

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7180
BILL NUMBER: HB 1423

NOTE PREPARED: Feb 25, 2013
BILL AMENDED:

SUBJECT: Antbullying.

FIRST AUTHOR: Rep. Porter
FIRST SPONSOR: Sen. Wyss

BILL STATUS: As Passed House

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

Guidelines: This bill modifies the definition of bullying. It requires the Department of Education (DOE), in consultation with school safety specialists and school counselors, to develop guidelines to assist school corporations and safe school committees in establishing bullying prevention programs and investigation and reporting procedures and discipline rules.

Reporting: The bill requires each school corporation to include the number and nature of bullying incidents that occur within the school corporation on the school corporation's annual performance report. It sets out a bullying reporting requirement for each school corporation.

Discipline Rules: The bill requires each school corporation to include detailed procedures for investigation and reporting of bullying behaviors in the school corporation's discipline rules. The bill also requires each school corporation to include detailed procedures outlining the use of follow-up services for support services for the victim and bullying education for the bully in the school corporation's discipline rules.

Training: The bill requires each school corporation to provide training to school employees and volunteers concerning the school corporation's bullying prevention program, and to provide annual bullying prevention education to students.

State Educational Institutions: The bill requires that if a board of trustees of a state educational institution elects to govern, by regulation or another means, the conduct of students, faculty, employees, and others on the property owned, used, or occupied by the state educational institution, the regulation must include a policy

prohibiting bullying.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Summary: Guidelines; Discipline Rules; State Educational Institutions:* The bill's requirements should be able to be implemented within existing resources.

Additional Details:

Guidelines: This bill directs the DOE to collaborate with the school safety specialist of each school corporation to prepare guidelines on educational materials on bullying to be used in Grades 1 to 12. The DOE and school corporations would also have to prepare guidelines on how to investigate and report bullying incidents. DOE has a fairly extensive array of resources on bullying available on its website. Included are links to other government and non-government organizations that focus on bullying.

Discipline Rules: Under the bill, the DOE shall periodically review each school corporation's policy on bullying to ensure that the policy is up to date.

State Educational Institution: Under the bill, any regulation on personal conduct promulgated by the board of trustees of a state educational institution must include a policy prohibiting bullying.

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:*

(1) *Guidelines, Training:* School corporations would incur the cost of compiling training materials for staff and students. The total cost is indeterminable at this time.

(2) *Reporting; Discipline Rules:* The cost of implementing these provisions is expected to be negligible.

Additional Details:

Guidelines: School corporations, through their school safety specialists, would collaborate with the DOE to prepare educational materials on bullying and procedures for reporting incidents of bullying. Schools would be responsible for educating students in Grades 1 through 12 about bullying.

Reporting: School corporations must include the number and nature of bullying incidents in their annual report. In a more detailed report to DOE on student safety, corporations must include a section on the number and nature of bullying incidents, when and where they occurred, and if school property or equipment was used.

Discipline Rules: Under current law, the discipline rules adopted by school corporations must include provisions for reporting and investigating incidents of bullying, informing parents of incidents, and educating students. This bill specifies in more detail what those provisions entail. For example, it allows for the anonymous reporting of incidents, directs that timetables be established for reporting the incident to parents, school administrators, the school superintendent, and law enforcement, and establishes disciplinary sanctions

for staff members who fail to initiate or conduct an investigation into a bullying incident.

The bill also requires each school corporation to include in its discipline rules procedures on the use of follow-up services that include support services for the victim of bullying and bullying education for the student who was guilty of performing the act.

Explanation of Local Revenues:

State Agencies Affected: DOE, State Educational Institutions of Higher Learning.

Local Agencies Affected: School corporations; Safe school committees; School safety specialists.

Information Sources: DOE website: <http://www.doe.in.gov/student-services/bullying>

Fiscal Analyst: David Lusan, 317-232-9592.