date, time, and and place of the violation;
- (4) the name or a general description of each person who the member knows witnessed any part of the violation; and
- (5) a general description and the location of any property that the member knows was involved in the violation;

in writing to a law enforcement officer.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12-3.]

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-9-10 Duty to report threat**

Sec. 10. In addition to any other duty to report arising under this article, an individual who has reason to believe that a school employee:

- (1) has received a threat;
- (2) is the victim of intimidation;
- (3) is the victim of battery; or

- (4) is the victim of harassment;

shall report that information as required by this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-3.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.4.*

### **IC 20-33-9-11 Procedure to make report**

Sec. 11. (a) If an individual who is required to make a report under this chapter is a member of the staff of a school, the individual shall make the report by immediately notifying the principal of the school that a school employee may have received a threat or may be the victim of intimidation, battery, or harassment.

(b) An individual who receives a report under subsection (a) shall immediately make a report or cause a report to be made under section 13 of this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-4.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.5.*

### **IC 20-33-9-12 Relief of obligation to report**

Sec. 12. This chapter does not relieve an individual of the obligation to report a threat, intimidation, a battery, or harassment on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-5.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.6.*

### **IC 20-33-9-13 Oral report to local law enforcement agency**

Sec. 13. An individual who has a duty under sections 10 through 12 of this chapter to report that a school employee may have received a threat or may be the victim of intimidation, battery, or harassment shall immediately make an oral report to the local law enforcement agency.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-6.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.7.*

### **IC 20-33-9-14 Immunity from liability**

Sec. 14. Except as provided in section 15 of this chapter, an individual, other than a person accused of making a threat against a school employee, intimidating a school employee, committing a battery against a school employee, or harassing a school employee, who:

- (1) makes, or causes to be made, a report under this chapter; or
- (2) participates in any judicial proceeding or other proceeding:
  - (A) resulting from a report under this chapter; or
  - (B) relating to the subject matter of the report;

is immune from any civil or criminal liability that might otherwise be imposed because of such actions.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-7.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.8.*

### **IC 20-33-9-15 Liability**

Sec. 15. An individual who has acted maliciously or in bad faith is not immune from civil or criminal liability under this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-8.]

*As added by P.L.1-2005, SEC.17.*

### **IC 20-33-9-16 Good faith**

Sec. 16. An individual making a report under sections 10 through 14 of this chapter or assisting in any requirement of sections 10 through 14 of this chapter is presumed to have acted in good faith.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-9.]

*As added by P.L.1-2005, SEC.17.*

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## **Sex Offenders**

### **IC 35-42-4-10 Unlawful employment near children**

Sec. 10. (a) As used in this section, "offender against children" means a person who is an offender against children under [IC 35-42-4-11](#).

(b) As used in this section, "sexually violent predator" means a person who is a sexually violent predator under [IC 35-38-1-7.5](#).

(c) A sexually violent predator or an offender against children who knowingly or intentionally works for compensation or as a volunteer:

- (1) on school property;
- (2) at a youth program center; or
- (3) at a public park;

commits unlawful employment near children by a sexual predator, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction based on the person's failure to comply with any requirement imposed on an offender under [IC 11-8-8](#).

*As added by P.L.6-2006, SEC.3; P.L.140-2006, SEC.31 and P.L.173-2006, SEC.31. Amended by P.L.1-2007, SEC.231; P.L.216-2007, SEC.46; P.L.158-2013, SEC.446.*

### **IC 35-42-4-11 Sex offender residency restrictions**

Sec. 11. (a) As used in this section, and except as provided in subsection (d), "offender against children" means a person required to register as a sex or violent offender under [IC 11-8-8](#) who has been:

- (1) found to be a sexually violent predator under [IC 35-38-1-7.5](#); or
- (2) convicted of one (1) or more of the following offenses:
  - (A) Child molesting ([IC 35-42-4-3](#)).
  - (B) Child exploitation ([IC 35-42-4-4](#)(b) or [IC 35-42-4-4](#)(c)).
  - (C) Child solicitation ([IC 35-42-4-6](#)).
  - (D) Child seduction ([IC 35-42-4-7](#)).
  - (E) Kidnapping ([IC 35-42-3-2](#)), if the victim is less than eighteen (18) years of age, and the person is not the child's parent or guardian.
  - (F) Attempt to commit or conspiracy to commit an offense listed in clauses (A) through (E).
  - (G) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (F).

A person is an offender against children by operation of law if the person meets the conditions described in subdivision (1) or (2) at any time.

(b) As used in this section, "reside" means to spend more than three (3) nights in:

- (1) a residence; or
- (2) if the person does not reside in a residence, a particular location;

in any thirty (30) day period.

(c) An offender against children who knowingly or intentionally:

- (1) resides within one thousand (1,000) feet of:
  - (A) school property, not including property of an institution providing post-secondary education;
  - (B) a youth program center; or
  - (C) a public park; or

(2) establishes a residence within one (1) mile of the residence of the victim of the offender's sex offense; commits a sex offender residency offense, a Level 6 felony.

(d) This subsection does not apply to an offender against children who has two (2) or more unrelated convictions for an offense described in subsection (a). A person who is an offender against children may petition the court to consider whether the person should no longer be considered an offender against children. The person may file a petition under this subsection not earlier than ten (10) years after the person is released from incarceration or parole, whichever occurs last (or, if the person is not incarcerated, not earlier than ten (10) years after the person is released from probation). A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered an offender against children. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered an offender against children. If a court finds that the person should no longer be considered an offender against children, the court shall send notice to the department of correction that the person is no longer considered an offender against children.

*As added by P.L.6-2006, SEC.8. Amended by P.L.140-2006, SEC.32 and P.L.173-2006, SEC.32; P.L.216-2007, SEC.47; P.L.214-2013, SEC.39; P.L.158-2013, SEC.447; P.L.168-2014, SEC.72; P.L.13-2016, SEC.16.*

### **IC 35-42-4-14 Unlawful entry of school property by a serious sex offender**

Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under [IC 11-8-8](#) who is:

- (1) found to be a sexually violent predator under [IC 35-38-1-7.5](#); or
- (2) convicted of one (1) or more of the following offenses:
  - (A) Child molesting ([IC 35-42-4-3](#)).
  - (B) Child exploitation ([IC 35-42-4-4\(b\)](#) or [IC 35-42-4-4\(c\)](#)).
  - (C) Possession of child pornography ([IC 35-42-4-4\(d\)](#) or [IC 35-42-4-4\(e\)](#)).
  - (D) Vicarious sexual gratification ([IC 35-42-4-5\(a\)](#) and [IC 35-42-4-5\(b\)](#)).
  - (E) Performing sexual conduct in the presence of a minor ([IC 35-42-4-5\(c\)](#)).
  - (F) Child solicitation ([IC 35-42-4-6](#)).
  - (G) Child seduction ([IC 35-42-4-7](#)).
  - (H) Sexual misconduct with a minor ([IC 35-42-4-9](#)).
  - (I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).
  - (J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).

(b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

- (1) a religious institution or house of worship is located on the school property; and
- (2) the person:

(A) enters the school property or other entity described in [IC 35-31.5-2-285\(1\)\(A\)](#) through [IC 35-31.5-2-285\(1\)\(D\)](#) when classes, extracurricular activities, or any other school activities are not being held:

- (i) for the sole purpose of attending worship services or receiving religious instruction; and
- (ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and

(B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction.

*As added by P.L.235-2015, SEC.4. Amended by P.L.13-2016, SEC.17; P.L.87-2018, SEC.2.*

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## Background Checks

### IC 20-26-2-1.5 "Expanded criminal history check"

Sec. 1.5 "Expanded criminal history check" means a criminal history background check of an individual that includes:

- (1) a background check by a consumer reporting agency regulated under 15 U.S.C 1681 et seq. that does not include a written, oral, or other communication of information concerning the individual's credit score, creditworthiness, credit standing, or credit capacity, but does include a:
  - (A) verification of the applicant's identity;
  - (B) search of all names associated with the applicant;
  - (C) search of the records maintained by all counties in Indiana in which the individual who is the subject of the background check resided;
  - (D) search of the records maintained by all counties or similar governmental units in another state, if the individual who is the subject of the background check resided in another state;
  - (E) search of the United States district court records from the districts in which the applicant resided;
  - (F) check of sex offender registries in every state or the national sex offender registry maintained by the United States Department of Justice; and
  - (G) multistate criminal data base search; or

(2) a:

(A) national criminal history background check (as defined in IC 10-13-3-12); and

(B) check of:

(i) sex offender registries in all fifty (50) states; or

(ii) the national sex offender registry maintained by the United States Department of Justice.

*As added by P.L.121-2009, SEC.7. Amended by P.L.98-2015, SEC.1.*

### **IC 20-26-5-10Adoption of criminal history background and child protection index check policy; implementation of policy**

Sec. 10. (a) This section applies to a:

(1) school corporation;

(2) charter school; or

(3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

(1) apply for:

(A) employment with the school corporation, charter school, or nonpublic school; or

(B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;

(2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or

(3) are employed by an entity that seeks to enter into a contract to provide services to the school corporation, charter school, or nonpublic school;

if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

(c) Except as provided in subsections (f) and (g), a school corporation, a charter school, and a nonpublic school shall administer a policy adopted under this section uniformly for all individuals to whom the policy applies.

