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SENATE BILL No. 88

Proposed Changes to introduced printing by AM008810

DIGEST OF PROPOSED AMENDMENT

Individual identification. Defines "female", "male", "gender", and "sex" for all Indiana statutes. Provides that students enrolled in public schools, including charter schools, and state educational institutions shall not be subject to disciplinary action solely because the student declines to: (1) identify the student's pronouns; or (2) address an individual by using a name other than the individual's legal name or derivative of the individual's legal name by using a pronoun or a title that is not consistent with the individual's sex. Provides that employees and staff members of public schools, including charter schools, or state educational institutions shall not be subject to an adverse employment action solely because the employee or staff member declines to: (1) identify their pronouns; or (2) address an individual by using a name other than the individual's legal name or derivative of the individual's legal name by using a pronoun or a title that is not consistent with the individual's sex. Provides for a civil cause of action for a violation of these requirements.

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 1-1-4-5, AS AMENDED BY P.L.238-2025,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. (a) The following definitions apply to the
4 construction of all Indiana statutes, unless the construction is plainly
5 repugnant to the intent of the general assembly or of the context of the
6 statute:
7 (1) "Adult", "of full age", and "person in his majority" mean a
8 person at least eighteen (18) years of age.
9 (2) "Attorney" includes a counselor or other person authorized
10 to appear and represent a party in an action or special
11 proceeding.

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(3) "Autism" means a neurological condition as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(4) "Bond" does not necessarily imply a seal.

(5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.

(6) "Female", when referencing the human species, means an individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

(7) "Gender" is a synonym for sex and has the meaning set forth in subdivision (25).

~~(6)~~ (8) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.

~~(7)~~ (9) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.

~~(8)~~ (10) "Infant" or "minor" means a person less than eighteen (18) years of age.

~~(9)~~ (11) "Inhabitant" may be construed to mean a resident in any place.

~~(10)~~ (12) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.

~~(11)~~ (13) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.

(14) "Male", when referencing the human species, means an individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

~~(12)~~ (15) "Mentally incompetent" means of unsound mind.

~~(13)~~ (16) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.

~~(14)~~ (17) "Month" means a calendar month, unless otherwise



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expressed.

~~(15)~~ (18) "Noncode statute" means a statute that is not codified as part of the Indiana Code.

~~(16)~~ (19) "Oath" includes "affirmation", and "to swear" includes to "affirm

1 SECTION ~~↔~~[2]. IC 20-19-2-14.5, AS AMENDED BY P.L.93-2024, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14.5. (a) As used in this section:

(1) "college and career readiness educational standards" means Indiana standards that a high school graduate must meet to obtain the requisite knowledge and skill to transition without remediation to postsecondary education or training, and ultimately into a sustainable career; and

(2) "cut scores" means the scores that define a student's performance on an assessment, including passing, failing, or falling into a performance category.

(b) The state board shall adopt Indiana college and career readiness educational standards. The educational standards must do the following:

(1) Meet national and international benchmarks for college and career readiness standards and be aligned with postsecondary educational expectations.

(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 ~~IC~~ ³ 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;

(iii) assessment;

(iv) instructional design; and

(v) professional learning and leadership;

(C) successful demonstration of content area proficiency in an examination that includes content area material in substantive alignment with nationally recognized content area standards in the areas that the individual is required to have a license to teach;

(D) verification from a third party that regularly reviews educational and professional examinations that the alternative certification examination is equal to or greater in rigor than the written examination under section 12 of this chapter; and

(E) content within the curriculum that prepares teacher candidates to use evidence based trauma informed classroom instruction; including instruction in evidence based social-emotional learning classroom practices that are conducive to supporting students who have experienced trauma that may interfere with a student's academic



~~functioning; and~~

~~(F)~~ (E) content within the curriculum that:

(i) beginning July 1, 2024, is aligned to the science of reading; and

(ii) beginning July 1, 2024, prepares teacher candidates or program participants who seek to obtain an elementary generalist license that is valid for teaching in kindergarten through grade 5 or an early childhood license that is valid for teaching prekindergarten through grade 3 to obtain the literacy endorsement required under section 19.7 of this chapter;

(3) successfully completes an applicable teacher licensing exam as approved by the state board;

(4) holds a valid cardiopulmonary resuscitation certification from a provider approved by the department; and

(5) has attended youth suicide awareness and prevention training.

