

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.

HOUSE ENROLLED ACT No. 1137

AN ACT to amend the Indiana Code concerning education.

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

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

(b) If a ~~principal grants permission~~ **After receiving notice** under subsection (a), the principal shall ~~specify~~ **work in a collaborative manner with the parent or entity offering religious instruction to provide assistance in determining** a period or periods, not to exceed one hundred twenty (120) minutes in total in any week, for the student to receive religious instruction. **An entity offering religious instruction to a student as described in this subsection shall, as applicable, work in a collaborative manner with the principal to ensure the period or periods in which the student receives religious instruction are the least disruptive to the instructional time (as defined in IC 20-30-2-1) of the student.** The ~~permission~~ **notice** is valid only for the **school year** in which it is ~~granted.~~ **Decisions made by a principal under this section may be reviewed by the superintendent provided.**

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(c) ~~A school for~~ **An entity providing** religious instruction that receives students under this section:

- (1) shall maintain attendance records and allow inspection of these records by attendance officers; and
- (2) may not be supported, in whole or in part, by public funds.

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

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

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

- (A) The number of hours of classroom instructional time.
- (B) A review of the course syllabus that reflects the course requirements and materials.
- (C) Methods of assessment used in the course.
- (D) Whether the course is taught by a licensed teacher.

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

(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).

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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