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SENATE BILL No. 88

Proposed Changes to introduced printing by AM008808

DIGEST OF PROPOSED AMENDMENT

Sexual health education. Provides that if a state accredited school provides instruction on human sexuality or sexually transmitted infections, the school shall provide comprehensive sexual health education, using appropriate instructors, to students in certain grade levels. Lists criteria for comprehensive sexual health education. Repeals certain state board of education requirements regarding HIV information. Makes a conforming change.

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 20-19-2-14.5, AS AMENDED BY P.L.93-2024,
2 SECTION 138, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 14.5. (a) As used in this section:
4 (1) "college and career readiness educational standards" means
5 Indiana standards that a high school graduate must meet to
6 obtain the requisite knowledge and skill to transition without
7 remediation to postsecondary education or training, and
8 ultimately into a sustainable career; and
9 (2) "cut scores" means the scores that define a student's
10 performance on an assessment, including passing, failing, or
11 falling into a performance category.
12 (b) The state board shall adopt Indiana college and career
13 readiness educational standards. The educational standards must do the
14 following:
15 (1) Meet national and international benchmarks for college and
16 career readiness standards and be aligned with postsecondary
17 educational expectations.

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(2) Use the highest standards in the United States.

(3) Comply with federal standards to receive a flexibility waiver under 20 U.S.C. 7861, as in effect on January 1, 2014.

(4) Prepare Indiana students for college and career success, including the proper preparation for nationally recognized college entrance examinations such as the ACT, and SAT, or **Classic Learning Test**.

(5) Maintain Indiana sovereignty.

(6) Provide strict safeguards to protect the confidentiality of student data.

(c) The state, or the state board on behalf of the state, may not enter into or renew an agreement with any organization, entity, group, or consortium that requires the state to cede any measure of autonomy or control of education standards and assessments, including cut scores. The state board may not adopt Common Core (Common Core State Standards Initiative) or an assessment or test, except as provided in this subsection, that is produced solely by the United States government or a consortium of states. However, the state board is not prohibited from incorporating as part of Indiana's statewide assessments any assessment, part of an assessment, or series of questions if the assessment, part of an assessment, or series of questions is aligned to Indiana's academic standards.

(d) The state board may adopt rules under IC 4-22-2 to implement this section.

SECTION 2. IC 20-28-5-12.5, AS AMENDED BY P.L.201-2025, SECTION 3, AND AS AMENDED BY P.L.214-2025, SECTION 114, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Sec. 12.5. (a) The department shall grant an initial practitioner license to an individual who:

(1) possesses a bachelor's degree from an accredited postsecondary four (4) year institution;

(2) successfully completes an alternative teacher certification program that includes:

(A) the required content training in the area in which the individual seeks to be licensed;

(B) pedagogy training and an examination that is in substantive alignment with nationally recognized pedagogical standards and teaches effective:

(i) instructional delivery;

(ii) classroom management and organization;

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1 accredited nonpublic school; and
2 (2) as part of the practical instruction program, provide
3 instruction in:
4 (A) instructional design and planning;
5 (B) effective instructional delivery;
6 (C) classroom management and organization;
7 (D) effective use of assessment data;
8 (E) content in federal and Indiana special education laws;
9 and
10 (F) required awareness, preparation, and understanding of:
11 (i) individualized education programs;
12 (ii) service plans developed under 511 IAC 7-34;
13 (iii) choice special education plans developed under
14 511 IAC 7-49; and
15 (iv) plans developed under Section 504 of the federal
16 Rehabilitation Act of 1973, 29 U.S.C. 794.

17 (c) An in-state alternative teacher certification program under
18 subsection (a)(2) must operate in accordance with the procedures and
19 program approval standards and requirements set by the department
20 and the state board for teacher education programs for the licensure of
21 teachers.

22 (d) An out-of-state alternative teacher certification program under
23 subsection (a)(2) must:
24 (1) currently operate in at least five (5) states; and
25 (2) have operated an alternative teacher certification program for
26 at least ten (10) years.

