SENATE BILL No. 415

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-28-10-20; IC 20-33-1.5; IC 21-41-13.

Synopsis: School discrimination. Provides that a teacher, administrator, or other employee of a school corporation or charter school shall not require or make part of a course certain concepts related to race or sex. Provides that a school corporation or a charter school, or an employee of a state agency, school corporation, or charter school acting in an official capacity, shall not direct or otherwise compel a school employee to personally affirm, adopt, or adhere to certain tenets relating to race or sex. Provides that a student enrolled at a state educational institution shall not be required to engage in any form of mandatory gender or sexual diversity training or counseling. Provides that any orientation or requirement that presents any form of race or sex stereotyping or a bias on the basis of race or sex is prohibited.

Effective: July 1, 2022.

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January 12, 2022, read first time and referred to Committee on Education and Career Development.
SENATE BILL No. 415

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

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

SECTION 1. IC 20-28-10-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 20. (a) Except as provided in subsection (b) and in accordance with IC 20-33-1-6, a state agency (as defined in IC 4-13-1.4-2), school corporation or charter school, or an employee of a state agency, school corporation, or charter school acting in an official capacity, shall not direct or otherwise compel a school employee to personally affirm, adopt, or adhere to any of the following tenets:

(1) A particular race or sex is inherently superior to another race or sex.

(2) An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex.
(4) Members of a particular race or sex cannot and should not attempt to treat others without respect to race or sex.

(5) An individual's moral character is necessarily determined by the individual's race or sex.

(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.

(7) Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex.

(8) Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.

(b) A teacher, administrator, or any other employee of any state agency, school corporation, or charter school may not require an employee of the school corporation or charter school to engage in training, orientation, or therapy that presents any form of racial or sex stereotyping or blame on the basis of sex or race.

SECTION 2. IC 20-33-1.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 1.5. Dignity and Nondiscrimination in Education

Sec. 1. In accordance with IC 20-33-1-1, a teacher, administrator, or other employee of a school corporation or charter school shall not require or make part of a course the following concepts:

(1) A particular race or sex is inherently superior to another race or sex.

(2) An individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex.

(4) Members of a particular race or sex cannot and should not attempt to treat others without respect to race or sex.

(5) An individual's moral character is necessarily determined by the individual's race or sex.

(6) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.

(7) Any individual should feel discomfort, guilt, anguish, or
any other form of psychological distress on account of the individual's race or sex.

(8) Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.

Sec. 2. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 3. IC 21-41-13 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 13. Dignity and Nondiscrimination in Postsecondary Education

Sec. 1. (a) A student enrolled at a state educational institution shall not be required to engage in any form of mandatory gender or sexual diversity training or counseling. However, voluntary counseling is not prohibited. Any orientation or requirement that presents any form of race or sex stereotyping or a bias on the basis of race or sex is prohibited.

(b) The commission shall adopt rules under IC 4-22-2 necessary to implement this section.