

# 2016 Legislative Update

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HOW DID CHILDREN & FAMILIES FARE?

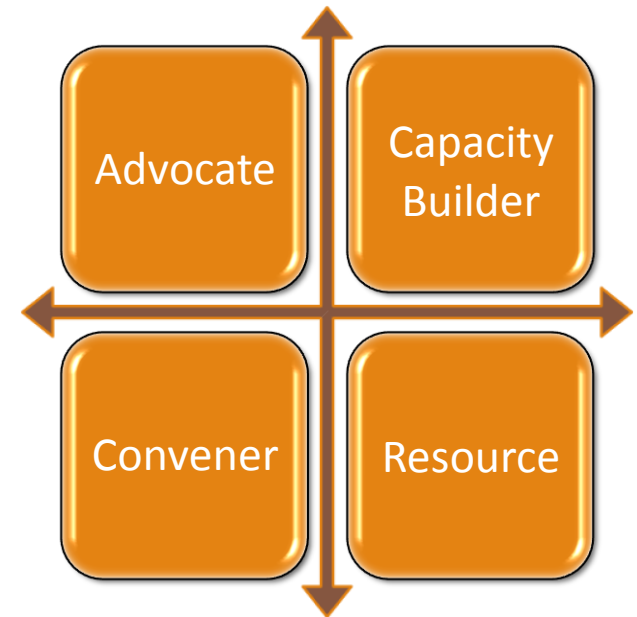


Indiana Disproportionality Committee  
March 22, 2016

# Marion County Commission on Youth, Inc.

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- Non-profit intermediary organization
- Champions the positive development of youth through leadership on key issues and support of the youth development professional community



# MCCOY and Advocacy

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Local, state and national

Partner with coalitions, service providers, youth and community

Indiana affiliate of Partnership for America's Children

- Voices for Indiana's Children virtual network

Public Policy Committee

Youth Advocacy Council



# 2016 Legislative Priorities

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***Early Childhood Safety & Education*** – improving the quality and accessibility of child care and early education programs, requiring kindergarten attendance, and fully-funded full-day kindergarten

***Early Intervention and Prevention*** – ensuring that prevention and early intervention services are available and accessible to individuals and families before they are in crisis

***School Safety & School Discipline Reform*** – ensuring that schools utilize evidence-based prevention programs and implement positive behavioral interventions & supports state-wide

***Youth Safety*** – ensure that policies related to issues such as violence, suicide, human trafficking, gangs, and bullying are data-driven and reflect a comprehensive approach to addressing the root causes of the issues within families, communities, and schools



# 2016 Session Summary

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# 2016 Session

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The “Short Session” January 5 – March 10

- “Clean-up” session

Supermajorities in both chambers

- House 71 R – 29 D
- Senate 40 R – 10 D



# Governor's Priorities

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Schools

Roads

Confronting drug abuse

Jobs

Economy



# Republican Caucus Priorities

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## House Republicans

Budget

Education

Ethics

Public Safety

## Senate Republicans

Road Funding

Supporting Economic  
Development

Fairness in School Accountability,  
Teacher Pay

Stopping Drug Dealers

Supporting Hoosier Veterans

Property Tax Relief for Farmers

Medical Malpractice Reform



# Democrat Caucus Priorities

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## House Democrats

Every Hoosier benefits from a growing economy

Every Hoosier receives a quality education

Protecting the public trust

## Senate Democrats

Civil Rights

Funding solutions for local roads and bridges

Working Families

# Hot Issues

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Civil Rights

Hate Crimes/Bias-Motivated Crimes

Human Trafficking

ISTEP

Teacher Shortages

Pseudoephedrine/Methamphetamine



# Child Safety

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## **HEA1012 Developmental Disability Bracelet and Identification Card (Koch)**

– Allows a person with a medical diagnosis of a developmental disability (including Autism) or their parent/guardian to request an ID card, bracelet, or both indicated their diagnosis.

**HEA1028 Human Trafficking and Common Nuisances (Truitt)** – Certain human trafficking crimes including knowingly visiting or maintaining a property, vehicle, etc. used for promotion of human trafficking are Class A misdemeanors and Level 6 felonies, respectively.

**HEA1064 Terminating the Parent-Child Relationship (Slager)** – The parent of a child who was conceived via rape may terminate the rapist's parental rights if it is in the best interest of the child.



# Child Safety

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**HEA1157 Methamphetamine Matters** (Frizzell) – Creates a procedure for creating a stop sale alert for a person with a previous methamphetamine-related felony from attempting to buy pseudoephedrine without a prescription.

**HEA1199 Human Trafficking** (McNamara) – Adds the crime of promotion of human trafficking of a minor to the definitions of “sex offender” and “sex or violent offender.”

**SEA14 Various Criminal Law Matters** (Head) – Increases penalties for creation or possession of child pornography in cases where the children are depicted in acts of bestiality, are mentally disabled, participating in sexual conduct by use of force, physically or verbally resisting the participation, receives bodily injury while participating, or is less than 12 years of age.