27 (e) An individual who receives an alternative teacher certification
28 under subsection (a)(2) is authorized to teach the subject and
29 educational level that the individual has successfully completed.

30 (f) An individual who receives an initial practitioner license under
31 this section shall be treated in the same manner as an individual who
32 receives an initial practitioner license after completing a traditional
33 teacher preparation program.

34 (g) An individual who graduates from an alternative teacher
35 certification program must be treated in the same manner as a
36 traditional teacher preparation program graduate during the transition
37 from an initial practitioner license to a practitioner license.

38 (h) An individual who receives an initial practitioner license under
39 this section may not teach a special education course for a special
40 education student for the period the individual maintains a license
41 under this section unless the individual is at least twenty-six (26) years
42 of age and employed in a school setting or with another community



1 organization, including a for-profit or nonprofit organization, to
 2 provide care or instruction for a student with a physical, intellectual, or
 3 developmental disability. However, an individual who receives an
 4 initial practitioner license under this section may not be a teacher of
 5 record for a special education student for the period the individual
 6 maintains the initial practitioner license.

7 (i) A school corporation, charter school, or state accredited
 8 nonpublic school shall submit a plan to the department if the school
 9 corporation, charter school, or state accredited nonpublic school hires
 10 one (1) or more individuals who have received an initial practitioner
 11 license under this section. The plan must be submitted in a manner
 12 prescribed by the department and must include a description of how the
 13 school corporation, charter school, or state accredited nonpublic school
 14 will, excluding the practical experience program described in
 15 subsection (b), provide an individual who receives an initial
 16 practitioner license under this section opportunities to obtain exposure
 17 to classroom management and instructional techniques, including
 18 meaningful exposure to special education. The plan is a public record.

19 (j) Not later than July 1, 2024, the department shall prepare a
 20 report that shall be submitted to the general assembly in an electronic
 21 format under IC 5-14-6. The report must contain the following
 22 information:

23 (1) Data showing how many teachers obtained an initial
 24 practitioner license under this section.
 25 (2) A description of the number of teachers who received an
 26 initial practitioner license under this section who are currently
 27 employed as a teacher by each:
 28 (A) school corporation;
 29 (B) charter school; or
 30 (C) state accredited nonpublic school.

31 The description must include a breakdown of the subjects taught
 32 by teachers who receive an initial practitioner license under this
 33 section.

34 (3) A comparison of the *Praxis Subject Assessment applicable*
 35 *teacher licensing exam as approved by the state board* pass rates
 36 for individuals who receive an initial practitioner license under
 37 this section in comparison with the *Praxis Subject Assessment*
 38 *applicable teacher licensing exam as approved by the state*
 39 *board* pass rates for teachers who obtained an initial practitioner
 40 license using a different pathway to licensure.

41 (4) A description of how many teachers who received an initial
 42 practitioner license under this section are rated as effective or



highly effective.

(k) An individual in an alternative teacher certification program may request a waiver from the department, in a time and manner determined by the department, of the examination requirements described in subsection (a)(3), if the individual:

(1) received a score on a nationally recognized college entrance examination, such as the ACT, SAT, or Classic Learning Test; or

(2) received a score on a nationally recognized graduate school entrance exam, such as the GRE or GMAT;

that placed the individual in at least the eightieth percentile of other test takers for the given examination.

SECTION 3. IC 20-30-4-2, AS AMENDED BY P.L.9-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) In consultation with the student's school counselor, after seeking consultation with each student's parents, and not later than the date on which the student completes grade 8, each student shall develop a graduation plan that is a part of the student's permanent school record and accessible to a parent of the student in accordance with the Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).

(b) The graduation plan developed under subsection (a) must include the following:

(1) A statement of intent to graduate from high school.

(2) An acknowledgment of the importance of:

(A) good citizenship;

(B) school attendance; and

(C) diligent study habits.

(3) The subject and skill areas of interest to the student.