(d) A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded criminal history check concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment before or not later than thirty (30) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school.

(e) A policy adopted under this section:

(1) must require that the school corporation, charter school, or nonpublic school conduct an Indiana expanded child protection index check; and

(2) may require that the school corporation, charter school, or nonpublic school conduct an expanded child protection index check in other states;

concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment. An Indiana expanded child protection index check must be completed before or not later than sixty (60) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school.

(f) A policy adopted under this section must state that the school corporation, charter school, or nonpublic school requires an expanded criminal history check concerning an employee of the school corporation, charter school, or nonpublic school who is likely to have direct, ongoing contact with children within the scope of the employee's employment. The checks must be conducted every five (5) years. A school corporation, charter school, or nonpublic school may adopt a policy to require an employee to obtain an expanded child protection index check every five (5) years.

(g) In implementing subsection (f), and subject to subsection (j), a school corporation, charter school, or nonpublic school may update the checks required under subsection (f) for employees who are employed by the school corporation, charter school, or nonpublic school as of July 1, 2017, over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the number of employees who are employed by the school corporation, charter school, or nonpublic school on July 1, 2017.

(h) An applicant or employee may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before the individual's employment by the school corporation, charter school, or nonpublic school. The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for employment or employee described in subsection (f) may be required:

(1) at the time the individual applies or updates an expanded criminal history check under subsection (f); or

(2) while an expanded criminal history check or expanded child protection index check is being conducted; to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) An applicant is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs. A school corporation, charter school, or nonpublic school may agree to pay the costs associated with obtaining an expanded criminal history background check for an employee. An employee of a school corporation, charter school, or nonpublic school may not be required to pay the costs of an expanded child protection index check.

(j) An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain an expanded criminal history check or an expanded child protection index check at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:

(1) is the subject of a substantiated report of child abuse or neglect; or

(2) has been charged with or convicted of a crime listed in section 11(b) of this chapter.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in [IC 20-28-5-8\(c\)](#). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

(l) Information obtained under this section must be used in accordance with law.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-5-2-7.]

*As added by P.L.1-2005, SEC.10. Amended by P.L.121-2009, SEC.8; P.L.106-2016, SEC.4; P.L.185-2017, SEC.2; P.L.167-2018, SEC.2.*

### **IC 20-26-5-10.5 Adoption of policy to check employment references**

Sec. 10.5. Each school corporation, charter school, and nonpublic school that employs one (1) or more employees, shall adopt a policy requiring the school employer of the school corporation, charter school, or nonpublic school to contact employment references and, if applicable, the most recent employer provided by a prospective employee, before the school corporation, charter school, or nonpublic school may hire the prospective employee.

*As added by P.L.185-2017, SEC.3.*

### **IC 20-26-5-11.5 Confidentiality agreements void as to substantiated reports of abuse or neglect**

Sec. 11.5. (a) As used in this section, "school" includes:

(1) a charter school, as defined in IC 20-24-1-4;

- (2) a nonpublic school, as defined in IC 20-18-2-12, that employs one (1) or more employees;
- (3) a public school, as defined in IC 20-18-2-15(1); and
- (4) an entity in another state that carries out a function similar to an entity described in subdivisions (1) through (3).

(b) Notwithstanding any confidentiality agreement entered into by a school and an employee of the school, a school that receives a request for an employment reference, from another school, for a current or former employee, shall disclose to the requesting school any incident known by the school in which the employee committed an act resulting in a substantiated report of abuse or neglect under IC 31-6 (before its repeal) or IC 31-33.

(c) A school may not disclose information under this section that:

- (1) identifies a student; or
- (2) is confidential student information under the federal Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).

(d) A confidentiality agreement entered into or amended after June 30, 2016, by a school and an employee is not enforceable against the school if the employee committed an act resulting in a substantiated report of abuse or neglect under IC 31-6 (before its repeal) or IC 31-33.

*As added by P.L.106-2016, SEC.6.*

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## Child Abuse

### **IC 20-19-3-11 Development and implementation of child abuse and child sexual abuse education program**

Sec. 11. (a) The department, in collaboration with the department of child services and organizations that have expertise in child abuse, including child sexual abuse, shall identify or develop:

- (1) research and evidence based model educational materials on child abuse and child sexual abuse; and
- (2) a model for child abuse and child sexual abuse response policies and reporting procedures.

The model for child abuse and child sexual abuse response policies and reporting procedures described in subdivision (2) must include information on the duty to report suspected child abuse or neglect under [IC 31-33-5](#). To identify or develop models under this subsection, the department may not hire additional staff members or expend funds not already included in the department's budget.

(b) Not later than July 1, 2018, the department shall make the models developed or identified under this section available to assist schools with the implementation of:

- (1) child abuse and child sexual abuse education programs in kindergarten through grade 12 as provided in [IC 20-30-5-5.7](#); and
- (2) child abuse and child sexual abuse response and reporting policies.

(c) The model educational materials on child abuse and child sexual abuse identified or developed under subsection (a) may include the following topics:

- (1) Warning signs of a child who is being abused or sexually abused.
- (2) The basic principles of child abuse and child sexual abuse prevention.
- (3) Methods of student, teacher, and parental education and outreach.

(d) The model child abuse and child sexual abuse response and reporting policies referred to in subsection (b) may include the following topics:

- (1) Actions that a child who is a victim of abuse or sexual abuse may take to obtain assistance.
- (2) Interventions.
- (3) Counseling options.
- (4) Educational support available for a child who is a victim of abuse or sexual abuse to enable the child to continue to be successful in school.
- (5) Reporting procedures.

(e) A school that chooses to use the model educational materials developed under subsection (a) shall inform the parents of students in the grade levels in which the materials could be used, in writing and by posting on the school's Internet web site that a parent may:

- (1) examine and review the model educational materials before the materials are taught; and
- (2) decide if the parent's child will be instructed with the model educational materials.

(f) If a parent decides that the parent's child may be taught using the model educational materials, the parent shall notify the school of the parent's decision in writing or electronically.

*As added by P.L.46-2012, SEC.1. Amended by P.L.13-2013, SEC.54; P.L.115-2017, SEC.2*

### **IC 20-26-5-35.5 Prohibition on policy that delays an individual's duty to report child abuse or neglect**

Sec. 35.5. (a) This section applies to a:

- (1) school corporation;
- (2) charter school; or
- (3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, including a charter school and a nonpublic school, may not establish any policy that restricts or delays the duty of an employee or individual to report suspected child abuse or neglect as required under [IC 31-33-5](#).

*As added by P.L.115-2017, SEC.4.*

### **IC 20-30-5-5.7 Instruction on child abuse and child sexual abuse**

Sec. 5.7. (a) Not later than December 15, 2018, and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate and research and evidence based instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists and school counselors, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

*As added by P.L.115-2017, SEC.5.*

### **IC 20-28-3-4.5 Training on child abuse and neglect**

Sec. 4.5. (a) Each school corporation, charter school, and accredited nonpublic school shall require each school employee likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in training on child abuse and neglect, including:

- (1) training on the duty to report suspected child abuse or neglect under [IC 31-33-5](#); and
- (2) training on recognizing possible signs of child abuse or neglect;

at least once every two (2) years.

(b) The format of training under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body that is consistent with current professional development standards.

(c) The training required under this section must count toward the requirements for professional development required by the governing body.

(d) The training required under this section must be during the school employee's contracted day or at a time chosen by the employee.

*As added by P.L.183-2017, SEC.3.*

### **IC 31-33-5-2 Report; notification of individual in charge of institution, school, facility, or agency**

Sec. 2. (a) This section does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under [IC 16-21-2](#). An individual required to

make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under [IC 16-21-2](#) is subject to section 2.5 of this chapter.

(b) If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately make a report to:

- (1) the department; or
- (2) the local law enforcement agency.

After making the report, the individual shall notify the individual in charge of the institution, school, facility, or agency or the designated agent of the individual in charge of the institution, school, facility, or agency that the report was made.

[Pre-1997 Recodification Citation: 31-6-11-3(b) part.]

*As added by P.L.1-1997, SEC.16. Amended by P.L.106-2016, SEC.24; P.L.183-2017, SEC.32.*

### **IC 31-33-5-3 Effect of compliance on individual's own duty to report**

Sec. 3. This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

[Pre-1997 Recodification Citation: 31-6-11-3(b) part.] *As added by P.L.1-1997, SEC.16.*

### **IC 31-33-5-4 Immediate oral or written report to department of child services or law enforcement agency**

Sec. 4. A person who has a duty under this chapter to report that a child may be a victim of child abuse or neglect shall immediately make an oral or written report to:

- (1) the department; or
- (2) the local law enforcement agency.

[Pre-1997 Recodification Citation: 31-6-11-4.]

*As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.107; P.L.183-2017, SEC.34.*

### **IC 31-33-5-5 Prohibition on policy that restricts or delays an individual's duty to report**

Sec. 5. (a) This section does not apply to a hospital licensed under [IC 16-21-2](#).

(b) A medical institution or other public or private institution, public or nonpublic school, school corporation, facility, or agency may not establish any policy that restricts or delays the duty of an employee or individual to report under this chapter.