# Child Safety

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**SEA80 Ephedrine and Pseudoephedrine (Head)** – Provides for the development and use of a screening process for pharmacists to use to determine a customer's need for purchasing Sudafed. A person with a customer history with pharmacy does not need to be screened.

**SEA161 Pharmacists, Ephedrine, and Methamphetamine (Young)** – Similar to both HEA1157 & SEA80. Also requires INSPECT program to track Sudafed dispensed via prescription.

**SEA186 Release of Medical Tests of Pregnant Women (Merritt)** – Prohibits certain practitioners from releasing to law enforcement the results of certain drug and alcohol screenings and test results of a pregnant woman.



# Child Safety

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**SEA234 Education of Coaches and Student Athletes (Lanane)** – Requires coaches of interscholastic sports to complete a certified player safety education course approved by the Department of Education, in consultation with a physician with expertise in concussions and brain injuries. Is optional for coaches of intramural sports.

**SEA250 Parenting Coordinators (Buck)** – Recommends the study of the use of parenting coordinators in resolving custody and parenting conflicts



# Child Welfare/ Juvenile Justice

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**HEA1271 Child Abuse Matters (Zent)** – Requires DCS to notify the U.S. Department of Defense Family Advocacy Program if a child of an active duty member of military is the subject of a substantiated investigation for purpose of seeking services for that family.

**HEA1369 Juvenile Justice (McNamara)** – Requires the Commission on Improving the Status of Children to study innovative juvenile justice programs, including juvenile community corrections, and to consult with the Justice Reinvestment Advisory Council on how to distribute funds to those programs.

**SEA17 Child Abuse Prevention Fee and Domestic Violence Prevention and Treatment Fee (Head)** – Adds the offense of strangulation to the list of offenses requiring payment of the fee.



# Child Welfare/ Juvenile Justice

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**SEA26 Children in Need of Services (Steele)** – Clarifies language surrounding a Child in Need of Services (CHINS) designation for a child living in the same household as an adult who commits certain offenses.

**SEA91 Release of Identifying Adoption Information (Steele)** – Repeals provisions that prohibit release of identifying adoption information unless a release consent is on file for adoptions before 1/1/1994. Provides that identifying adoption information may be released unless a nonrelease is on file regardless of when adoption occurred.





# Child Welfare/ Juvenile Justice

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**SEA160 Juvenile Law (Young)** - Allows an adult court having jurisdiction over a minor charged with an offense requiring the automatic transfer of jurisdiction to the adult court to withhold judgment and transfer jurisdiction to the juvenile court for adjudication and disposition if the minor is convicted of an offense, but not convicted of an offense requiring the automatic transfer of jurisdiction to the adult court. Allows an intake officer to impose conditions upon the release of a child who was not taken into custody under an order of the court. Requires the juvenile court to hold a detention hearing within 48 hours if an intake officer imposes conditions of release upon a child.



# Child Welfare/ Juvenile Justice

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## **SEA305 Department of Child Services Matters (Head) –**

- Adds the following to the list of offenses under which a child victim may be designated a Child in Need of Services (CHINS):
  - Human or sexual trafficking offenses
  - Sexual battery against a child
  - Vicarious sexual gratification offenses
  - Child solicitation
  - Patronizing a prostitute
  - Promoting prostitution
- Expands the statutory definition of “human trafficking” and “sex trafficking” to include the federal definitions and definitions from other jurisdictions.



# Child Welfare/ Juvenile Justice

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## **SEA305 Department of Child Services Matters (Head) –**

- Adds a CHINS designation for a child who lives in a household with an adult charged with human trafficking.
- Permits a juvenile court to find that reasonable efforts for reunification are not necessary if a child is a CHINS as a result of parent, guardian or custodian involvement in human trafficking of child or others.
- Removes requirement that a delinquent child be removed from home in order to enter an informal adjustment.
- Provides that DCS may share assessment reports with the National Center for Missing and Exploited Children

**SEA357 Registry of Convicted Child Abusers (Yoder) –** Establishes an electronic child abuse registry of persons convicted of a crime of child abuse.



# Education

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**HEA1003 Teacher Evaluations** (Behning) – Holds teachers harmless from results of the 2014-2015 ISTEP test unless it would improve that teacher's performance rating.

**HEA1005 Various Education Matters** (DeVon) – Makes certain changes to choice scholarship eligibility (from 1 per year to 2). Establishes the Dual Credit Teacher Stipend Matching Grant Program. Contains provisions related to disclosure of information related to current or former school employees who received substantiated reports of abuse or neglect. Requires schools to conduct checks on applicants to determine if they have been the subject of reports of committing child abuse or neglect or had a teacher's license suspended or revoked in another state. Provides that nonpublic schools must develop policies for applicants to obtain a background check. Urges the study of certain topics including reducing sexual misconduct violations and improving reporting in schools.



# Education

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**HEA1209 Workplace Spanish Transcript Designation (Cook)** – Creates a Workplace Spanish designation on a student's transcript who completes certain Spanish language courses.