(4) The postsecondary goals of the student aligned with the graduation pathway requirements under IC 20-32-4-1.5.

(5) A program of study under the college/technology preparation curriculum adopted by the state board under IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests, aptitude, and postsecondary goals of the student.

(6) Assurances that, upon satisfactory fulfillment of the plan, the student:

(A) is entitled to graduate; and

(B) will have taken at least the minimum variety and number of courses necessary to gain admittance to a state educational institution

(7) An indication of assessments (other than the statewide

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1 assessment program and the graduation examination (before July
 2 1, 2018)) that the student plans to take voluntarily during grade
 3 10 through grade 12 and which may include any of the
 4 following:

- 5 (A) The SAT Reasoning Test.
- 6 (B) The ACT test.
- 7 **(C) The Classic Learning Test.**
- 8 ~~(D) Advanced placement exams.~~
- 9 ~~(E) College readiness exams approved by the~~
 10 ~~department.~~
- 11 ~~(F) Workforce readiness exams approved by the~~
 12 ~~department of workforce development established under~~
 13 ~~IC 22-4.1-2.~~
- 14 ~~(G) Cambridge International examinations.~~

15 SECTION 4. IC 20-30-5-6, AS AMENDED BY P.L.246-2005,
 16 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) This section applies only to
 18 public schools.

19 (b) As used in this section, "good citizenship instruction" means
 20 integrating instruction into the current curriculum that stresses the
 21 nature and importance of the following:

- 22 (1) Being honest and truthful.
- 23 (2) Respecting authority.
- 24 (3) Respecting the property of others.
- 25 (4) Always doing the student's personal best.
- 26 (5) Not stealing.
- 27 (6) Possessing the skills (including methods of conflict
 28 resolution) necessary to live peaceably in society and not
 29 resorting to violence to settle disputes.
- 30 (7) Taking personal responsibility for obligations to family and
 31 community.
- 32 (8) Taking personal responsibility for earning a livelihood.
- 33 (9) Treating others the way the student would want to be treated.
- 34 (10) Respecting the national flag, the Constitution of the United
 35 States, and the Constitution of the State of Indiana.
- 36 (11) Respecting the student's parents and home.
- 37 (12) Respecting the student's self.
- 38 (13) Respecting the rights of others to have their own views and
 39 religious beliefs.

40 **(14) The importance of:**

- 41 (A) obtaining at least a high school diploma and
 42 acquiring additional training in preparation for the



workforce;
(B) securing full-time employment; and
(C) waiting until marriage to begin having children.

(c) The department shall:

(1) identify; and

(2) make available;

models of conflict resolution instruction to school corporations. The instruction may consist of a teacher education program that applies the techniques to the students in the classroom to assist school corporations in complying with this section.

11 SECTION 5. IC 20-30-5-7.3, AS ADDED BY P.L.39-2021,
12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 7.3. **(a)** Beginning with students entering grade 6
14 in the 2023-2024 school year, each school corporation, charter school,
15 and state accredited nonpublic school shall require each student of the
16 school corporation, charter school, or state accredited nonpublic school
17 to successfully complete in grade 6, 7, or 8 one (1) semester of a civics
18 education course.

(1) The roles and responsibilities of federal, state, and local governments.

(2) The structures, powers, and functions of the legislative, executive, and judicial branches of government.

(3) The meaning and significance of historic documents, including the:

(A) Ten Commandments:

(R) Magna Carta:

(C) Mayflower Compact;

(D) Declaration of Independence;

(E) Articles of Confederation;

(F) Constitution of the United States;

(G) Bill of Rights; and

(H) Federalist Papers.

The principles of federal

and balances, consent of the governed, ordered liberty, justice, the rule of law, limited government, natural rights, republicanism, and the equal dignity of all human beings.

(5) Individual rights and responsibilities under the Constitution of the United States, including the expressed, implied, concurrent, and reserved powers.

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(6) The electoral process and democratic participation.