*As added by P.L.183-2017, SEC.35.*

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## **Suicide Awareness and Prevention**

### **IC 20-26-5-34.4 Child suicide awareness and prevention policy**

Sec. 34.4. Each school corporation shall adopt a policy addressing measures intended to increase child suicide awareness and prevention. The policy must address the following:

- (1) Counseling services for the child and the child's family related to suicide prevention.
- (2) Availability of referral information for crisis intervention to children, parents, and school corporation staff.
- (3) Increasing awareness of the relationship between suicide and drug and alcohol use.
- (4) Training on warning signs and tendencies that may evidence that a child is considering suicide.
- (5) Availability of information concerning suicide prevention services in the community.
- (6) Cooperation among the school corporation and suicide prevention services in the community.
- (7) Development of a plan to assist survivors of attempted suicide and to assist children and school corporation staff in coping with an attempted suicide or death of a student or school employee.
- (8) Development of any other program or activity that is appropriate.

*As added by P.L.254-2017, SEC.5.*

## **IC 20-28-3-6 Youth suicide awareness and prevention training**

Sec. 6. (a) For purposes of this section, "teacher" includes the following:

- (1) A superintendent who holds a license under [IC 20-28-5](#).
- (2) A principal.
- (3) A teacher.
- (4) A librarian.
- (5) A school counselor.
- (6) A school psychologist.
- (7) A school nurse.
- (8) A school social worker.

(b) Beginning after June 30, 2018, each school corporation, charter school, and accredited nonpublic school:

- (1) shall require all teachers; and
- (2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in at least two (2) hours of research based inservice youth suicide awareness and prevention training every three (3) school years. The training required under this subsection must be during the teacher's or school employee's contracted day or at a time chosen by the teacher or employee.

(c) Subject to subsection (e), the format of training required under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body that is consistent with current professional development standards.

(d) The inservice training required under this section shall count toward the requirements for professional development required by the governing body.

(e) The research based youth suicide awareness and prevention training program required under subsection(b) must be:

- (1) demonstrated to be an effective or promising program; and
- (2) recommended by the Indiana Suicide Prevention Network Advisory Council.

(f) A school or school corporation may leverage any:

- (1) existing or new state and federal grant funds; or
- (2) free or reduced cost evidence based youth suicide awareness and prevention training provided by any state agency or qualified statewide or local organization;

to cover the costs of the training required under this section.

*As added by P.L.254-2017, SEC.6. Amended by P.L.56-2018, SEC.3*

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## **Criminal Organizations**

### **IC 35-45-9-1 "Criminal organization"**

Sec. 1. As used in this chapter, "criminal organization" means a formal or informal group with at least three (3) members that specifically:

- (1) either:
  - (A) promotes, sponsors, or assists in;
  - (B) participates in; or
  - (C) has as one (1) of its goals; or
- (2) requires as a condition of membership or continued membership;

the commission of a felony, an act that would be a felony if committed by an adult, or a battery offense included in [IC 35-42-2](#).

*As added by P.L.180-1991, SEC.11. Amended by P.L.140-1994, SEC.5; P.L.192-2007, SEC.9; P.L.25-2016, SEC.21; P.L.65-2016, SEC.35.*

### **IC 20-19-3-12 Identification, development, and availability of model education materials on criminal organization activity**

Sec. 12. (a) The department, in collaboration with the Indiana criminal justice institute, the department of child services, the center for evaluation and education policy at Indiana University, the state police department, and any organization that has expertise in providing criminal organization education, prevention, or intervention that the department determines to be appropriate, shall:

- (1) identify or develop evidence based model educational materials on criminal organization activity; and
- (2) develop and maintain a model policy to address criminal organizations and criminal organization activity in schools.

(b) Not later than July 1, 2015, the department shall make the model policy developed under subsection (a)(2) available to assist schools in the development and implementation of a criminal organization policy.

(c) The model educational materials on criminal organization activity identified or developed under subsection (a)(1) must include information:

- (1) to educate students and parents on the extent to which criminal organization activity exists;
- (2) regarding the negative societal impact that criminal organizations have on the community;
- (3) on methods to discourage participation in criminal organizations; and
- (4) on methods of providing intervention to a child suspected of participating in criminal organization activity.

(d) The model criminal organization policy developed under subsection (a)(2) must include:

- (1) a statement prohibiting criminal organization activity in schools;
- (2) a statement prohibiting reprisal or retaliation against an individual who reports suspected criminal organization activity;
- (3) definitions of "criminal organization" as set forth in [IC 35-45-9-1](#) and "criminal organization activity";
- (4) model procedures for:
  - (A) reporting suspected criminal organization activity; and
  - (B) the prompt investigation of suspected criminal organization activity;
- (5) information about the types of support services, including family support services, available for a student suspected of participating in criminal organization activity; and
- (6) recommendations concerning criminal organization prevention and intervention services and programs for students that maximize community participation and the use of federal funding.

*As added by P.L.190-2013, SEC.6. Amended by P.L.233-2015, SEC.36; P.L.25-2016, SEC.5.*

### **IC 20-26-18 Criminal Organization Measures**

#### **IC 20-26-18-1 Application**

Sec. 1. This chapter applies to every school corporation and to a school city to which [IC 20-25](#) applies.

*As added by P.L.190-2013, SEC.7.*

#### **IC 20-26-18-2 Establishment of written policy**

Sec. 2. (a) Not later than June 1, 2016, the governing body of each school corporation shall establish a written policy to address criminal organizations and criminal organization activity in schools. The governing body of a school corporation shall develop the policy in consultation with:

- (1) parents;
- (2) school employees;
- (3) local law enforcement officials;
- (4) the county prosecuting attorney;
- (5) the county public defender;
- (6) organizations that have expertise in criminal organization education, prevention, or intervention;

- (7) a juvenile court judge;
- (8) a school behavioral health or community mental health professional; and
- (9) any other person or entity the governing body of the school corporation determines to be appropriate.

(b) The policy must meet all the requirements for the department's model criminal organization policy set forth in [IC 20-19-3-12\(d\)](#).

(c) Not later than September 1, 2016, each school corporation shall submit a copy of its criminal organization policy to the department.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.6.*

### **IC 20-26-18-3 Publication of policy**

Sec. 3. A school corporation shall put a copy of the school corporation's criminal organization policy established under section 2 of this chapter:

- (1) on its Internet web site;
- (2) in school student handbooks; and
- (3) in any location the school corporation determines to be appropriate.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.7.*

### **IC 20-26-18-4 Establishment of education programs**

Sec. 4. A school corporation shall establish the following educational programs in its efforts to address criminal organization activity:

- (1) An evidence based educational criminal organization awareness program for students, school employees, and parents.
- (2) A school employee development program to provide training to school employees in the implementation of the criminal organization policy established under section 2 of this chapter.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.8.*

### **IC 20-26-18-5 Establishment of criminal organization intervention program**

Sec. 5. To foster the continuing coordination of criminal organization prevention, intervention, and suppression efforts, the governing body of a school corporation may establish a program to provide criminal organization intervention services to students. If a school corporation chooses to develop a program under this section, the governing body shall establish an advisory committee that includes the following members:

- (1) Parents.
- (2) School employees.
- (3) Local law enforcement officials.
- (4) The county prosecuting attorney.
- (5) The county public defender.
- (6) A juvenile court judge.
- (7) A school behavioral health or community mental health professional.
- (8) Representatives of organizations that have expertise in criminal organization education, prevention, or intervention.
- (9) Any other person or entity the governing body determines is appropriate.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.9.*

### **IC 20-26-18-6 Reporting requirements**

Sec. 6. (a) Not later than June 1, 2017, and before June 2 of each year thereafter, each school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's compliance with this chapter. The report must include school based data to monitor for disproportionality, with each school reporting the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender.

(b) Not later than November 1, 2017, and before November 2 of each year thereafter, the department shall submit a comprehensive report concerning criminal organization activity in schools to the governor and the general assembly. A report submitted to the general assembly under this subsection must be in an electronic format under [IC 5-14-6](#). The report must include the following:

- (1) A summary of the activities reported to the department under subsection (a).
- (2) Any recommendations or conclusions made by the department to assist in the prevention of, education about, and intervention in criminal organization activity in schools.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.10.*

### **IC 20-33-9-10.5 Criminal organization activity; duty to report; maintaining safe school environment**

Sec. 10.5. (a) This section does not apply to a charter school or an accredited nonpublic school.

(b) A school employee shall report any incidence of suspected criminal organization activity, criminal organization intimidation, or criminal organization recruitment to the principal and the school safety specialist.

(c) The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services.

*As added by P.L.190-2013, SEC.8. Amended by P.L.25-2016, SEC.11.*

### **IC 35-45-9-5 Criminal organization recruitment**

Sec. 5. (a) Except as provided in subsection (b), an individual who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal organization or remain in a criminal organization commits criminal organization recruitment, a Level 6 felony.

(b) The offense under subsection (a) is a Level 5 felony if:

- (1) the solicitation, recruitment, enticement, or intimidation occurs within one thousand (1,000) feet of school property; or
- (2) the individual who is solicited, recruited, enticed, or intimidated is less than eighteen (18) years of age.

