

Child-Related Laws Passed during the 2018 Indiana Legislative Session

Education

SEA 24	Sunscreen in school	Allows children to carry and use sunscreen at school and school-sponsored events and allows school personnel to assist students in applying sunscreen with written parent permission.
SEA 65	Sex ed parent information required	Requires school corporations make available for inspection to parents instructional materials on human sexuality and request parental consent before providing instruction. Requires second notice after 21 days if parent has not consented or declined instruction. After 10 additional days, if no response, instruction shall be provided to student.
SEA 172	Computer Science Curriculum	Requires computer science to be taught in all K-12 schools and offered as a one-semester elective course in all high schools beginning in 2021, establishes a grant program and fund for teacher professional development to teach computer science.
SEA 217	Dyslexia	Requires school multidisciplinary teams to include information about dyslexia in a student's educational evaluation if the student has characteristics of dyslexia, requires schools to incorporate dyslexia screening into their reading plans, requires IDOE to employ a reading specialist trained in dyslexia and each district to employ a reading specialist trained in dyslexia by 2019-20 (waiver possible), requires IDOE to create a dyslexia resource guide and provide professional awareness information to teachers.
SEA 236	State Insect	Designates the Say's Firefly as the state insect of Indiana.
SEA 303	Education, including transport of foster and homeless youth	Clarifies and cleans up reporting timelines for DOE, vision requirements for bus drivers, and transportation rules for foster and homeless youth. Provides that summer school courses provided online are reimbursable by the Department. Removes the requirement to conduct an out of state CPI check on new hire teachers (a criminal background check and an Indiana CPI check are still required).
SEA 354	Freeway schools	Provides a six-month window for freeway schools to obtain a one-time, three-year waiver from educational benefit requirements. Urges summer study of accreditation for elementary and high schools.
SEA 387	Teacher Licensing and Pay	Establishes eligibility for career specialist permit, including pedagogy. Provides for supplemental pay for STEM and Special Ed teachers not subject to collective bargaining. Requires IDOE to post the pass rate of the content area exams for each postsecondary educational institution. Allows teacher raises to be differentiated. Requires IDOE to issue an RFP for an educator licensing exam. Requires IDOE to prepare a report on the exams that are currently or could be used for licensing in Indiana and who is responsible for paying the cost of each exam.

HEA 1001	Education Funding	Authorizes SBA to transfer funds to cover K-12 funding shortfall, up to \$25 million in FY 17-18 and \$75 million in FY 18-19. Limits kindergarten funding to pupils who are at least five years old on the first day of school. Requires school districts to submit a report on students enrolled in virtual education programs by Oct. 1, 2018.
HEA 1002	Workforce funding and programs	Requires the LSA to study the effectiveness of workforce programs and report annually by October 1 to the Interim Study Committee on Fiscal Policy to determine if each program is successful, can be accommodated in the state budget, and should be continued, amended, or repealed. Schools must provide a form on which parents or emancipated students may voluntarily share a student's CTE information with potential employers. Establishes requirements for apprenticeships, work-based learning courses and workforce ready grants. Changes requirements for nurse educators. Changes structure of Ivy Tech boards of trustees. Establishes the Next Level Jobs Employer Training Grant Program. Requires FSSA and INDOT to perform a coordinated study on leveraging money for transportation to workforce related programs.
HEA 1024	Heat Training for Coaches	Requires head coaches and assistant coaches to complete a certified coaching education course that includes preventing and responding to heat-related medical issues
HEA 1167	School financial management	Increases school corporation flexibility to transfer money among various different funds.
HEA 1314	Foster youth education	Requires IDOE to collaborate with DCS to produce a report on educational outcomes of foster youth annually. Also requires report on homeless youth as a separate sub-group.
HEA 1356	Bullying	Separates schools' required bullying reports from school accountability; provides that IDOE may conduct audits to determine whether bullying is being accurately reported; requires IDOE to conduct a statewide survey on bullying and submit a report to the legislative council.
HEA 1398	Coalition of School Corporations	Authorizes SBOE to approve a coalition of continuous improvement school districts for purposes of innovation.
HEA 1399	Elementary content license	Creates an elementary math specialist license and an elementary math and science teacher license. Requires IDOE to develop an incentive program to assist and reward teachers who pursue and earn an elementary school teacher content license area.