(7) A comparative discussion of political ideologies, including communism and totalitarianism, that conflict with the principles of freedom and democracy that are essential to the founding principles of the United States.

SECTION 6. [[IC 20-30-5-12](#), AS AMENDED BY P.L.56-2023,

SECTION 180, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2026]: Sec. 12. (a) Subject to subsection (c), each school corporation shall:

(1) include in the school corporation's curriculum instruction concerning the human immunodeficiency virus (HIV); disease acquired immunodeficiency syndrome (AIDS) at least once

each school year beginning no later than grade 5; and
(2) integrate this effort to the extent possible with instruction on
other serious communicable sexually transmitted diseases

other serious communicable sexually transmitted diseases.
(b) Literature that is distributed to school children and young adults under this section must include information required by
IC 20-24-2-17.

IC 20-54-5-17.
(e) (b) The department, in consultation with the Indiana department of health, shall develop HIV AIDS educational materials. The department shall make the materials developed under this section available to school corporations.

(c) A school corporation may not include curriculum instruction described in subsection (a)(1) to students without the consent of the governing body of the school corporation the students attend.

SECTION 7. IC 20-30-5-13, AS AMENDED BY P.L.204-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) As used in this section, "age appropriate" means suitable to a particular age or age group of children and adolescents based on developing cognitive, emotional, and behavioral capacity typical for that age or age group.

(b) As used in this section, "appropriate instructor" refers to an individual who:

(1) is an employee, contractor, or consultant of a state accredited school; and

(2) has knowledge of the most recent medically accurate research on human sexuality, pregnancy, and sexually transmitted diseases.

Unintended diseases.
(c) As used in this section, "comprehensive sexual health education" means instruction on human development, sexuality, and reproduction. The term includes instruction on:



(1) physical, social, and emotional changes of human development;

(2) human anatomy, reproduction, and sexual development;

(3) human physiology;

(4) the benefits of abstinence and delaying sexual activity;

(5) the prevention of sexually transmitted infections, including human immunodeficiency virus and acquired immunodeficiency syndrome;

(6) the prevention of unintended pregnancy, including the effective use of contraceptives and barrier methods;

(7) ways to effectively discuss safe sexual activity;

(8) relationship and communication skills to:

(A) form healthy, respectful relationships free of violence, coercion, and intimidation; and

(B) make healthy decisions about relationships and sexuality, including affirmative, conscious, and voluntary consent to engage in physical or sexual activity;

(9) skills to recognize and prevent dating violence;

(10) age appropriate information about resources and support services for all students; and

(11) analyzing societal and media messages on sexual health.

(d) As used in this section, "consent" refers to a free, voluntary, knowing, and mutual agreement to engage in a specific sexual act or contact. Consent can be withdrawn at any time, and any expression of lack of consent, by words, action, or attitude, means that consent does not exist or has been withdrawn.

(e) As used in this section, "medically accurate" refers to information that is supported by the weight of peer reviewed research conducted in compliance with accepted scientific methods and recognized as accurate and objective by the leading professional organizations and agencies with expertise in relevant fields of medicine, psychology, psychiatry, public health, and, if relevant, peer reviewed journals.

(f) If a state accredited school provides instruction on human sexuality or sexually transmitted infections, a the state accredited school shall

(1) require a teacher to teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;

(2) include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy;