*As added by P.L.192-2007, SEC.10. Amended by P.L.158-2013, SEC.540; P.L.25-2016, SEC.24.*

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## **Human Trafficking**

### **IC 20-28-3-7 Training on human trafficking**

Sec. 7. (a) Each school corporation and accredited nonpublic school shall require all school employees likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in at least one (1) hour of inservice training every two (2) school years pertaining to the identification and reporting of human trafficking.

(b) The format of the inservice training required under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body, or the equivalent authority for an accredited nonpublic school, that is consistent with current professional development standards.

(c) The inservice training required under this section shall count toward the requirements for professional development required by the governing body or the equivalent authority for an accredited nonpublic school.

*As added by P.L.211-2018(ss), SEC.8.*

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## **Drills**

### **IC 20-34-3-20 Emergency preparedness drills**

Sec. 20. (a) The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under [IC 4-22-2](#) by the state board.

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

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

during each semester.

(c) Notwithstanding rules established by the state fire marshal under [IC 12-17-12-19](#), a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

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

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

(e) The governing body of a school corporation shall require each principal to file a certified statement that all drills have been conducted as required under this section.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-8-2.]

*As added by P.L.1-2005, SEC.18. Amended by P.L.132-2007, SEC.8; P.L.103-2015, SEC.1*

### **IC 22-11-17-2 Obstruction of exits; special egress control device; inoperative fire alarms; unplanned fire alarm activation**

Sec. 2. (a) Except as provided in subsections (b) and (d) and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The commission may adopt rules under [IC 4-22-2](#) that:

- (1) allow the owner of a public building to equip an exit with a special egress control device;
- (2) limit the circumstances under which a special egress control device may be used; and
- (3) allow an exit that was in compliance with the rules of the commission when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

(d) A school that has one (1) or more employees may barricade or block a door for a period not to exceed three (3) minutes in the event of an unplanned fire alarm activation in order for a designated school official to investigate the alarm. The school must initiate evacuation and safety procedures after the three (3) minute period expires. However, the period may be extended in the event that an active shooter has been verified to be on the school's property.

*As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.169-1996, SEC.2; P.L.211-2018(ss), SEC.14.*

### **Indiana Fire Code - SECTION 405 Emergency Evacuation Drills**

**405.1 General.** Emergency evacuation drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 404.2. Drills shall be designed in cooperation with the local authorities.

**405.2 Frequency.** Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

**405.3 Leadership.** Responsibility for the planning and conduct of drills shall be assigned to competent persons designated to exercise leadership.

**405.4 Time.** Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**405.5 Record keeping.** Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.
6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

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## Items Exempted From Public Disclosure

### **IC 5-14-3-4 Records and recordings exempted from disclosure; time limitations; destruction of records**

Sect. 4. (a) The following public records are exempted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

**\*\* The Indiana Code in its entirety is not provided in this link. Only (18) pertains to school safety and is listed under this Indiana Code. \*\***

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

*As added by P.L.19-1983, SEC.6. Amended by P.L.57-1983, SEC.1; P.L.34-1984, SEC.2; P.L.54-1985, SEC.3; P.L.50-1986, SEC.2; P.L.20-1988, SEC.12; P.L.11-1990, SEC.111; P.L.1-1991, SEC.38; P.L.10-1991, SEC.9; P.L.50-1991, SEC.1; P.L.49-1991, SEC.1; P.L.1-1992, SEC.11; P.L.2-1993, SEC.50; P.L.58-1993, SEC.4; P.L.190-1999, SEC.2; P.L.37-2000, SEC.2; P.L.271-2001, SEC.1; P.L.201-2001, SEC.1; P.L.1-2002, SEC.17; P.L.173-2003, SEC.5; P.L.261-2003, SEC.7; P.L.208-2003, SEC.1; P.L.200-2003, SEC.3; P.L.210-2005, SEC.1; P.L.1-2006, SEC.102; P.L.101-2006, SEC.4; P.L.2-2007, SEC.101; P.L.172-2007, SEC.1; P.L.179-2007, SEC.9; P.L.3-2008, SEC.29; P.L.51-2008, SEC.2; P.L.98-2008, SEC.4; P.L.120-2008, SEC.2; P.L.94-2010, SEC.1; P.L.170-2011, SEC.1; P.L.134-2012, SEC.18; P.L.184-2013, SEC.1; P.L.248-2013, SEC.3; P.L.175-2013, SEC.1; P.L.56-2014, SEC.1; P.L.168-2014, SEC.9; P.L.9-2015, SEC.1; P.L.181-2015, SEC.20; P.L.145-2016, SEC.3; P.L.58-2016, SEC.3; P.L.217-2016, SEC.3; P.L.197-2017, SEC.3.*

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## Emergency Medications

### **IC 20-34-4.5-0.2 "Emergency medication"**

Sec. 0.2. As used in this chapter, "emergency medication" means any of the following:

- (1) Albuterol.
- (2) Epinephrine.
- (3) Naloxone, as an overdose intervention drug that is subject to [IC 16-42-27](#).

*As added by P.L.117-2017, SEC.3.*

### **IC 20-34-4.5-0.4 "Emergency stock medication"**

Sec. 0.4. As used in this chapter, "emergency stock medication" means emergency medication to which both of the following apply:

- (1) The prescription for the emergency medication is filled by a school or school corporation.
- (2) The emergency medication is stored at a school in accordance with this chapter.

*As added by P.L.117-2017, SEC.4.*

### **IC 20-34-4.5-0.6 "School"**

Sec. 0.6. As used in this chapter, "school" means:

- (1) a public school;

- (2) a charter school; or
- (3) an accredited nonpublic school.

*As added by P.L.117-2017, SEC.5.*

#### **IC 20-34-4.5-0.8 "School nurse"**

Sec. 0.8. As used in this chapter, "school nurse" has the meaning set forth in [IC 20-34-5-9](#).

*As added by P.L.117-2017, SEC.6.*

#### **IC 20-34-4.5-1 Prescription for emergency medication; storage**

Sec. 1. (a) A school or a school corporation may:

- (1) fill a prescription for an emergency medication; and
- (2) store the emergency medication:

- (A) if the prescription is filled by a school, in the school; or

- (B) if the prescription is filled by a school corporation, in a school in the school corporation;

if a health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication writes the prescription for the emergency medication for the school or school corporation.

(b) The school shall store the emergency medication in a safe location in which only school employees have access.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.7.*

#### **IC 20-34-4.5-1.5 Expiration date for injectable epinephrine**

Sec. 1.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the school or school corporation.

*As added by P.L.117-2017, SEC.8.*

#### **IC 20-34-4.5-2 Administration of emergency medication; school employees, training**

Sec. 2. (a) A school nurse may administer emergency stock medication obtained under section 1 of this chapter to any of the following individuals if the individual is demonstrating signs or symptoms of a life-threatening emergency and the individual does not have emergency medication at the school or the individual's prescription is not available:

- (1) Students at the school.
- (2) School employees.
- (3) Visitors at the school.

(b) School employees may administer emergency stock medication obtained under section 1 of this chapter if the following are met:

- (1) The school employee has voluntarily received training in:

- (A) recognizing a life-threatening emergency; and

- (B) the proper administration of emergency medication;

by a health care provider who is licensed or certified in Indiana, for whom the administration of emergency medication is within the health care provider's scope of practice, who has received training in the administration of emergency medication, and who is knowledgeable in recognizing the symptoms of a life-threatening emergency and the administration of emergency medication.

- (2) The individual to whom the emergency stock medication is being administered is:

- (A) a student at the school;
  - (B) a school employee; or
  - (C) a visitor at the school.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.9.*

#### **IC 20-34-4.5-3 Prescribing emergency medication; dispensing**

Sec. 3. (a) A health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication may write a prescription, drug order, or protocol for an emergency medication for a school or school corporation.

(b) A pharmacist licensed under [IC 25-26](#) may dispense a valid prescription, drug order, or protocol for an emergency medication issued in the name of a school or school corporation.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.10.*

#### **IC 20-34-4.5-4 Civil immunity; school employees; health care providers**

Sec. 4. (a) A school nurse or school employee who administers an emergency stock medication in accordance with the manufacturer's guidelines and with this chapter is not liable for civil damages resulting from the administration of the emergency stock medication under this chapter unless the act or omission constitutes gross negligence or willful or wanton misconduct.

(b) A health care provider described in section 3 of this chapter who writes a prescription, drug order, or protocol under this chapter is not liable for civil damages resulting from the administration of an emergency stock medication under this chapter.

(c) A health care provider described in section 2(b)(1) of this chapter who provides training to school employees under this chapter is not liable for civil damages resulting from the administration of an emergency stock medication.

*As added by P.L.92-2014, SEC.1. Amended by P.L.117-2017, SEC.11.*

#### **IC 20-34-4.5-5 Guidance materials by the department**

Sec. 5. The department shall:

- (1) develop guidance materials concerning each emergency medication; and
- (2) post a copy of the guidance materials on the department's Internet web site.

*As added by P.L.117-2017, SEC.12.*

#### **IC 20-34-4.5-6 Report on the administration of emergency stock medication**

Sec. 6. A school employee described in section 2(b)(1) of this chapter or a school nurse shall:

- (1) make a report when an emergency stock medication is administered; and
- (2) submit the report to the department in an electronic format not later than ten (10) school days after the emergency stock medication is administered.

