

SENATE BILL No. 373

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30; IC 20-33.

Synopsis: Education matters. Provides that each school corporation and charter school shall place a durable poster or framed picture representing: (1) the national motto of the United States, "In God We Trust"; (2) an accurate representation of the United States flag; and (3) an accurate representation of the Indiana state flag; in each school library and classroom within the school corporation or charter school. Provides that the poster or framed picture may be acquired as follows: (1) Donated to the school corporation or charter school. (2) Purchased with funds made available to the school corporation or charter school through voluntary contributions. (3) Purchased directly by the school corporation or charter school. Specifies the size requirements for the poster or framed picture and the national motto and flags of the United States and state of Indiana. Provides that each school corporation that offers as an elective in the school corporation's high school curriculum a course surveying religions of the world (survey course) may also include as part of the survey course's curriculum the study of the Bible. Provides that the governing body of a school corporation may require the teaching of various theories concerning the origin of life, including creation science. Provides that a public secondary school student may receive not more than two elective academic credits for released time religious instruction classes if: (1) the governing body of the school corporation adopts a policy that allows the awarding of credit; and (2) certain conditions are met. Specifies that the liberty of parents to direct the education of their child is a fundamental right. Prohibits a public school, including a charter school, an accredited nonpublic school, an
(Continued next page)

Effective: July 1, 2019.

Kruse

January 10, 2019, read first time and referred to Committee on Education and Career Development.



Digest Continued

eligible school, and a nonaccredited nonpublic school (school) from infringing on that right without demonstrating that the school's interest as applied to the person is of the highest order and not otherwise served. Establishes the application of these provisions to resolutions of a school's governing body.



Introduced

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 373

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 20-30-3-5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 5. (a) Subject to subsection (b), each school**
4 **corporation and charter school shall place a durable poster or**
5 **framed picture representing:**
6 (1) **the national motto of the United States, "In God We**
7 **Trust"; and**
8 (2) **an accurate representation of the:**
9 (A) **United States flag; and**
10 (B) **Indiana state flag;**
11 **which shall be positioned under the national motto described**
12 **in subdivision (1);**
13 **in each school library and classroom within the school corporation**
14 **or charter school.**
15 (b) **The durable poster or framed picture described in**



1 subsection (a) must be at least eleven (11) inches in height by
 2 seventeen (17) inches in width. The dimensions of the national
 3 motto, United States flag, and Indiana state flag described in
 4 subsection (a) must be as follows:

5 (1) The national motto described in subsection (a)(1) must be
 6 at least four (4) inches in height by fifteen (15) inches in width
 7 and include print large enough to fill the dimensions
 8 established by this subdivision.

9 (2) Each of the flags described in subsection (a)(2) must be at
 10 least five (5) inches in height by five (5) inches in width.

11 (c) The durable poster or framed picture described in subsection
 12 (a) may be acquired as follows:

13 (1) Donated to the school corporation or charter school.

14 (2) Purchased with funds made available to the school
 15 corporation or charter school through voluntary
 16 contributions.

17 (3) Purchased directly by the school corporation or charter
 18 school.

19 SECTION 2. IC 20-30-6.1-1, AS ADDED BY P.L.220-2017,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2019]: Sec. 1. (a) Each school corporation may include as an
 22 elective in the school corporation's high school curriculum a course
 23 surveying religions of the world. The course must include as part of the
 24 course's curriculum:

25 (1) the historical study of religion;

26 (2) the cultural study of religion; and

27 (3) a literary study of writings, documents, or records relating to
 28 various religions, **including the study of the Bible.**

29 (b) The curriculum described in subsection (a) must be neutral,
 30 objective, and balanced. It may not encourage or promote acceptance
 31 of any particular religion.

32 SECTION 3. IC 20-30-6.1-3 IS ADDED TO THE INDIANA CODE
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 2019]: **Sec. 3. The governing body of a school corporation may
 35 require the teaching of various theories concerning the origin of
 36 life, including creation science, within the school corporation.**

37 SECTION 4. IC 20-33-2-19, AS ADDED BY P.L.1-2005,
 38 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2019]: Sec. 19. (a) When the parent of a student who is
 40 enrolled in a public school makes a written request, the principal may
 41 allow the student to attend a school for religious instruction that is
 42 conducted by a church, an association of churches, or an association



1 that is organized for religious instruction and incorporated under
2 Indiana law.

3 (b) If a principal grants permission under subsection (a), the
4 principal shall specify a period or periods, not to exceed one hundred
5 twenty (120) minutes in total in any week, for the student to receive
6 religious instruction. The permission is valid only for the year in which
7 it is granted. Decisions made by a principal under this section may be
8 reviewed by the superintendent.

9 (c) A school for religious instruction that receives students under
10 this section:

11 (1) shall maintain attendance records and allow inspection of
12 these records by attendance officers; and

13 (2) may not be supported, in whole or in part, by public funds.

14 (d) A student who attends a school for religious instruction under
15 this section shall receive the same attendance credit that the student
16 would receive for attendance in the public schools for the same length
17 of time.

18 (e) **A public secondary school may award academic credit to a
19 student who attends religious instruction under this section if the
20 governing body of the school corporation adopts a policy that
21 allows the awarding of credit. A policy adopted under this
22 subsection must provide the following:**

23 **(1) Classes in religious instruction are evaluated on the basis
24 of purely secular criteria in substantially the same manner as
25 similar classes taken by a student at a nonpublic secondary
26 school who transfers to a public secondary school are
27 evaluated to determine whether the student receives transfer
28 credit for the classes. Secular criteria may include the
29 following in addition to other secular criteria established by
30 the governing body:**

31 **(A) The number of hours of classroom instructional time.**

32 **(B) A review of the course syllabus that reflects the course
33 requirements and materials.**

34 **(C) Methods of assessment used in the course.**

35 **(D) Whether the course is taught by a licensed teacher.**

36 **(2) The decision of whether to award academic credit is
37 neutral as to, and does not involve any test for, religious
38 content or denominational affiliation.**

39 **A student may be awarded a total of not more than two (2) elective
40 academic credits under this subsection.**



1 SECTION 5. IC 20-33-13 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]:

4 **Chapter 13. Parental Rights Protected**

5 **Sec. 1. This chapter applies to any resolution of a governing**
6 **body (or the equivalent for a charter school or a nonpublic school**
7 **described in section 2(2) through 2(4) of this chapter) and the**
8 **implementation of that resolution, whether enacted, adopted, or**
9 **effective before, on, or after July 1, 2019.**

10 **Sec. 2. As used in this chapter, "school" refers to any of the**
11 **following:**

- 12 (1) A public school, including a charter school.
13 (2) An accredited nonpublic school.
14 (3) An eligible school (as defined in IC 20-51-1-4.7).
15 (4) A nonaccredited nonpublic school.

16 **Sec. 3. The liberty of a parent to direct the education of the**
17 **parent's child is a fundamental right.**

18 **Sec. 4. A school may not infringe on the right described under**
19 **section 3 of this chapter without demonstrating that the school's**
20 **interest as applied to the person is of the highest order and not**
21 **otherwise served.**

22 **Sec. 5. A statute enacted after July 1, 2019, is subject to this**
23 **chapter.**