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1 sexually transmitted infections; and other associated health
 2 problems;
 3 (3) include in the instruction that the best way to avoid sexually
 4 transmitted infections and other associated health problems is to
 5 establish a mutually faithful monogamous relationship in the
 6 context of marriage;
 7 (4) include age appropriate instruction concerning the
 8 importance of consent to sexual activity between two (2)
 9 individuals; and
 10 (5) except as provided in subsection (b), provide an in-person
 11 presentation on human growth and development during
 12 pregnancy that is medically accurate and age appropriate and
 13 includes the following:
 14 (A) A high definition ultrasound video, at least three (3)
 15 minutes in duration, showing the development of the brain,
 16 heart, sex organs, and other vital organs in early fetal
 17 development.
 18 (B) A high quality computer generated rendering or
 19 animation showing the process of fertilization and each
 20 stage of fetal development inside the uterus, noting
 21 significant markers in cell growth and organ development
 22 for every week of pregnancy from fertilization to birth.
 23 (b) A state accredited school that provides the instruction
 24 described in subsection (a) in a course in which one hundred percent
 25 (100%) of the course is virtual shall provide a virtual presentation on
 26 human growth and development during pregnancy that meets the
 27 requirements in subsection (a)(5).
 28 (c) A school maintained by a school corporation may not use
 29 curricular materials to provide instruction on human sexuality that have
 30 not been approved by the governing body of a school corporation under
 31 IC 20-26-12-24. provide comprehensive sexual health education to
 32 students, using appropriate instructors, at least:
 33 (1) one (1) time to students in grade 5;
 34 (2) two (2) times in total during the period when students are
 35 in grades 6 through 8; and
 36 (3) two (2) times in total during the period when students are
 37 in grades 9 through 12.
 38 (g) Instruction and materials used in comprehensive sexual
 39 health education under this section must satisfy the following
 40 criteria:
 41 (1) Be age appropriate.
 42 (2) Be medically accurate and informed by scientific research



and effective practices.

(3) Be appropriate for use with students of all races, genders, gender identities, sexual orientations, and ethnic and cultural backgrounds and for students with disabilities.

(4) Include the physiological and sociological developmental processes experienced by an individual.

(5) Understand the influence of family, peers, community, and the media throughout life on healthy sexual relationships.

(6) Encourage students to communicate with the students' parents, health care and social service professionals, and other trusted adults about human sexuality.

(7) Teach respect for marriage and committed relationships and encourage healthy relationships that are based on mutual respect and affection and are free from violence, coercion, and intimidation.

(8) Teach abstinence and delay of sexual activity as the most effective means of avoiding sexually transmitted diseases and unintended pregnancy, but not to the exclusion of instruction on other forms of contraception and disease prevention.

(9) Provide information about the effectiveness and safety, including the health benefits and side effects, of all contraceptives and condoms approved by the federal Food and Drug Administration in preventing pregnancy and reducing the risk of contracting sexually transmitted diseases.

(10) Provide information concerning critical thinking, problem solving, decision making, and stress management skills for students to make healthy decisions about sexuality and relationships.

(11) Be appropriate for students who choose to be abstinent or delay sexual activity and for students who have been or are sexually active.

(12) Emphasize the necessity of consent as a requirement before engaging in any sexual activity, including recognition and withdrawal of consent.

(13) Emphasize that consent may be withdrawn at any time and an expression of lack of consent by words, actions, or attitude means that consent does not exist or has been withdrawn.

(14) Emphasize recognizing and responding safely and effectively when violence or a risk of violence is or may be

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present with strategies that include bystander training.

(15) Be consistent with the National Sexuality Education Standards, Core Content and Skills, K-12.

(h) Not later than November 1, 2027, and each November 1 thereafter, a state accredited school shall report to the department, in a manner prescribed by the department, the curricula used to provide comprehensive sexual health education. The department shall submit a report summarizing the information received under this subsection to the house committee on education and the senate committee on education and career development in an electronic format under IC 5-14-6.

SECTION 8.] IC 20-30-5-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 26. (a) This section applies to each school that provides instruction or discussion on the content described in the following:

- (1) Section 1 of this chapter.
- (2) Section 2 of this chapter.
- (3) Section 4 of this chapter.
- (4) Section 5(a)(5) of this chapter.
- (5) Section 6(b)(10) of this chapter.
- (6) Section 7(a)(3) of this chapter.
- (7) Section 7.3 of this chapter.