*As added by P.L.117-2017, SEC.13.*

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## **Student Safety Reporting**

#### **IC 20-34-6-1 School corporation reports; department reports**

Sec. 1. (a) By July 1 of each year, each school corporation shall submit a report to the department detailing the following information for the current school year for each school in the school corporation and for the entire school corporation:

- (1) The number of arrests of students on school corporation property, including arrests made by law enforcement officers, security guards, school safety specialists, and other school corporation employees, and any citizen arrests.
- (2) The offenses for which students were arrested on school corporation property.
- (3) The number of contacts with law enforcement personnel from a school corporation employee that have resulted in arrests of students not on school corporation property.
- (4) Statistics concerning the age, race, and gender of students arrested on school corporation property and categorizing the statistics by offenses.
- (5) Whether the school corporation has established and employs a school corporation police department under [IC 20-26-16](#), and if so, report:

- (A) the number of officers in the school corporation police department; and

(B) the training the officers must complete.

(6) If the school corporation employs private security guards to enforce rules or laws on school property, a detailed explanation of the use of private security guards by the school corporation.

(7) If the school corporation has an agreement with a local law enforcement agency regarding procedures to arrest students on school property, a detailed explanation of the use of the local law enforcement agency by the school corporation.

(8) The number of reported bullying incidents involving a student of the school corporation by category. However, nothing in this subdivision may be construed to require all bullying incidents to be reported to a law enforcement agency.

(b) By August 1 of each year, the department shall submit a report to:

(1) the legislative council;

(2) the board for the coordination of programs serving vulnerable individuals established by [IC 4-23-30.2-8](#); and

(3) the criminal justice institute;

providing a summary of the reports submitted to the department under subsection (a). The report to the legislative council must be in an electronic format under [IC 5-14-6](#).

(c) By August 1 of each year, the department must post the reports described in subsections (a) and (b) on the department's Internet web site.

(d) Information reported under subsection (a)(8) may not be used in the calculation of a school corporation's improvement under [IC 20-31-8](#).

*As added by P.L.74-2010, SEC.3. Amended by P.L.285-2013, SEC.7; P.L.213-2015, SEC.201; P.L.83-2018, SEC.2.*

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## Charter Schools and Accredited Nonpublic Schools

### IC 5-2-10.1-13 Applicability to charter schools and accredited nonpublic schools

Sec. 13. A charter school (as defined in [IC 20-24-1-4](#)) or an accredited nonpublic school may do one (1) or more of the following:

(1) Designate an individual to serve as the school safety specialist for the school and comply with section 9 of this chapter.

(2) Establish a school safety plan in accordance with this chapter.

(3) Establish a safe school committee as described under section 12 of this chapter.

*As added by P.L.211-2018(ss), SEC.2*

### IC 20-34-3-23 Charter school and accredited nonpublic school local school safety and emergency plans

Sec. 23. (a) Each charter school and accredited nonpublic school shall adopt a local school safety and emergency plan that includes:

(1) safety and emergency training and educational opportunities for school employees; and

(2) periodic safety and emergency preparedness and evacuation drills.

(b) Each charter school and accredited nonpublic school shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.

*As added by P.L.211-2018(ss), SEC.10.*

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## School Resource Officers

### IC 20-26-18.2-1 "School resource officer"

Sec. 1. (a) As used in this chapter, "school resource officer" means an individual who:

(1) has completed the training described in subsection (b);

- (2) is assigned to one (1) or more school corporations or charter schools to:
  - (A) assist the school safety specialist with the development and implementation of the school safety plan as provided in section 2 of this chapter; and
  - (B) carry out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding and to:
    - (i) protect against outside threats to the physical safety of students;
    - (ii) prevent unauthorized access to school property; and
    - (iii) secure schools against violence and natural disasters; and
- (3) is:
  - (A) employed by a law enforcement agency;
  - (B) appointed as a police reserve officer (as described in [IC 36-8-3-20](#)) or as a special deputy (as described in [IC 36-8-10-10.6](#)) if the police reserve officer or special deputy:
    - (i) is subject to the direction of the sheriff or appointing law enforcement agency;
    - (ii) is required to obey the rules and orders of the sheriff's department or appointing law enforcement agency;
    - (iii) is required to complete all training required of regular full-time law enforcement officers employed by the sheriff's department or appointing law enforcement agency; and
    - (iv) may be removed by the sheriff or appointing law enforcement agency at any time, with or without cause; or
  - (C) a school corporation police officer appointed under [IC 20-26-16-3](#).
- (b) Before being appointed as a school resource officer, an individual must have:
  - (1) successfully completed the minimum training requirements established for law enforcement officers under [IC 5-2-1-9](#); and
  - (2) received at least forty (40) hours of school resource officer training through:
    - (A) the Indiana law enforcement training board established by [IC 5-2-1-3](#);
    - (B) the National Association of School Resource Officers; or
    - (C) another school resource officer training program approved by the Indiana law enforcement training board.
- (c) Training described in subsection (b)(2) must include instruction regarding skills, tactics, and strategies necessary to address the special nature of:
  - (1) school campuses; and
  - (2) school building security needs and characteristics.

*As added by P.L.172-2013, SEC.7. Amended by P.L.30-2014, SEC.2.*

### **IC 20-26-18.2-2 Employment of school resource officer; duties**

- Sec. 2. (a) A school resource officer may be employed:
- (1) by one (1) or more school corporations or charter schools through a contract between a local law enforcement agency and the school corporation or school corporations or the charter school or charter schools;
  - (2) by one (1) or more school corporations or charter schools;
  - (3) by a local law enforcement agency that assigns the school resource officer to one (1) or more school corporations or charter schools through a memorandum of understanding between the local law enforcement agency and the school corporation or school corporations or the charter school or charter schools; or
  - (4) through a contract between an Indiana business that employs persons who meet the qualifications of a school resource officer and the school corporation or school corporations or the charter school or charter schools.
- (b) A contract or memorandum of understanding entered into under subsection (a) must state the nature and scope of a school resource officer's duties and responsibilities. A school resource officer's duties and responsibilities include the duty to assist the school corporation's school safety specialist with the development and implementation of a school safety plan that does the following:

- (1) Protects against outside threats to the physical safety of students.
  - (2) Prevents unauthorized access to school property.
  - (3) Secures schools against violence and natural disasters.
- (c) A school resource officer shall consult with local law enforcement officials and first responders when assisting the school corporation's school safety specialist in the development of the school safety plan.  
*As added by P.L.172-2013, SEC.7.*

### **IC 20-26-18.2-3 School resource officer's police powers**

Sec. 3. (a) A school resource officer may:

- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property using the reasonable suspicion standard;
- (3) carry a firearm on or off school property; and
- (4) exercise other police powers with respect to the enforcement of Indiana laws.

(b) A school resource officer has jurisdiction in every county where the school corporation or charter school engaging the officer operates a school or where the school corporation or charter school's students reside. This subsection does not restrict the jurisdiction that a school resource officer may possess due to the officer's employment by a law enforcement agency.

*As added by P.L.172-2013, SEC.7.*

### **IC 20-26-18.2-4 Reporting use of restraints and seclusion**

Sec. 4. A school corporation, an accredited nonpublic school, or a charter school shall report all instances of:

- (1) seclusion (as defined in [IC 20-20-40-9](#));
- (2) chemical restraint (as defined in [IC 20-20-40-2](#));
- (3) mechanical restraint (as defined in [IC 20-20-40-4](#)); and
- (4) physical restraint (as defined in [IC 20-20-40-5](#));

involving a school resource officer in accordance with the restraint and seclusion plan adopted by the school corporation, accredited nonpublic school, or charter school under [IC 20-20-40-14](#).

*As added by P.L.227-2017, SEC.7.*

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## **Indiana Fire Code**

### **IC 22-11-17-2 Obstruction of exits; special egress control device; inoperative fire alarms; unplanned fire alarm activation**

Sec. 2. (a) Except as provided in subsections (b) and (d) and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The commission may adopt rules under [IC 4-22-2](#) that:

- (1) allow the owner of a public building to equip an exit with a special egress control device;
- (2) limit the circumstances under which a special egress control device may be used; and
- (3) allow an exit that was in compliance with the rules of the commission when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

(d) A school that has one (1) or more employees may barricade or block a door for a period not to exceed three (3) minutes in the event of an unplanned fire alarm activation in order for a designated school official to investigate the alarm. The school must initiate evacuation and safety procedures after the three (3) minute period expires. However, the period may be extended in the event that an active shooter has been verified to be on the school's property.

*As added by Acts 1982, P.L.140, SEC.1. Amended by P.L.169-1996, SEC.2; P.L.211-2018(ss), SEC.14.*

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**SECTION 404**  
**FIRE SAFETY AND EVACUATION PLANS**

**404.1 General.** Fire safety, evacuation and lockdown plans and associated drills shall comply with the requirements of Sections 404.2 through 404.5.1.

