



March 26, 2019

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# ENGROSSED SENATE BILL No. 373

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DIGEST OF SB 373 (Updated March 20, 2019 12:45 pm - DI 116)

**Citations Affected:** IC 20-33.

**Synopsis:** Academic credits for religious instruction. Provides that a public secondary school student may receive not more than two elective academic credits for released time religious instruction classes if certain conditions are met.

**Effective:** July 1, 2019.

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## Kruse, Raatz

(HOUSE SPONSORS — WESCO, JORDAN, BARTLETT)

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

February 21, 2019, amended, reported favorably — Do Pass.

February 25, 2019, read second time, ordered engrossed. Engrossed.

February 26, 2019, read third time, passed. Yeas 40, nays 8.

### HOUSE ACTION

March 4, 2019, read first time and referred to Committee on Education.

March 25, 2019, amended, reported — Do Pass.

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ES 373—LS 6458/DI 129





March 26, 2019

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.

## ENGROSSED SENATE BILL No. 373

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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 ADDED BY P.L.1-2005,  
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 19. (a) When the parent of a student who is  
4 enrolled in a public school makes a written request, the principal may  
5 allow the student to attend a school for religious instruction that is  
6 conducted by a church, an association of churches, or an association  
7 that is organized for religious instruction and incorporated under  
8 Indiana law.  
9 (b) If a principal grants permission under subsection (a), the  
10 principal shall specify a period or periods, not to exceed one hundred  
11 twenty (120) minutes in total in any week, for the student to receive  
12 religious instruction. The permission is valid only for the year in which  
13 it is granted. Decisions made by a principal under this section may be  
14 reviewed by the superintendent.  
15 (c) A school for religious instruction that receives students under

ES 373—LS 6458/DI 129



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



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 373, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 36.

Delete page 4.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 373 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 8, Nays 2.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 373, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 29 and 30, begin a new line block indented and insert:

**"(3) A provision that a student who attends religious instruction under this section shall first seek to use a time period during a student instructional day (as defined in IC 20-30-2-2) that is not devoted to student instructional time to attend religious instruction. If a student is not able to attend religious instruction at a time other than during student instructional time, the student may not be released to**



**attend religious instruction for an amount of time per week that exceeds the amount established in subsection (b)."**

and when so amended that said bill do pass.

(Reference is to SB 373 as printed February 22, 2019.)

BEHNING

Committee Vote: yeas 8, nays 3.

