

Voices for Indiana's Children 2014 Legislative Summary

The 2014 legislative session ended Sine Die late into the night on March 14. Being a short session, the pace was fast and furious, with the debate about marriage equality dominating the first half. MCCOY is proud to have been part of the lobbying and advocacy efforts on several key bills. The bills that MCCOY was directly involved in drafting are highlighted in green. MCCOY's 2014 legislative priorities reflect an emphasis on prevention and sound policies that benefit all youth included:



- **School Safety & School Discipline Reform** – ensuring that schools utilize evidence-based prevention programs and implement positive behavioral interventions & supports state-wide
- **Early Childhood Safety & Education** – improving the quality and accessibility of child care and early education programs
- **Early Intervention and Prevention** – ensuring that prevention and early intervention services are available and accessible to individuals and families before they are in crisis
- **Student Success** – ensuring that all youth have access to quality education

Select Enacted Legislation

CHILD SAFETY

SEA50 MINORS AND TANNING DEVICES (MILLER P) Prohibits a person less than 16 years of age from using a tanning device in a tanning facility. Repeals a provision requiring a person less than 16 years of age to be accompanied by a parent or guardian when using a tanning device in a tanning facility. Repeals the tanning facility committee.

Position: Monitor

SEA85 SCHOOL RESOURCE OFFICERS (MILLER P) Permits the secured school safety board to award a matching grant for school resource officer training. Requires a school resource officer to be: (1) employed by a law enforcement agency; (2) appointed as a police reserve officer or special deputy; or employed as a school corporation police officer. Permits the Indiana law enforcement training board to approve school resource officer training programs.

Position: Support

SEA227 ALCOHOL AND MEDICAL EMERGENCIES; CRIME STUDIES (MERRITT J) Provides that a person is immune from arrest or prosecution for certain alcohol offenses if the arrest or prosecution is due to the person: (1) reporting a medical emergency; (2) being the victim of a sex offense; or (3) witnessing and reporting what the person believes to be a crime. Requires the commission on improving the status of children in Indiana to study and evaluate: (1) crimes of sexual violence against children; and (2) the impact of social media, wireless communications, digital media, and new technology on crimes against children. Requires the state department of health or the office of women's health to conduct a study to determine the number of persons who are the victims of crimes of domestic or sexual violence, the reasons why these crimes are underreported, best practices to improve reporting, and the most effective means to connect victims with appropriate treatment services. Urges the legislative council to assign to the appropriate study committee during the 2014 interim the task of studying the causes of violence and violent crime in Indiana.

Position: Support

SEA229 FIREARM MATTERS (TOMES J) Allows a firearm that may be destroyed to be sold to a salvage company and destroyed by dismantling the firearm for parts, scrap metal, or recycling, or for resale as parts for other firearms. Provides that a unit may conduct a firearms buyback program with private funds or grants. Removes a provision from the law making possession of a firearm on property that is being used by a school for a school function a felony. Provides, for purposes of the law concerning possession of firearms on school property, that the law does not apply to certain students who are members of a shooting sports team or certain individuals who may legally possess a firearm and possess a firearm that is locked in the trunk of the person's motor vehicle, kept in the glove compartment of the person's locked motor vehicle, or stored out of plain sight in the person's locked motor vehicle. Provides that the chapter concerning possession



of firearms on school property and school buses does not apply to a person who may possess the firearm and possesses the firearm in a motor vehicle. Makes it a Class A misdemeanor if certain persons leave a firearm in plain view in a motor vehicle parked in a school parking lot. Removes a provision from the law concerning firearms in locked vehicles that allows a person to adopt or enforce an ordinance, a resolution, a policy or rule that prohibits an employee of the person from possessing a firearm or ammunition in or on school property, in or on property that is being used by a school for a school function, or on a school bus in violation of: (1) student discipline laws concerning possession of firearms; or (2) the law concerning possession of firearms on school property and school buses. Provides that a person may adopt or enforce an ordinance, a resolution, a policy, or a rule that prohibits an employee from possessing a firearm or ammunition in a motor vehicle that is owned, leased, or controlled by a school or school district.

Position: Oppose

SEA343 LAW ENFORCEMENT TRAINING AND EMERGENCY SERVICES (LANANE T) Requires the law enforcement training board to adopt rules for minimum standards for a course of study on cultural sensitivity training, including training on the U nonimmigrant visa. Provides that a county law enforcement continuing education program: (1) shall provide to each law enforcement officer employed by the county; and (2) may provide to each law enforcement officer employed by a city or town law enforcement agency within the county; continuing education concerning the U nonimmigrant visa and continuing education concerning cultural diversity awareness that includes an understanding of certain cultural issues. Requires the Indiana Emergency Medical Services Commission to establish protocols for persons who provide emergency medical services to notify law enforcement when services have been provided to an individual who has attempted to commit suicide and who has indicated that the attempt was due in part to bullying.

