



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 50 be amended to read as follows:

- 1 Between the enacting clause and line 1, begin a new paragraph and
2 insert:
3 "SECTION 1. IC 20-26-5-4.5, AS ADDED BY P.L.90-2011,
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 4.5. (a) The superintendent is responsible for
6 selecting and discharging principals, central office administrators,
7 business managers, superintendents of building and grounds, janitors,
8 physicians, dentists, nurses, athletic coaches (whether or not they are
9 otherwise employed by the school corporation and whether or not they
10 are licensed under IC 20-28-5), and any other employees necessary to
11 the operation of the school corporation, subject to the approval of the
12 governing body.
13 (b) Subject to IC 20-28-7.5, the superintendent and principal are
14 responsible for selecting and discharging teachers, teachers aides,
15 assistant principals, building administrative staff, librarians, **school**
16 **chaplains (as defined in IC 20-26-22-2)**, and any other employees
17 necessary to the operation of the school, subject to the approval of the
18 governing body."
19 Page 2, line 9, delete "services;" and insert "**services if the student**
20 **is an emancipated minor or an adult;**".
21 Page 2, line 11, delete "or guardian".
22 Page 2, line 11, delete "receiving services;" and insert "**and the**
23 **student receiving services if the student is an unemancipated**
24 **minor;**".
25 Page 2, line 14, after "Sec. 5." insert "(a)".
26 Page 2, line 14, delete "IC 20-33-7.5 and IC 31-32-11-1:" and insert
27 "**subsection (b), IC 20-33-7.5, IC 31-32-11-1, and IC 31-33-5:**".

1 Page 2, between lines 18 and 19, begin a new paragraph and insert:
2 **"(b) A school chaplain shall disclose to a school counselor**
3 **communications made by a student to the school chaplain if the**
4 **communications concern:**
5 **(1) self-harm of the student; or**
6 **(2) an intention to harm others.**
7 SECTION 3. IC 20-28-10-17, AS AMENDED BY P.L.248-2023,
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 17. (a) Except as provided in IC 20-33-7.5, ~~and~~
10 IC 31-32-11-1, **and IC 31-33-5**, a school counselor is immune from
11 disclosing privileged or confidential communication made to the
12 counselor as a counselor by a student.
13 (b) Except as provided in IC 20-33-7.5, ~~and~~ IC 31-32-11-1, **and**
14 **IC 31-33-5**, the matters communicated are privileged and protected
15 against disclosure."
16 Re-number all SECTIONS consecutively.
 (Reference is to SB 50 as printed January 26, 2024.)

Senator DONATO