HEA 1420	Education Various	<p>Makes changes related to commission on seclusion and restraint in schools, admission to the Indiana School for the Deaf and Indiana School for the Blind, requires charter schools to establish closing protocols, provides allowable uses for Cambridge International courses, requires a written notification and request for remedy prior to filing a civil or administrative action against a public school, clarifies process for student employment permits for students at non-public, non-accredited schools. Elementary schools may teach cursive writing. Students may work as unpaid waiters and waitresses in licensed premises operated by a hospitality management program or state educational institution for educational purposes provided students are working under supervision of an instructor employed by state educational institution.</p>
HEA 1421	School Discipline	<p>Requires IDOE's model evidence-based school discipline plan to reduce out of school suspension and disproportionality in discipline and expulsion and limit referrals to law enforcement or arrests on school property to those needed for safety. Requires IDOE, beginning in 2019-20, to provide information and assistance to school corporations on implementing the evidence based plan. Requires IDOE to conduct a survey of school corporation discipline policies to determine the extent to which positive discipline and restorative practices are being used, and urges a summer study committee on the use of positive student discipline and restorative justice. Requires the evidence-based policy to include bullying and cyberbullying, and requires technical assistance teams to include teacher organizations and education support professionals. Prohibits IDOE from requiring or pressuring a school corporation to adopt any aspect of the model plan and from conducting reviews, other than any reviews the department currently conducts, of school discipline policies.</p>
HEA 1426	Education-Single diploma	<p>Establishes single diploma with general, Core 40, academic and technical honors tracks, plus an alternate diploma for students with significant cognitive disabilities. Requires the State Board to consider alternatives to Algebra II and to establish math and science course requirements for Core 40. Requires high schools to administer a college entrance exam as part of statewide assessment beginning in 2021-22. Establishes a waiver to postsecondary readiness requirements in graduation pathways. Allows charter schools to prioritize Free/Reduced Price Lunch students if the priority is stated in the school's charter and is approved by the charter authorizer. Urges interim study on career counseling in school corporations.</p>

Health

SEA 142	Maternal Mortality Review Committee	Requires ISDH to establish a maternal mortality review committee and requires health care providers and facilities to report maternal mortality cases to the committee. Establishes requirements for committee.
SEA 340	Regulation of abortion and newborn safety devices	Makes various changes to abortion regulation, requires health care providers to report abortion-related complications to ISDH, adds elements to required report abortion providers must make to ISDH. Provides defense against neglect if a newborn is left in a newborn safety device at a fire department and provides immunity to the fire department if the device meets specific requirements and there is no gross negligence or willful or wanton misconduct.
SEA 360	Perinatal Levels of Care	Requires ISDH to establish a program to certify perinatal levels of care for hospitals and birthing centers, including peer review.
HEA 1017	Newborn Screening	Adds spinal muscular atrophy and severe combined immunodeficiency to the list of disorders in the newborn screening requirements.
HEA 1120	Meth labs and ISDH	Transfers from IDEM to ISDH oversight of decontamination of property used in the illegal manufacture of controlled substances.
HEA 1175	Diabetes reporting	Requires ISDH in collaboration with FSSA to develop a plan to identify and reduce the prevalence of diabetes and prediabetes.
HEA 1287	Newborn Screening	Requires specific timing for the drawing of a newborn's blood for required testing, exempts preterm infants and those who receive a total blood transfusion.

Mental Health and Substance Abuse

SEA 223	Licensing Survey	Requires licensed health and behavioral health practitioners to provide information related to their practice during license renewal, and PLA to compile a report annually and submit the report to OMPP, DWD, the Children's Commission, the Legislative Council, and the OAG. Specifies notice requirements for network health care providers that make referrals via telephone to out-of-network health care providers.
SEA 224	Licensing Internship and supervision requirements	Allows up to 50% of supervision required for clinical licensure to take place virtually, and changes requirements for LMHC to 700 hour internship with 66 hours of supervision (from 1000 and 100, respectively). Reduces a requirement for LMFT face to face client contact hours from 500 to 400.
SEA 225	Opioid Continuing Ed	Requires two hours every two years of continuing education on opioid prescribing and opioid abuse for health care practitioners who apply for controlled substances registration.
SEA 230	Suicide Prevention Training	Establishes requirements for suicide prevention training (research-based, effective or promising, recommended by ISPAC) for health care providers, EMTs, and school faculty and staff.