Position: Support

SEA344 SCHOOL BUILDING SAFETY (HUME L) Establishes the division of school building physical security and safety (division) within the department of education. Provides that the division carries out certain responsibilities related to the school safety specialist training and certification program, establishing emergency protocols, and establishing guidelines for using professional services to integrate physical security improvements and safety practices in the construction, renovation, repair, or alteration of school facilities.

Position: Monitor

SEA408 NEONATAL ABSTINENCE SYNDROME (BECKER V) Defines "neonatal abstinence syndrome" (NAS). Requires the state department of health to: (1) meet with representatives of certain associations to study and make recommendations on issues concerning NAS; and (2) report, before November 1, 2014, on certain issues concerning NAS to the legislative council for distribution to the appropriate interim study committee. Allows the state department of health to establish, before June 1, 2015, one or more pilot programs with hospitals that consent to participate in the programs to implement appropriate and effective models for NAS identification, data collection, and reporting.

Position: Support

CHILD WELFARE

HEA1110 DEPARTMENT OF CHILD SERVICES (MAHAN K) Makes various changes to provisions concerning child welfare, including: (1) the contents of notices sent out by the director of the department of natural resources to individuals who are delinquent in paying child support; (2) the definition of "relative" for purposes of provisions concerning residential child care, collaborative care, the placement of children who are children in need of services, and juvenile delinquency; (3) the issuance and implementation of income withholding orders; (4) information reviewed by the residential placement committee; (5) the disclosure of reports and other materials concerning investigations and reports of children who are or are alleged to be children in need of services and child fatalities or near fatalities; and (6) the placement of children who are or alleged to be children in need of services. Makes a technical correction. Repeals a provision concerning foster care licenses.

Position: Monitor

EARLY CHILDHOOD

HEA1004 EARLY LEARNING PILOT GRANT PROGRAM (BEHNING R) Authorizes the office of the secretary of family and social services to establish a pilot program to make grants to certain entities that provide qualified early education services to eligible children who are four years of age. Specifies that the pilot program shall be funded (after review by the budget committee and approval by the budget agency) from any one or both of the following: (1) From Child Care and Development

Fund (CCDF) grant funding. (2) From amounts reverted in a state fiscal year from funds appropriated to the divisions, departments, and bureaus administered by the office. Provides that the amount of a grant made under the pilot program for an eligible child: (1) must equal at least \$2,500 during the state fiscal year; and (2) may not exceed \$6,800 during the state fiscal year. Specifies that the grants shall be distributed in a manner consistent with how funds are distributed under the CCDF grant program. Requires the office to carry out a longitudinal study of students who participate in the pilot program to determine the achievement levels of those students in kindergarten and later grades. Establishes the prekindergarten and early learning study commission.

Position: Support

HEA1036 CHILD CARE AND DEVELOPMENT FUND ELIGIBILITY (MAHAN K) Specifies health, education, safety, and training requirements that a child care provider must meet as a condition of eligibility to receive a federal Child Care and Development Fund (CCDF) voucher payment. Specifies that in determining whether a provider meets the CCDF eligibility requirements, the division of family resources may not consider religious instruction or activities. Provides for decertification of eligibility. Requires certain reporting related to safety of children. Requires certain information to be prepared and distributed concerning the duty to report known or suspected child abuse or neglect. Allows the state department of health to release to certain child care providers information from the immunization data registry.

Position: Support

EDUCATION

HEA1028 ADULT HIGH SCHOOLS (DEVON D) Adds a definition of an "adult high school". Repeals a provision that prohibits the establishment of new adult high schools. Provides that an adult high school may only be authorized by the Indiana charter school board. Provides that, with certain exceptions, for state fiscal years beginning after June 30, 2014, an adult high school is not entitled to receive funding from the state unless the general assembly enacts an appropriation for the adult high school. Provides that an adult high school is subject to an alternative accountability system established by the state board.