(b) The instruction or discussion described in subsection (a) may not foster a national identity, heritage, or culture established by:

- (1) racial identity or racial discrimination;
- (2) gender identity or gender discrimination;
- (3) victimization;
- (4) class struggle;
- (5) a hierarchy of privileges; or
- (6) systemic exclusion;

that is contrary to the concepts described in subsection (a).

SECTION ~~9~~⁹. IC 20-30-16-6.5, AS ADDED BY P.L.200-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. The department in accordance with requirements established by the state board shall approve a civics course access program course that:

- (1) meets the requirements under IC 20-30-5-2(a) and **IC 20-30-5-26**; and
- (2) is presented with special emphasis on the items listed in IC 20-30-5-5(a) and IC 20-30-5-6(b).



1 SECTION ~~8~~10. IC 20-32-5.1-7, AS AMENDED BY
 2 P.L.150-2024, SECTION 47, IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Except as
 4 otherwise provided in this section and in the manner provided in
 5 section 6 of this chapter, the state board is responsible for determining
 6 the appropriate subjects, grades, and format of the statewide
 7 assessment program.

8 (b) For each school year beginning after June 30, 2018, and except
 9 as provided in section 11 of this chapter, the statewide assessment
 10 program must be administered to all full-time students attending a
 11 school corporation, charter school, state accredited nonpublic school,
 12 or eligible school (as defined in IC 20-51-1-4.7) in grades subject to the
 13 statewide summative assessment required by federal law and in a
 14 manner prescribed by the state board.

15 (c) Subject matter tested on by the statewide assessment program
 16 as determined by the state board under subsection (a) must, at a
 17 minimum, do the following:

18 (1) Comply with requirements established under federal law
 19 with:

20 (A) math and English/language arts assessed yearly in
 21 grades 3 through 8, and at least once in grades 9 through 12;
 22 and

23 (B) science assessed at least once in grades 3 through 5,
 24 grades 6 through 9, and grades 10 through 12.

25 (2) Require that United States history or United States
 26 government be assessed at least once in grades 5 or 8.

27 (d) Except as provided under subsection (e), for each school year
 28 beginning after June 30, 2021, a nationally recognized college entrance
 29 exam **such as the ACT, SAT, or Classic Learning Test** must be
 30 administered for the high school subjects required under subsection (c).
 31 The proficiency benchmark must be approved by the commission for
 32 higher education, in consultation with the state educational institutions,
 33 and may not be lower than the national college ready benchmark
 34 established for that particular exam.

35 (e) If the state board determines that no nationally recognized
 36 college entrance exam assesses a given high school subject that is
 37 required under subsection (c), the state board may select another type
 38 of assessment, including an end of course assessment, for that subject.

39 (f) The statewide assessment program:

40 (1) may not use technology that may negatively influence the
 41 ability to measure a student's mastery of material or a particular
 42 academic standard being tested; and



(2) may use a technology enhanced test question only when the technology enhanced test question is the best way to measure the academic standard being tested.

(g) A statewide summative assessment, other than an assessment administered under subsection (d), must use a scale score that will ensure the statewide summative assessment scores are comparable to scale scores used as part of the ISTEP program under IC 20-32-5, before its expiration.

[SECTION 11.1C 20-34-3-17 IS REPEALED [EFFECTIVE JULY 1, 2026]. See: 17. (a) The state board shall provide information stressing the moral aspects of abstinence from sexual activity in any literature that it distributes to students and young adults concerning available methods for the prevention of the human immunodeficiency virus (HIV). The literature must state that the best way to prevent HIV transmission as a result of sexual activity is for young people to refrain from sexual activity until they are ready as adults to establish, in the context of marriage, a mutually faithful monogamous relationship.

(b) The state board may not distribute HIV literature described in subsection (a) to students without the consent of the governing body of the school corporation the students attend.

1 SECTION ~~9~~[12]. IC 21-40-4-8 IS ADDED TO THE INDIANA
CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]: **Sec. 8. With respect to admission**
criteria, a state educational institution shall accept the Classic
Learning Test examination to the same extent the state educational
institution accepts the ACT or SAT examination. 1

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