HEA 1007	Expanding mental health access	Streamlines Medicaid provider credentialing; authorizes up to 9 new opioid treatment programs; requires FSSA to provide guidelines to employers on employee drug treatment and promote voluntary participation, provides immunity from negligent hiring for employers when guidelines are followed; establishes one-year temporary permits for clinical providers who have completed degrees and are pursuing required clinical supervisory hours, requires insurers that cover substance abuse treatment to cover treatment provided by licensed addictions counselors or licensed clinical addictions counselors, urges a summer study committee on the impact of opioid treatment programs on the surrounding community.
HEA 1317	SNAP for Drug Felons, other health and social service	Requires FSSA to conduct a rate study for early intervention services, including a projection of the number of children who will need such services in the next five years, the funding needed to serve them, and recommended funding sources. Reinstates SNAP eligibility for drug offenders provided they have successfully completed or are complying with the conditions of post-conviction monitoring ordered by the court. Additional provisions related to prescription drug affordability, the CHOICE board, and Area Agencies on Aging.

Child Welfare

SEA 128	Hearing for placement change	Requires DCS to file a motion to change the placement of a child who has been in the same out-of-home placement for a year or more, allows the current placement to object to the change and request a hearing; provides for emergency placement change with delayed filing if child's life or health is in danger.
SEA 135	Notification to schools of foster placement; CASA program immunity	Requires DCS to notify a child's school within 72 hours that a child has been removed from the child's home. Establishes civil immunity for CASA and GAL programs, staff, and volunteers when a child is placed on a wait list. Clarifies this does not negate the appointment of a CASA or GAL.
SEA 184	Maximum number of foster children	Increases the maximum number of foster children in a home from five to six.
SEA 233	Foster Parents Bill of Rights	Requires DCS in collaboration with foster parents and child placing agencies to develop and update a statement of foster parents rights and responsibilities and to distribute the statement and publish it on its web site.
SEA 381	CHINS Convicted adult	Allows a child living in the same home as an adult convicted of an offense against another child in the home or charged with an offense against another child in the home and awaiting trial to be designated a CHINS.
SEA 402	Juvenile Reports	Requires reports prepared for the juvenile court's review of dispositional decree or for use at a periodic case review or hearing be provided to all listed parties at least 48 hours in advance of the hearing.

SEA 428	DCS-case conference and positive drug screens	Requires DCS case plan to include description of efforts to coordinate with child's school for child's safety and support if such efforts were made. Requires DCS to notify the court if DCS receives information, including a positive drug screen, that indicates a parent may have violated a dispositional order of the court.
SEA 431	Immunity for assisting abuse investigation	Provides immunity for health care providers who participate in an investigation of child abuse, with exceptions for medical malpractice, gross negligence, and willful or wanton misconduct. Provides that an APS worker or other caseworker who has reason to believe an animal has been mistreated may make a report to local law enforcement or animal control. Provides civil and criminal immunity from a caseworker or APS worker making such a report.
HEA 1091	Access to records in adoption proceedings	Requires a licensed child placing agency or local DCS office to provide to a child's current foster parent and prospective adoptive parent a description of information in the agency's report to the court on the advisability of adoption, and to provide contact information.
HEA 1248	Silver alert for kids with disabilities	Adds missing endangered children with physical or mental incapacities to the Silver Alert program.
HEA 1314	Foster youth education	Requires IDOE to collaborate with DCS to produce a report on educational outcomes of foster youth annually. Also requires report on homeless youth as a separate sub-group.
HEA 1406	DCS Child Support	Clarifies and makes some changes to child support and paternity provisions. Urges study committee on child support data system adequacy and cost to update or replace.

Criminal Justice

SEA 179	Child Support while incarcerated	Incarceration may not be considered voluntary unemployment for purposes of child support; child support orders may be modified due to incarceration without a hearing if no party objects within 30 days, requires child support bureau to notify parties of the right to request modification based on incarceration.
HEA 1173	Trial records for victims	Free trial transcript to crime victim or immediate family member.
HEA 1228	Data on youth in adult court	Requires ICJI to collect and report certain disaggregated data related to juveniles waived to adult court. Report must be posted online and provided to the Children's Commission.
HEA 1270	Human Trafficking	Separates the crime of "human and sexual trafficking" into labor trafficking and sexual trafficking, adds elements, requires law enforcement to notify DCS of a possible child trafficking victim, requires CISC to study law enforcement authority to take custody or detain a child who is believed to be a trafficking victim. Exempts reasonable attorneys fees from the crime of profiting from an adoption.

Child Care

SEA 187	Child Care Safe Sleep & Ministries	Establishes safe sleep training and penalties for safe sleep violations for all types of state-regulated child care, establishes administrative procedures for child care ministry application, denial, revocation, and appeal.
HEA 1073	Child Care Safety	Requires licensed child care homes to provide proof of a local business permit or that none is required, requires all weapons to be kept in areas inaccessible to children; allows DFR to waive the one year period after revocation during which a person may not apply for or be granted another license.