



# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 128, 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:

- 1 Page 2, line 29, after "following" insert "**in a conspicuous place**".
- 2 Page 2, between lines 36 and 37, begin a new paragraph and insert:
- 3 "SECTION 2. IC 20-30-5-17, AS AMENDED BY P.L.154-2018,
- 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2024]: Sec. 17. (a) Each school corporation shall make
- 6 available for inspection by the parent of a student any instructional
- 7 materials, including teachers' manuals, curricular materials, films or
- 8 other video materials, tapes, and other materials, used in connection
- 9 with:
- 10 (1) a personal analysis, an evaluation, or a survey described in
- 11 subsection (b); or
- 12 (2) instruction on human sexuality.
- 13 (b) A student shall not be required to participate in a personal
- 14 analysis, an evaluation, or a survey that is not directly related to
- 15 academic instruction and that reveals or attempts to affect the student's
- 16 attitudes, habits, traits, opinions, beliefs, or feelings concerning:
- 17 (1) political affiliations;
- 18 (2) religious beliefs or practices;
- 19 (3) mental or psychological conditions that may embarrass the
- 20 student or the student's family;

- 1 (4) sexual behavior or attitudes;
- 2 (5) illegal, antisocial, self-incriminating, or demeaning behavior;
- 3 (6) critical appraisals of other individuals with whom the student
- 4 has a close family relationship;
- 5 (7) legally recognized privileged or confidential relationships,
- 6 including a relationship with a lawyer, minister, or physician; or
- 7 (8) income (except as required by law to determine eligibility for
- 8 participation in a program or for receiving financial assistance
- 9 under a program);

10 without the prior consent of the student if the student is an adult or an  
11 emancipated minor or the prior written consent of the student's parent  
12 if the student is an unemancipated minor. A parental consent form for  
13 a personal analysis, an evaluation, or a survey described in this  
14 subsection shall accurately reflect the contents and nature of the  
15 personal analysis, evaluation, or survey.

16 (c) Before a school may provide a student with instruction on human  
17 sexuality, the school must provide the parent of the student or the  
18 student, if the student is an adult or an emancipated minor, with a  
19 written request for consent of instruction. A consent form provided to  
20 a parent of a student or a student under this subsection must accurately  
21 summarize the contents and nature of the instruction on human  
22 sexuality that will be provided to the student, ~~and~~ indicate that a parent  
23 of a student or an adult or emancipated minor student has the right to  
24 review and inspect all materials related to the instruction on human  
25 sexuality, **and provide a direct link to the information and material**  
26 **published on the school's website pursuant to IC 20-26-5.1-5.** The  
27 written consent form may be sent in an electronic format. The parent  
28 of the student or the student, if the student is an adult or an  
29 emancipated minor, may return the consent form indicating that the  
30 parent of the student or the adult or emancipated student:

- 31 (1) consents to the instruction; or
- 32 (2) declines instruction.

33 If a student does not participate in the instruction on human sexuality,  
34 the school shall provide the student with alternative academic  
35 instruction during the same time frame that the instruction on human  
36 sexuality is provided.

37 (d) If the parent of the student or the student, if the student is an  
38 adult or an emancipated minor, does not respond to the written request  
39 provided by the school under subsection (c) within twenty-one (21)  
40 calendar days after receiving the request under subsection (c), the  
41 school shall provide the parent of the student, or the student, if the  
42 student is an adult or an emancipated minor, a written notice requesting

1 that the parent of the student, or the student, if the student is an adult  
 2 or an emancipated minor, indicate, in a manner prescribed by the  
 3 school, whether the parent of the student or the adult or emancipated  
 4 student:

- 5 (1) consents to the instruction; or  
 6 (2) declines instruction.

7 A notice provided to a parent of a student or a student under this  
 8 subsection must accurately summarize the contents and nature of the  
 9 instruction on human sexuality that will be provided to the student and  
 10 indicate that a parent of a student or an adult or emancipated minor  
 11 student has the right to review and inspect all materials related to the  
 12 instruction on human sexuality. The notice may be sent in an electronic  
 13 format. If the school does not receive a response within ten (10) days  
 14 after the notice, the student will receive the instruction on human  
 15 sexuality unless the parent or the adult or emancipated student  
 16 subsequently opts out of the instruction for the student.

17 (e) The department and the governing body shall give parents and  
 18 students notice of their rights under this section.

19 (f) The governing body shall enforce this section."

20 Renumber all SECTIONS consecutively.

(Reference is to SB 128 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 8, Nays 5.

**Senator Raatz, Chairperson**