

HOUSE BILL No. 1137

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-2-19.

Synopsis: Release to attend religious instruction. Requires a principal to allow a student to attend religious instruction conducted by certain entities following the principal's receipt of written notice from the student's parent.

Effective: July 1, 2024.

Culp, Teshka

January 8, 2024, read first time and referred to Committee on Education.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-33-2-19, AS AMENDED BY P.L.226-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 19. (a) When the parent of a student who is
4 enrolled in a public school ~~makes a~~ **provides** written ~~request,~~ **notice**,
5 the principal ~~may~~ **shall** allow the student to attend a school for
6 religious instruction that is conducted by a church, an association of
7 churches, or an association that is organized for religious instruction
8 and incorporated under Indiana law.

9 (b) ~~If a principal grants permission~~ **After receiving notice** under
10 subsection (a), the principal shall ~~specify work in a collaborative~~
11 **manner with the parent or entity offering religious instruction to**
12 **provide assistance in determining** a period or periods, not to exceed
13 one hundred twenty (120) minutes in total in any week, for the student
14 to receive religious instruction. The ~~permission~~ **notice** is valid only for
15 the **school** year in which it is ~~granted.~~ ~~Decisions made by a principal~~
16 ~~under this section may be reviewed by the superintendent.~~ **provided.**

17 (c) A school for religious instruction that receives students under



- 1 this section:
- 2 (1) shall maintain attendance records and allow inspection of
- 3 these records by attendance officers; and
- 4 (2) may not be supported, in whole or in part, by public funds.
- 5 (d) A student who attends a school for religious instruction under
- 6 this section shall receive the same attendance credit that the student
- 7 would receive for attendance in the public schools for the same length
- 8 of time.
- 9 (e) A public secondary school may award academic credit to a
- 10 student who attends religious instruction under this section if the
- 11 governing body of the school corporation adopts a policy that allows
- 12 the awarding of credit. A policy adopted under this subsection must
- 13 provide the following:
- 14 (1) Classes in religious instruction are evaluated on the basis of
- 15 purely secular criteria in substantially the same manner as similar
- 16 classes taken by a student at a nonpublic secondary school who
- 17 transfers to a public secondary school are evaluated to determine
- 18 whether the student receives transfer credit for the classes.
- 19 Secular criteria may include the following in addition to other
- 20 secular criteria established by the governing body:
- 21 (A) The number of hours of classroom instructional time.
- 22 (B) A review of the course syllabus that reflects the course
- 23 requirements and materials.
- 24 (C) Methods of assessment used in the course.
- 25 (D) Whether the course is taught by a licensed teacher.
- 26 (2) The decision of whether to award academic credit is neutral
- 27 as to, and does not involve any test for, religious content or
- 28 denominational affiliation.
- 29 (3) A provision that a student who attends religious instruction
- 30 under this section shall first seek to use a time period during a
- 31 student instructional day (as defined in IC 20-30-2-2) that is not
- 32 devoted to student instructional time to attend religious
- 33 instruction. If a student is not able to attend religious instruction
- 34 at a time other than during student instructional time, the student
- 35 may not be released to attend religious instruction for an amount
- 36 of time per week that exceeds the amount established in
- 37 subsection (b).
- 38 A student may be awarded a total of not more than two (2) elective
- 39 academic credits under this subsection.