**404.2 Where required.** An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

\*\* The Indiana Code in its entirety is not provided in this link. Group E pertains to schools. \*\*

3. Group E. ([Educational - schools and day care centers up to the 12th grade](#))

**404.3 Contents.** Fire safety and evacuation plan contents shall be in accordance with Sections 404.3.1 & 404.3.2

**404.3.1 Fire evacuation plans.** Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

**404.3.2 Fire safety plans.** Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating or evacuating occupants, including occupants who need assistance.
3. Site plans indicating the following:
  - 3.1 The occupancy assembly point.
  - 3.2 The locations of fire hydrants.
  - 3.3 The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
  - 4.1. Exits.
  - 4.2. Primary evacuation routes.
  - 4.3. Secondary evacuation routes.
  - 4.4. Accessible egress routes.
  - 4.5. Areas of refuge.
  - 4.6. Exterior areas for assisted rescue.
  - 4.7. Manual fire alarm boxes.
  - 4.8. Portable fire extinguishers.
  - 4.9. Occupant-use hose stations.
  - 4.10. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.

6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

**404.4 Maintenance.** Fire safety and evacuation plans shall be reviewed or updated annually or as necessitated by changes in staff assignments, occupancy or the physical arrangement of the building.

**404.5 Availability.** Fire safety and evacuation plans shall be available in the workplace for reference and review by employees, and copies shall be furnished to the fire code official for review upon request.

**404.5.1 Distribution** The fire safety and evacuation plans shall be posted or distributed to the tenants or building service employees by the owner or owner's agent. Tenants shall post or distribute to their employees applicable parts of the fire safety plan affecting the employees' actions in the event of a fire or other emergency-

## SECTION 405

### EMERGENCY EVACUATION DRILLS

**405.1 General.** Emergency evacuation drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 404.2. Drills shall be designed in cooperation with the local authorities.

**405.2 Frequency.** Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

**405.3 Leadership.** Responsibility for the planning and conduct of drills shall be assigned to competent persons designated to exercise leadership.

**405.4 Time.** Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**405.5 Record keeping.** Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.
6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

**TABLE 405.2**

#### FIRE AND EVACUATION DRILL

#### FREQUENCY AND PARTICIPATION GROUP OR FREQUENCY PARTICIPATION

Group or Occupancy	Frequency	Participation
Group A	Quarterly	Employees
Group B <sup>c</sup>	Annually	Employees
Group E	Monthly <sup>a</sup>	All occupants
Group I	Quarterly on each shift	Employees <sup>b</sup>
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>d</sup>	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees <sup>b</sup>
High-rise buildings	Annually	Employees

a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.

- b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.1 0.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.
- c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.

**405.6 Notification.** Prior notification of emergency evacuation drills shall be given to the fire code official.

**405.7 Initiation.** Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system.

**405.8 Accountability.** As building occupants arrive at the assembly point, efforts shall be made to determine if all occupants have been successfully evacuated or have been accounted for.

**405.9 Recall and reentry.** An electrically or mechanically operated signal used to recall occupants after an evacuation shall be separate and distinct from the signal used to initiate the evacuation. The recall signal initiation means shall be manually operated and under the control of the person in charge of the premises or the official in charge of the incident. No one shall reenter the premises until authorized to do so by the official in charge.

## **SECTION 406 EMPLOYEE TRAINING AND RESPONSE PROCEDURES**

**406.1 General.** Employees in the occupancies listed in Section 404.2 shall be trained in the fire emergency procedures described in their fire evacuation and fire safety plans. Training shall be based on these plans and as described in Section 404.3.

**406.2 Frequency.** Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and at least annually thereafter. Records shall be kept and made available to the fire code official upon request.

**406.3 Employee training program.** Employees shall be trained in fire prevention, evacuation and fire safety in accordance with Sections 406.3.1 through 406.3.4.

**406.3.1 Fire prevention training.** Employees shall be apprised of the fire hazards of the materials and processes to which they are exposed. Each employee shall be instructed in the proper procedures for preventing fires in the conduct of their assigned duties.

**406.3.2 Evacuation training.** Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, areas of refuge, exterior assembly areas and procedures for evacuation.

**406.3.4 Fire safety training.** Employees assigned firefighting duties shall be trained to know the locations and proper use of portable fire extinguishers or other manual fire-fighting equipment and the protective clothing or equipment required for its safe and proper use.

## **SECTION 408 USE AND OCCUPANCY-RELATED REQUIREMENTS**

**408.1 General.** In addition to the other requirements of this chapter, the provisions of this section are applicable to specific occupancies listed herein.

**\*\* The Indiana Code in its entirety is not provided in this link. Group E pertains to schools. \*\***

**408.3 Group E occupancies and Group R-2 college and university buildings.** Group E occupancies shall comply with the requirements of Sections 408.3.1 through 408.3.4 and Sections 401 through 406. Group R-2 college and university buildings shall comply with the requirements of Sections 408.3.1 and 408.3.3 and Sections 401 through 406.

**408.3.1 First emergency evacuation drill.** The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.

408.3.2 Emergency evacuation drill deferral. In severe climates, the fire code official shall have the authority to modify the emergency evacuation drill frequency specified in Section 405 .2.

**408.3.3 Time of day.** Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. In Group R-2 college and university buildings, one required drill shall be held during hours after sunset or before sunrise.

**408.3.4 Assembly points.** Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.

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## Reporting Requirements

[Bullying Incidents Reporting](#)

[Child Abuse & Neglect Duty to Report](#)

[Controlled Substance Violation Reporting](#)

[Criminal Organization Reporting](#)

[Drills – Fire, Tornado & Manmade](#)

[Emergency Medication Reporting \(if stocked in school\)](#)

[Emergency Preparedness Plans](#)

[Emergency Preparedness Drill Reporting](#)

[Gang Reporting](#)

[Student Safety Reporting](#)

[Safety Plans Reviewed & Updated - Superintendent](#)

[Threats & Harassment – Duty to Report](#)

[\\*back to main menu](#)

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## Bullying Incidents & Student Safety Reporting

### IC 20-34-6-1 School corporation reports; department reports

Sec. 1. (a) **By July 1 of each year, each school corporation shall submit a report to the department detailing the following information for the current school year for each school in the school corporation and for the entire school corporation:**

- (1) The number of arrests of students on school corporation property, including arrests made by law enforcement officers, security guards, school safety specialists, and other school corporation employees, and any citizen arrests.
- (2) The offenses for which students were arrested on school corporation property.
- (3) The number of contacts with law enforcement personnel from a school corporation employee that have resulted in arrests of students not on school corporation property.
- (4) Statistics concerning the age, race, and gender of students arrested on school corporation property and categorizing the statistics by offenses.
- (5) Whether the school corporation has established and employs a school corporation police department under [IC 20-26-16](#), and if so, report:
  - (A) the number of officers in the school corporation police department; and
  - (B) the training the officers must complete.
- (6) If the school corporation employs private security guards to enforce rules or laws on school property, a detailed explanation of the use of private security guards by the school corporation.

(7) If the school corporation has an agreement with a local law enforcement agency regarding procedures to arrest students on school property, a detailed explanation of the use of the local law enforcement agency by the school corporation.

(8) The number of reported bullying incidents involving a student of the school corporation by category. However, nothing in this subdivision may be construed to require all bullying incidents to be reported to a law enforcement agency.

(b) By August 1 of each year, the department shall submit a report to:

(1) the legislative council;

(2) the board for the coordination of programs serving vulnerable individuals established by [IC 4-23-30.2-8](#); and

(3) the criminal justice institute;

providing a summary of the reports submitted to the department under subsection (a). The report to the legislative council must be in an electronic format under [IC 5-14-6](#).

(c) By August 1 of each year, the department must post the reports described in subsections (a) and (b) on the department's Internet web site.

(d) Information reported under subsection (a)(8) may not be used in the calculation of a school corporation's improvement under [IC 20-31-8](#).

*As added by P.L.74-2010, SEC.3. Amended by P.L.285-2013, SEC.7; P.L.213-2015, SEC.201; P.L.83-2018, SEC.2.*

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## **Child Abuse & Neglect Reporting – Duty to Report**

### **IC 31-33-5-2 Report; notification of individual in charge of institution, school, facility, or agency**

Sec. 2. (a) This section does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under [IC 16-21-2](#). An individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under [IC 16-21-2](#) is subject to section 2.5 of this chapter.

(b) **If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately make a report to:**

**(1) the department; or**

**(2) the local law enforcement agency.**

**After making the report, the individual shall notify the individual in charge of the institution, school, facility, or agency or the designated agent of the individual in charge of the institution, school, facility, or agency that the report was made.**

[Pre-1997 Recodification Citation: 31-6-11-3(b) part.]

*As added by P.L.1-1997, SEC.16. Amended by P.L.106-2016, SEC.24; P.L.183-2017, SEC.32.*

### **IC 31-33-5-3 Effect of compliance on individual's own duty to report**

Sec. 3. This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

[Pre-1997 Recodification Citation: 31-6-11-3(b) part.]

*As added by P.L.1-1997, SEC.16.*

### **IC 31-33-5-4 Immediate oral or written report to department of child services or law enforcement agency**

Sec. 4. A person who has a duty under this chapter to report that a child may be a victim of child abuse or neglect shall immediately make an oral or written report to:

(1) the department; or

(2) the local law enforcement agency.

[Pre-1997 Recodification Citation: 31-6-11-4.]