**HEA1219 High School Diplomas (Clere)** – Requires high schools to offer all types of diplomas approved by the State Board of Education.

**HEA1394 Various Education Matters (Behning)** – Establishes enrollment requirements and limitations to enroll in an innovation network charter school. Requires a charter school to establish and disseminate written discipline rules. Prohibits a charter school from expelling or suspending a student based on certain characteristics.



# Education

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**HEA1395 ISTEP Matters** (Behning) – Provides that ISTEP program expires July 1, 2017. Establishes a panel to study school accountability metrics, teacher evaluations, and alternatives to ISTEP.

**SEA9 Charter School Data Collection** (Raatz) – Removes the requirement that charter schools report certain data to the Department of Education.

**SEA93 Various Education Matters** (Kruse) – Provides that every public school have safe, potable water. Makes certain changes to charter schools. Requests the study of certain topics including graduation rates, opportunities to earn college credits in high school and the establishment of special education scholarship accounts.



# Education

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## **SEA200 Measuring School and School Corporation Performance**

(Kruse) – Holds schools harmless from the results of the 2014-2015 ISTEP test.

## **SEA251 Indiana Out of School Time Learning Advisory Board (Kruse) –**

Establishes the advisory board for a 3-year period to study existing out of school time programs and recommend policies, procedures, funding levels, and eligibility criteria for programs.



# Mental Health

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**HEA1347 Mental Health Matters** (Kirchhofer) – Requires Office of Medicaid Policy and Planning to reimburse services provided by certain advanced practice nurses, certain graduate and post-graduate degree level students in specified fields who are interning in a practicum at a community mental health center under supervision of licensed professional and licensed clinical addiction counselors who are under the clinical supervision of a physician or health service provider in psychology.





# Other

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**SEA15 Fresh Food Initiative** (Head) – Urges the study of topics related to the establishment of a food desert grant and loan program.

**SEA271 Drug Enforcement, Treatment, and Prevention** (Merritt) – Establishes the Indiana Commission to Combat Drug Abuse (ICCD) and repeals the Commission for a Drug Free Indiana.



# What Didn't Pass

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**SB42 Juvenile Delinquency (Long)** - Prohibits the detention in certain facilities of a child alleged to be a delinquent child. Prohibits the placement in certain facilities of a delinquent child unless the delinquent child: (1) violates probation; or (2) has three prior unrelated adjudications as a delinquent child for acts that would be crimes if committed by an adult, at least one of which would be a felony. Requires the Department of Correction Division of Youth Services to submit an annual report to the General Assembly.

**SB132 Food Stamp Assistance After Drug Conviction (Broden)** - Allows certain individuals who were convicted of a drug offense but: (1) have been released from any incarceration at least five years before applying for food stamps; and (2) have not been convicted of any additional offenses in the five years since release from incarceration; to receive food stamps. Permits individuals who have had a conviction in the past five years but who: (1) do not commit any violation of the terms of a probation, parole, or community corrections program; and (2) do not test positive for drugs or alcohol; to be eligible to receive food stamps.



# What Didn't Pass

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**SB197 INTERNET CRIMES INVESTIGATION FUND AND FEE (CRIDER) -** Establishes the Internet crimes investigation fund (fund). Requires the state police department (department) to administer the fund and use money in the fund to: (1) pay for costs incurred by the department for training, purchasing equipment, and investigating felonies and misdemeanors that involve the use of the Internet, including crimes against children that involve use of the Internet; and (2) award grants to county, city, and town law enforcement agencies that agree to use the money to investigate Internet crimes against children in accordance with United States Department of Justice Internet Crimes Against Children Operational and Investigative Standards. Requires the department to report to the legislative council before November 1, 2017, and before November 1 of each year thereafter concerning the uses of money in the fund and the programs and activities that were paid for by expenditures of money in the fund. Provides that, in each court action in which a person is convicted of a felony or misdemeanor, the clerk of the court shall collect an Internet crimes investigation fee (fee) of \$10 from the person.



# What Didn't Pass

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**SB220 BIAS CRIMES (GLICK )** - Makes it an aggravating circumstance (for purposes of imposing a criminal sentence) that the crime was committed with the intent to harm or intimidate an individual because of certain perceived or actual characteristics of the individual.

**SB268 STUDY OF ETHNIC HISTORY IN HIGH SCHOOLS (TAYLOR)** - Requires the study of ethnic and racial groups to be included as part of each school corporation's high school United States history course.

**SB344 CIVIL RIGHTS (HOLDMAN T)** Prohibits discriminatory practices in acquisition or sale of real estate, housing, education, public accommodations, employment, the extending of credit, and public contracts based on military active duty status, or sexual orientation. Provides protections for religious liberty and conscience. Limits the adoption of a civil rights ordinance after December 31, 2015, that applies to a class of persons not covered by state law. Permits local civil rights agencies to order the employment of a veteran. Provides that a court is to use the material burden analysis in reviewing certain claims involving religion, thought, speech, and assembly. Repeals the substantially burden of religion analysis in reviewing certain claims involving government action.



# Contact Info

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