

HOUSE BILL No. 1523

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-1.5.

Synopsis: Dignity and nondiscrimination in education. Provides that a school corporation or qualified school shall not promote certain concepts as part of a course of instruction or in a curriculum or instructional program, or allow teachers or other employees to use supplemental learning materials to promote certain concepts regarding sex, race, ethnicity, religion, color, or national origin. Requires requesting to meet with a teacher for certain complaints. Requires each school corporation or qualified school to establish grievance procedures for certain complaints. Provides that, if a parent of a student or a student, if the student is an adult or emancipated minor, is not satisfied with a final decision, the parent or student may submit a request to the department of education to review the complaint and decision.

Effective: July 1, 2023.

Borders

January 19, 2023, read first time and referred to Committee on Education.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1523

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 20-33-1.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]:

4 **Chapter 1.5. Dignity and Nondiscrimination in Education**

5 **Sec. 1. As used in this chapter, "qualified school" means the**
6 **following:**

- 7 (1) **A school maintained by a school corporation.**
8 (2) **A charter school.**
9 (3) **A laboratory school established under IC 20-24.5-2.**
10 (4) **The Indiana School for the Blind and Visually Impaired**
11 **established by IC 20-21-2-1.**
12 (5) **The Indiana School for the Deaf established by**
13 **IC 20-22-2-1.**

14 **Sec. 2. As used in this chapter, "state agency" has the meaning**
15 **set forth in IC 4-13-1.4-2.**

16 **Sec. 3. (a) In accordance with IC 20-33-1-1, a school corporation**
17 **or qualified school:**



- 1 **(1) shall not promote as part of a course of instruction or in a**
 2 **curriculum or instructional program the concept that any sex,**
 3 **race, ethnicity, religion, color, or national origin is inherently**
 4 **superior or inferior to another sex, race, ethnicity, religion,**
 5 **color, or national origin;**
- 6 **(2) shall not promote as part of a course of instruction or in a**
 7 **curriculum or instructional program the concept that an**
 8 **individual should be treated adversely or preferentially**
 9 **because of the individual's sex, race, ethnicity, religion, color,**
 10 **or national origin; and**
- 11 **(3) shall not promote as part of a course of instruction or in a**
 12 **curriculum or instructional program the concept that an**
 13 **individual, by virtue of sex, race, ethnicity, religion, color, or**
 14 **national origin, is inherently responsible for actions**
 15 **committed in the past by other members of the same sex, race,**
 16 **ethnicity, religion, color, or national origin.**
- 17 **(b) A school corporation or qualified school shall not allow**
 18 **teachers or other employees of the school corporation or qualified**
 19 **school to use supplemental materials in a course of instruction or**
 20 **in a curriculum or instructional program to promote the concepts**
 21 **listed in subsection (a).**
- 22 **Sec. 4. A school corporation or qualified school may not do the**
 23 **following:**
- 24 **(1) Provide, contract to provide, offer, or sponsor any course**
 25 **that promotes practices prohibited under this chapter. This**
 26 **subdivision includes programs, curricular materials,**
 27 **instructional materials, curriculum, classroom assignments,**
 28 **orientation, interventions, or counseling offered by a state**
 29 **agency.**
- 30 **(2) Use money, property, assets, or resources for a purpose**
 31 **that promotes practices prohibited under this chapter.**
- 32 **(3) Adopt programs or use curricular material, instructional**
 33 **material, curriculum, classroom assignments, orientation,**
 34 **interventions, or counseling that promote practices prohibited**
 35 **under this chapter. This subdivision includes curricular**
 36 **materials, instructional materials, curriculum, classroom**
 37 **assignments, orientations, interventions, or counseling offered**
 38 **by a state agency.**
- 39 **(4) Execute a contract or agreement with an internal or**
 40 **external entity or person to provide services, training,**
 41 **professional development, or any other assistance that**
 42 **promotes practices prohibited under this chapter. This**



- 1 subdivision includes contracts to provide services, training,
2 professional development, or any other assistance with a state
3 agency.
- 4 (5) Receive or apply to receive money that requires, as a
5 condition of receipt of the money, the adoption of a course,
6 policy, curriculum, or any other instructional material that
7 promotes practices prohibited under this chapter. This
8 subdivision includes money received from a state agency.
- 9 Sec. 5. Nothing in this chapter shall be construed to exclude the
10 teaching or discussion of factual history or historical injustices
11 committed against any sex, race, ethnicity, religion, color, or
12 national origin, including the teaching and discussion of
13 curriculum required under IC 20-30-5-7.
- 14 Sec. 6. (a) If a parent of a student or student, if the student is an
15 adult or emancipated minor, of a school corporation or qualified
16 school has a complaint regarding:
- 17 (1) the use or proposed use of specific learning material in the
18 classroom; or
19 (2) an alleged violation of this chapter;
- 20 by a teacher, the parent or student may request a meeting, and the
21 school corporation or qualified school shall provide an opportunity
22 for the parent or student to meet with the teacher to discuss the
23 complaint.
- 24 (b) If a parent or student described in subsection (a) is not
25 satisfied with the resolution of the meeting with a teacher under
26 subsection (a), the parent or student may submit a complaint
27 through the grievance procedure maintained by the qualified
28 school under section 7 of this chapter.
- 29 Sec. 7. (a) Each school corporation or qualified school shall
30 establish and maintain a grievance procedure for the resolution of
31 a complaint submitted by a parent of a student or student, if the
32 student is an adult or emancipated minor, for a complaint
33 described in section 6 of this chapter if the parent or student is not
34 satisfied with the resolution of the meeting with the teacher under
35 section 6 of this chapter.
- 36 (b) A grievance procedure under this section must include a
37 complaint form that a parent or student described in subsection (a)
38 may submit to the qualified school for a complaint described in
39 subsection (a).
- 40 (c) A qualified school shall post the following on the qualified
41 school's website:
- 42 (1) The grievance procedure established by the school



1 corporation or qualified school under subsection (a).
2 (2) The complaint form described in subsection (b).
3 **Sec. 8. (a) If a parent or student described in section 7(a) of this**
4 **chapter is not satisfied with the final decision by a school**
5 **corporation or qualified school regarding a complaint submitted**
6 **under section 7 of this chapter, the parent or student may submit**
7 **a request to the department, on a form prescribed by the**
8 **department, to review the complaint and decision.**
9 (b) The department shall review the request submitted under
10 subsection (a) and issue a final order not later than thirty (30) days
11 after the date that the department receives the request.
12 **Sec. 9. The department shall:**
13 (1) develop guidance materials for school corporations and
14 qualified schools to assist school corporations and qualified
15 schools in implementing this chapter; and
16 (2) post the guidance materials on the department's website.