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## Controlled Substance Violation Reporting

### IC 20-33-9-5 Controlled substance violations; reports by school employees

Sec. 5. If a person other than a member of the administrative staff who is an employee of a school corporation has personally observed:

- (1) a violation described in section 1 of this chapter; or
- (2) a delinquent act that would be a violation under section 1 of this chapter if the violator were an adult; in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the person, the person shall immediately report the violation in writing to a member of the administrative staff of the school corporation employing the person.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12-2.]

As added by P.L.1-2005, SEC.17.

### IC 20-33-9-6 Controlled substance violations; reports by members of administrative staffs

Sec. 6. A member of the administrative staff who, based on personal knowledge or on the report of another employee of the school corporation, believes that a person has committed a violation described in section 1 of this chapter or a delinquent act that would be a violation described in section 1 of this chapter if the violator were an adult in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the member, shall immediately report:

- (1) a general description of the violation;
- (2) the name or a general description of each violator known to the member;
- (3) the date, time, and and place of the violation;
- (4) the name or a general description of each person who the member knows witnessed any part of the violation; and
- (5) a general description and the location of any property that the member knows was involved in the violation;

in writing to a law enforcement officer.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12-3.]

As added by P.L.1-2005, SEC.17.

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## Criminal Organization Reporting

### IC 20-26-18-6 Reporting requirements

Sec. 6. (a) Not later than June 1, 2017, and before June 2 of each year thereafter, each school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's compliance with this chapter. The report must include school based data to monitor for disproportionality, with each school reporting the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender.

(b) Not later than November 1, 2017, and before November 2 of each year thereafter, the department shall submit a comprehensive report concerning criminal organization activity in schools to the governor and the general assembly. A report submitted to the general assembly under this subsection must be in an electronic format under [IC 5-14-6](#). The report must include the following:

- (1) A summary of the activities reported to the department under subsection (a).
- (2) Any recommendations or conclusions made by the department to assist in the prevention of, education about, and intervention in criminal organization activity in schools.

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## Emergency Medication Reporting (if stocked in the school)

### IC 20-34-4.5-6 Report on the administration of emergency stock medication

Sec. 6. A school employee described in section 2(b)(1) of this chapter or a school nurse shall:

- (1) make a report when an emergency stock medication is administered; and
- (2) submit the report to the department in an electronic format not later than ten (10) school days after the emergency stock medication is administered.

As added by P.L.117-2017, SEC.13.

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## Emergency Preparedness Plans

### 511 IAC 6.1-2-2.5 Safe schools and emergency preparedness planning

Authority: IC 20-19-2-8; IC 20-31-4-17

Affected: IC 20-31-4-1

Sec. 2.5. (a) Each school corporation shall, in consultation with local public safety agencies, develop a written emergency preparedness plan for the school corporation and each school in the corporation. An emergency preparedness plan shall, at a minimum, contain the following:

- (1) Appropriate warning systems.
- (2) Procedures for notifying other agencies and organizations.
- (3) Posting of evacuation routes.
- (4) Emergency preparedness instruction for staff and students.
- (5) Public information procedures.
- (6) Steps that will be taken prior to a decision to evacuate buildings or dismiss classes.
- (7) Provisions to protect the safety and well-being of staff, students, and the public in case of:
  - (A) fire;
  - (B) natural disaster, such as tornado, flood, or earthquake;
  - (C) adverse weather conditions, such as winter storms or extreme heat;
  - (D) nuclear contamination, such as power plant or transport vehicle spills;
  - (E) exposure to chemicals, such as pesticides, industrial spills and contaminants, laboratory chemicals, and cleaning agents; and
  - (F) manmade occurrences, such as student disturbance, weapon, weapon of mass destruction, contamination of water supply or air supply, hostage, and kidnapping incidents.

(b) Within sixty (60) days after the beginning date of each school year, the superintendent shall certify to the department that the emergency preparedness plans for the school corporation and each school in the school corporation have been reviewed and revised, if necessary. Within sixty (60) days of opening a new or significantly remodeled school, the superintendent shall certify to the department that a new plan has been developed or that the existing plan has been reviewed and revised, if necessary.

(c) Emergency preparedness plans shall be available for inspection by the department. (Indiana State Board of Education; 511 IAC 6.1-2-2.5; filed Aug 28, 1998, 4:58 p.m.: 22 IR 91; readopted filed Sep 7, 2004, 5:10 p.m.: 28 IR 323; readopted filed Nov 20, 2007, 11:36 a.m.: 20071219-IR-511070386RFA; readopted filed Dec 2, 2013, 3:26 p.m.: 20140101-IR-511130419RFA)

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## Emergency Preparedness Drills – Reporting Requirements

### IC 20-34-3-20 Emergency preparedness drills

Sec. 20. (a) The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under [IC 4-22-2](#) by the state board.

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

- (1) one (1) tornado preparedness drill; and
  - (2) one (1) manmade occurrence disaster drill;
- during each semester.

(c) Notwithstanding rules established by the state fire marshal under [IC 12-17-12-19](#), a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

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

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

(e) **The governing body of a school corporation shall require each principal to file a certified statement that all drills have been conducted as required under this section.**

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-8-2.]

*As added by P.L.1-2005, SEC.18. Amended by P.L.132-2007, SEC.8; P.L.103-2015, SEC.1*

### Emergency Evacuation Drills – Indiana Fire Code

**405.1 General.** Emergency evacuation drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 404.2. Drills shall be designed in cooperation with the local authorities.

**405.2 Frequency.** Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

**405.3 Leadership.** Responsibility for the planning and conduct of drills shall be assigned to competent persons designated to exercise leadership.

**405.4 Time.** Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

**405.5 Record keeping.** Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.
6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

**TABLE 405.2  
FIRE AND EVACUATION DRILL  
FREQUENCY AND PARTICIPATION GROUP OR FREQUENCY PARTICIPATION**

Group or Occupancy	Frequency	Participation
Group A	Quarterly	Employees
Group B <sup>c</sup>	Annually	Employees
<b>Group E</b>	<b>Monthly<sup>a</sup></b>	<b>All occupants</b>
Group I	Quarterly on each shift	Employees <sup>b</sup>
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>d</sup>	Four annually	All occupants

Group R-4	Quarterly on each shift	Employees <sup>b</sup>
High-rise buildings	Annually	Employees

a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.

b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.1 0.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.

c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.

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## Student Safety & Bullying Incidents Reporting

### IC 20-34-6-1 School corporation reports; department reports

Sec. 1. (a) **By July 1 of each year, each school corporation shall submit a report to the department detailing the following information for the current school year for each school in the school corporation and for the entire school corporation:**

- (1) The number of arrests of students on school corporation property, including arrests made by law enforcement officers, security guards, school safety specialists, and other school corporation employees, and any citizen arrests.
- (2) The offenses for which students were arrested on school corporation property.
- (3) The number of contacts with law enforcement personnel from a school corporation employee that have resulted in arrests of students not on school corporation property.
- (4) Statistics concerning the age, race, and gender of students arrested on school corporation property and categorizing the statistics by offenses.
- (5) Whether the school corporation has established and employs a school corporation police department under [IC 20-26-16](#), and if so, report:
  - (A) the number of officers in the school corporation police department; and
  - (B) the training the officers must complete.
- (6) If the school corporation employs private security guards to enforce rules or laws on school property, a detailed explanation of the use of private security guards by the school corporation.
- (7) If the school corporation has an agreement with a local law enforcement agency regarding procedures to arrest students on school property, a detailed explanation of the use of the local law enforcement agency by the school corporation.
- (8) The number of reported bullying incidents involving a student of the school corporation by category. However, nothing in this subdivision may be construed to require all bullying incidents to be reported to a law enforcement agency.

(b) By August 1 of each year, the department shall submit a report to:

- (1) the legislative council;
- (2) the board for the coordination of programs serving vulnerable individuals established by [IC 4-23-30.2-8](#); and
- (3) the criminal justice institute;

providing a summary of the reports submitted to the department under subsection (a). The report to the legislative council must be in an electronic format under [IC 5-14-6](#).

(c) By August 1 of each year, the department must post the reports described in subsections (a) and (b) on the department's Internet web site.

(d) Information reported under subsection (a)(8) may not be used in the calculation of a school corporation's improvement under [IC 20-31-8](#).

*As added by P.L.74-2010, SEC.3. Amended by P.L.285-2013, SEC.7; P.L.213-2015, SEC.201; P.L.83-2018, SEC.2.*

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## Reporting of Threats & Harassment – Duty to Report

### IC 20-33-9-10 Duty to report threat

Sec. 10. In addition to any other duty to report arising under this article, an individual who has reason to believe that a school employee:

- (1) has received a threat;
- (2) is the victim of intimidation;
- (3) is the victim of battery; or
- (4) is the victim of harassment;

**shall report that information as required by this chapter.**

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-3.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.4.*

### IC 20-33-9-11 Procedure to make report

Sec. 11. (a) **If an individual who is required to make a report under this chapter is a member of the staff of a school, the individual shall make the report by immediately notifying the principal of the school that a school employee may have received a threat or may be the victim of intimidation, battery, or harassment.**

(b) An individual who receives a report under subsection (a) shall immediately make a report or cause a report to be made under section 13 of this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-4.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.5.*

### IC 20-33-9-13 Oral report to local law enforcement agency

Sec. 13. **An individual who has a duty under sections 10 through 12 of this chapter to report that a school employee may have received a threat or may be the victim of intimidation, battery, or harassment shall immediately make an oral report to the local law enforcement agency.**

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-8.1-12.5-6.]

