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**FISCAL IMPACT STATEMENT**

**LS 7180**

**BILL NUMBER:** HB 1423

**NOTE PREPARED:** Apr 10, 2013

**BILL AMENDED:** Apr 9, 2013

**SUBJECT:** Antibullying.

**FIRST AUTHOR:** Rep. Porter

**FIRST SPONSOR:** Sen. Miller Pete

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill has the following provisions.

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

*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 and school counselors of each school corporation to prepare guidelines on educational materials on bullying to be used in Grades 1 to 12. The guidelines must include age appropriate, research based information to assist school corporations and safe school committees in developing bullying prevention programs. The DOE and school corporations would also have to prepare guidelines on how to investigate and report bullying incidents.

The DOE also must establish categories of types of bullying incidents for school corporations to use in their annual reports to the department.

The 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 Institutions:* 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: Guidelines; Reporting; Discipline Rules; Training:* School corporations would incur the cost of compiling training materials for staff and students, and school health education curriculums may have to be modified to include instruction on bullying. Additionally, there could be costs associated with providing support services for victims of bullying. It is expected that these costs would be within existing budgets and resources. The cost of including bullying incidents in the reports to DOE would be negligible.

*Additional Details:*

*Guidelines:* School corporations, through their school safety specialists and school counselors, would collaborate with the DOE to prepare age appropriate, research based 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 category of bullying incidents in their annual report, and also in a more detailed report to DOE on the number of student arrests.

*Discipline Rules:* Under current law, the discipline rules adopted by school corporations must include procedures for reporting and investigating incidents of bullying, informing parents of incidents, and educating students. This bill specifies in more detail what the procedures must entail. For example, it allows for the anonymous reporting of incidents, directs that timetables be established for reporting the incident to parents, school counselors, school administrators, the superintendent, and law enforcement as applicable, establishes disciplinary sanctions for staff members who fail to initiate or conduct an investigation into a bullying incident. Discipline provisions for false reporting of bullying must also be included in the discipline rules.

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 is guilty of performing the act.

**Explanation of Local Revenues:**

**State Agencies Affected:** DOE, State Educational Institutions.

**Local Agencies Affected:** School corporations.

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

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