Position: Monitor

HEA1204 VARIOUS EDUCATION AND SCHOOL MATTERS (HUSTON T) Provides that if the parent, guardian, or court appointed special guardian of a child enrolled in a school requests a health care provider to disclose certain mental health information to the child's school, the health care provider shall provide the child's school the information. Prescribes the manner in which the information must be released and requires a principal or school leader to sign a confidentiality agreement concerning the release of the information. Prohibits a superintendent or school leader from excusing or excluding a student who was found to be mentally or physically unfit for school attendance if a physician, psychologist, or psychiatrist certifies that the student is fit for school attendance. Provides civil immunity for a school, school employee, or school board for civil damages that are the result of: (1) an injury to a child or family members of a child if the injury is the result of a student's mental health issue that has not been disclosed to the school by the student's parent or guardian; or (2) referrals the school made or services the school offered concerning evaluations or treatment of the student's health.

Position: Monitor

HEA1319 EDUCATION MATTERS (BEHNING R) Adds a school counselor to the definition of a teacher. Provides that a student's latest PSAT test results are included in the student's official high school transcript. Requires the department of education to disaggregate from the ISTEP program test results the percentage of students in each school and each grade who are identified as high ability students by the school corporation who achieved a score in the highest performance level designated for the ISTEP program test. Requires the department to assign unique identifiers for students whose parents are active duty members of the armed forces. Requests the legislative council to assign certain topics to interim study committees, including student discipline and the suspension, expulsion, or exclusion of a student from school.

Position: Support

HEA1321 INNOVATION NETWORK SCHOOLS (BEHNING R) Authorizes Indianapolis public schools to enter into an agreement with a school management team to establish innovation network schools in certain schools. Provides that certain schools may be reconstituted as innovation network schools.

Position: Monitor

Select Enacted Legislation

SEA91 EDUCATION STANDARDS (SCHNEIDER S) Adds a definition of "college and career readiness". Provides that before July 1, 2014, the state board of education shall adopt Indiana college and career readiness educational standards. Provides that during the 2015-2016 school year, the state board shall authorize the department to administer either the ISTEP assessment or a comparable assessment program that is aligned with the educational standards.

Position: Monitor

SEA282 CHOICE SCHOLARSHIP (ECKERTY D) Provides that a choice scholarship student identified as eligible for special education services may receive special education funding as part of the choice scholarship if the choice scholarship school offers the necessary special education services and the student elects to receive those services at the choice scholarship school.

Position: Monitor

JUVENILE JUSTICE

HEA1006 RECONCILES TECHNICAL AND SUBSTANTIVE CONFLICTS BETWEEN HEA 1006-2013 (THE CRIMINAL CODE REVISION BILL) AND OTHER BILLS CONCERNING CRIMINAL LAW (STEUERWALD G) Removes criminal gang activity, criminal gang intimidation, and certain drug offenses from the list of crimes over which a juvenile court does not have jurisdiction.

Position: Support

SEA19 ACCESS TO JUVENILE COURT RECORDS (STEELE B) Provides that the law making all records of a juvenile court confidential does not apply to records involving proceedings that pertain to: (1) paternity issues; (2) custody issues; (3) parenting time issues; or (4) child support issues; concerning a child born to parents who are not married to each other. Provides that the law that specifies which persons may have access to juvenile court records without a court order does not apply to records involving proceedings that pertain to: (1) paternity issues; (2) custody issues; (3) parenting time issues; or (4) child support issues; concerning a child born to parents who are not married to each other.

Position: Monitor

OTHER

HEA1083 CHILD LABOR LAW AND UNEMPLOYMENT INSURANCE (TORR J) Provides that a legal entity whose ownership is limited to the parents of an employed child or persons standing in place of the parent of an employed child is not subject to certain provisions of the child labor law. Authorizes a child between the ages of 16 and 17 to work until 11 p.m. on a night followed by a school day if the employer has obtained written permission from the child's parent and placed the written permission on file in the employer's office. Authorizes a child to work in an occupation designated as hazardous by the child labor provisions of the federal FLSA when the child is working for the child's parent or a person standing in the place of the child's parent on a farm owned or operated by the parent or person.

Position: Monitor

HJR3 MARRIAGE (TURNER P) Provides that only marriage between one man and one woman shall be valid or recognized as a marriage in Indiana. This proposed amendment has not been agreed to by the previous general assembly.

Position: Oppose

SEA80 INTERIM STUDY COMMITTEE STRUCTURE (LONG D) Establishes 17 interim study committees with authority to study legislative topics. Permits the legislative council to establish additional interim study committees. Provides for the appointment of chairs, vice-chairs, legislative members, and lay members of interim study committees. Permits the chair of a standing interim study committee to establish subcommittees. Eliminates various study and advisory committees.

Position: Monitor

To view complete information for all bills, visit the Indiana General Assembly's website – www.iga.in.gov