*As added by P.L.1-2005, SEC.17. Amended by P.L.72-2006, SEC.7.*

### 511 IAC 6.1-2-2.5 Safe schools and emergency preparedness planning

Authority: IC 20-19-2-8; IC 20-31-4-17

Affected: IC 20-31-4-1

Sec. 2.5. (a) Each school corporation shall, in consultation with local public safety agencies, develop a written emergency preparedness plan for the school corporation and each school in the corporation. An emergency preparedness plan shall, at a minimum, contain the following:

- (1) Appropriate warning systems.
- (2) Procedures for notifying other agencies and organizations.
- (3) Posting of evacuation routes.
- (4) Emergency preparedness instruction for staff and students.
- (5) Public information procedures.
- (6) Steps that will be taken prior to a decision to evacuate buildings or dismiss classes.
- (7) Provisions to protect the safety and well-being of staff, students, and the public in case of:
  - (A) fire;
  - (B) natural disaster, such as tornado, flood, or earthquake;
  - (C) adverse weather conditions, such as winter storms or extreme heat;
  - (D) nuclear contamination, such as power plant or transport vehicle spills;
  - (E) exposure to chemicals, such as pesticides, industrial spills and contaminants, laboratory chemicals, and cleaning agents; and
  - (F) manmade occurrences, such as student disturbance, weapon, weapon of mass destruction, contamination of water supply or air supply, hostage, and kidnapping incidents.

(b) Within sixty (60) days after the beginning date of each school year, the superintendent shall certify to the department that the emergency preparedness plans for the school corporation and each school in the school corporation have been reviewed and revised, if necessary. Within sixty (60) days of opening a new or significantly remodeled school, the superintendent shall certify to the department that a new plan has been developed or that the existing plan has been reviewed and revised, if necessary.

(c) Emergency preparedness plans shall be available for inspection by the department.

*(Indiana State Board of Education; 511 IAC 6.1-2-2.5; filed Aug 28, 1998, 4:58 p.m.: 22 IR 91; readopted filed Sep 7, 2004, 5:10 p.m.: 28 IR 323; readopted filed Nov 20, 2007, 11:36 a.m.: 20071219-IR-511070386RFA; readopted filed Dec 2, 2013, 3:26 p.m.: 20140101-IR-511130419RFA)*

## Training Requirements

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[Autism & Asperger's Syndrome Training for School Corp Police Department](#)  
[Bully Prevention Training](#)  
[Child Abuse & Neglect Training](#)  
[Criminal Organization Training](#)  
[Drills – Fire Code Requirements](#)  
[Gang Training](#)  
[Human Trafficking](#)  
[Suicide Awareness & Prevention Training](#)

[\\*back to main menu](#)

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### Autism & Asperger's Syndrome Training for School Corp Police Department

#### IC 20-26-5-31 School corporation police; autism and Asperger's syndrome training

Sec. 31. (a) If a school corporation, including a school city (as defined in [IC 20-25-2-12](#)), establishes a school corporation police department, the governing body of the school corporation shall adopt a policy **that requires every individual appointed as a school corporation police officer to complete training and education, approved by the state board, that will enable the school corporation police officer to appropriately deal with individuals with autism and Asperger's syndrome.**

(b) This subsection applies to a regular or special police officer who is assigned as a security police officer for a school corporation under [IC 36-8-3-7](#). The governing body of the school corporation to which the police officer is assigned shall ensure that the police officer receives training and education, approved by the state board, that will enable the police officer to appropriately deal with individuals with autism and Asperger's syndrome.

*As added by P.L.122-2007, SEC.1.*

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### Bully Prevention Training

#### IC 20-26-5-34.2 Bully prevention; training for employees and volunteers

Sec. 34.2. **A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact with students concerning the school's bullying prevention and reporting policy adopted under [IC 20-33-8-13.5](#).**

*As added by P.L.285-2013, SEC.3.*

#### IC 20-30-5-5.5 Bullying prevention; student instruction

Sec. 5.5. (a) **Not later than October 15 of each year, each public school shall provide age appropriate, research based instruction as provided under [IC 5-2-10.1-12](#)(d)(1) focusing on bullying prevention for all students in grades 1 through 12.**

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

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

*As added by P.L.285-2013, SEC.4.*

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## Child Abuse & Neglect Training

### IC 20-28-3-4.5 Training on child abuse and neglect

Sec. 4.5. (a) Each school corporation, charter school, and accredited nonpublic school shall require each school employee likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in training on child abuse and neglect, including:

- (1) training on the duty to report suspected child abuse or neglect under [IC 31-33-5](#); and
- (2) training on recognizing possible signs of child abuse or neglect;

at least once every two (2) years.

(b) The format of training under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body that is consistent with current professional development standards.

(c) The training required under this section must count toward the requirements for professional development required by the governing body.

(d) The training required under this section must be during the school employee's contracted day or at a time chosen by the employee.

*As added by P.L.183-2017, SEC.3.*

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## Criminal Organization Training

### IC 20-26-18-4 Establishment of education programs

Sec. 4. A school corporation shall establish the following educational programs in its efforts to address criminal organization activity:

- (1) An evidence based educational criminal organization awareness program for students, school employees, and parents.
- (2) A school employee development program to provide training to school employees in the implementation of the criminal organization policy established under section 2 of this chapter.

*As added by P.L.190-2013, SEC.7. Amended by P.L.25-2016, SEC.8.*

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## Drills

### Indiana Fire Code

#### SECTION 406 - EMPLOYEE TRAINING AND RESPONSE PROCEDURES

**406.1 General.** Employees in the occupancies listed in Section 404.2 shall be trained in the fire emergency procedures described in their fire evacuation and fire safety plans. Training shall be based on these plans and as described in Section 404.3.

**406.2 Frequency.** Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and at least annually thereafter. Records shall be kept and made available to the fire code official upon request.

**406.3 Employee training program.** Employees shall be trained in fire prevention, evacuation and fire safety in accordance with Sections 406.3.1 through 406.3.4.

**406.3.1 Fire prevention training.** Employees shall be apprised of the fire hazards of the materials and processes to which they are exposed. Each employee shall be instructed in the proper procedures for preventing fires in the conduct of their assigned duties.

**406.3.2 Evacuation training.** Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, areas of refuge, exterior assembly areas and procedures for evacuation.

**406.3.4 Fire safety training.** Employees assigned firefighting duties shall be trained to know the locations and proper use of portable fire extinguishers or other manual fire-fighting equipment and the protective clothing or equipment required for its safe and proper use.

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## Human Trafficking

### IC 20-28-3-7 Training on human trafficking

Sec. 7. (a) Each school corporation and accredited nonpublic school shall require all school employees likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in at least one (1) hour of inservice training every two (2) school years pertaining to the identification and reporting of human trafficking.

(b) The format of the inservice training required under this section may include:

- (1) an in-person presentation;
- (2) an electronic or technology based medium, including self-review modules available on an online system;
- (3) an individual program of study of designated materials; or
- (4) any other method approved by the governing body, or the equivalent authority for an accredited nonpublic school, that is consistent with current professional development standards.

(c) The inservice training required under this section shall count toward the requirements for professional development required by the governing body or the equivalent authority for an accredited nonpublic school. *As added by P.L.211-2018(ss), SEC.8.*

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## Suicide Awareness & Prevention Training

### IC 20-28-3-6 Youth suicide awareness and prevention training

Sec. 6. (a) For purposes of this section, "teacher" includes the following:

- (1) A superintendent who holds a license under [IC 20-28-5](#).
- (2) A principal.
- (3) A teacher.
- (4) A librarian.
- (5) A school counselor.
- (6) A school psychologist.
- (7) A school nurse.
- (8) A school social worker.

(b) **Beginning after June 30, 2018, each school corporation, charter school, and accredited nonpublic school:**  
(1) shall require all teachers; and  
(2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in at least two (2) hours of research based inservice youth suicide awareness and prevention training every three (3) school years. The training required under this subsection must be during the teacher's or school employee's contracted day or at a time chosen by the teacher or employee.

(c) Subject to subsection (e), the format of training required under this section may include:

- (1) an in-person presentation;

(2) an electronic or technology based medium, including self-review modules available on an online system;

(3) an individual program of study of designated materials; or

(4) any other method approved by the governing body that is consistent with current professional development standards.

(d) The inservice training required under this section shall count toward the requirements for professional development required by the governing body.

(e) The research based youth suicide awareness and prevention training program required under subsection(b) must be:

(1) demonstrated to be an effective or promising program; and

(2) recommended by the Indiana Suicide Prevention Network Advisory Council.

(f) A school or school corporation may leverage any:

(1) existing or new state and federal grant funds; or

(2) free or reduced cost evidence based youth suicide awareness and prevention training provided by any state agency or qualified statewide or local organization;

to cover the costs of the training required under this section.

*As added by P.L.254-2017, SEC.6. Amended by P.L.56-2018, SEC.3*