(b) The individual must complete a one (1) year practical experience program during the individual's first year in the classroom when the individual is employed as a full-time teacher. The provider must:

(1) provide the practical experience program at no cost to the state or to the school corporation, charter school, or state accredited nonpublic school; and

(2) as part of the practical instruction program, provide instruction in:

(A) instructional design and planning;

(B) effective instructional delivery;

(C) classroom management and organization;

(D) effective use of assessment data;

(E) content in federal and Indiana special education laws; and

(F) required awareness, preparation, and understanding of:

(i) individualized education programs;

(ii) service plans developed under 511 IAC 7-34;

(iii) choice special education plans developed under 511 IAC 7-49; and

(iv) plans developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(c) An in-state alternative teacher certification program under subsection (a)(2) must operate in accordance with the procedures and program approval standards and requirements set by the department



and the state board for teacher education programs for the licensure of teachers.

(d) An out-of-state alternative teacher certification program under subsection (a)(2) must:

(1) currently operate in at least five (5) states; and

(2) have operated an alternative teacher certification program for at least ten (10) years.

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

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

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

(h) An individual who receives an initial practitioner license under this section may not teach a special education course for a special education student for the period the individual maintains a license under this section unless the individual is at least twenty-six (26) years of age and employed in a school setting or with another community organization, including a for-profit or nonprofit organization, to provide care or instruction for a student with a physical, intellectual, or developmental disability. However, an individual who receives an initial practitioner license under this section may not be a teacher of record for a special education student for the period the individual maintains the initial practitioner license.

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

(j) Not later than July 1, 2024, the department shall prepare a



report that shall be submitted to the general assembly in an electronic format under IC 5-14-6. The report must contain the following information:

(1) Data showing how many teachers obtained an initial practitioner license under this section.

(2) A description of the number of teachers who received an initial practitioner license under this section who are currently employed as a teacher by each:

(A) school corporation;

(B) charter school; or

(C) state accredited nonpublic school.

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

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

(4) A description of how many teachers who received an initial 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 ~~20-30-4-2~~ [\[4\]](#). 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 assessment program and the graduation examination (before July 1, 2018)) that the student plans to take voluntarily during grade 10 through grade 12 and which may include any of the following:
 - (A) The SAT Reasoning Test.
 - (B) The ACT test.
 - (C) The Classic Learning Test.**
 - ~~(D)~~ **(D)** Advanced placement exams.
 - ~~(E)~~ **(E)** College readiness exams approved by the department.
 - ~~(F)~~ **(F)** Workforce readiness exams approved by the department of workforce development established under IC 22-4.1-2.
 - ~~(G)~~ **(G)** Cambridge International examinations.

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

(b) As used in this section, "good citizenship instruction" means



integrating instruction into the current curriculum that stresses the nature and importance of the following:

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

(14) The importance of:

- (A) obtaining at least a high school diploma and 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.

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

(b) Beginning with the 2026-2027 school year, a civics



education course described in subsection (a) must include instruction on the following:

(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;

(B) 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.

(4) The principles of federalism, separation of powers, checks 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.

(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~~ [7](#). 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 ~~8~~[8]. 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).

SECTION ~~8~~[9]. IC 20-32-5.1-7, AS AMENDED BY P.L.150-2024, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Except as otherwise provided in this section and in the manner provided in section 6 of this chapter, the state board is responsible for determining the appropriate subjects, grades, and format of the statewide assessment program.

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

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

- (1) Comply with requirements established under federal law with:
 - (A) math and English/language arts assessed yearly in grades 3 through 8, and at least once in grades 9 through 12; and
 - (B) science assessed at least once in grades 3 through 5, grades 6 through 9, and grades 10 through 12.
- (2) Require that United States history or United States



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1 government be assessed at least once in grades 5 or 8.
 2 (d) Except as provided under subsection (e), for each school year
 3 beginning after June 30, 2021, a nationally recognized college entrance
 4 exam **such as the ACT, SAT, or Classic Learning Test** must be
 5 administered for the high school subjects required under subsection (c).
 6 The proficiency benchmark must be approved by the commission for
 7 higher education, in consultation with the state educational institutions,
 8 and may not be lower than the national college ready benchmark
 9 established for that particular exam.

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

14 (f) The statewide assessment program:
 15 (1) may not use technology that may negatively influence the
 16 ability to measure a student's mastery of material or a particular
 17 academic standard being tested; and
 18 (2) may use a technology enhanced test question only when the
 19 technology enhanced test question is the best way to measure the
 20 academic standard being tested.

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

26 [SECTION 10. IC 20-33-14.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]:

29 Chapter 14.5. Individual Identification

30 Sec. 1. As used in this chapter, "school" means any:

- 31 (1) school maintained by a school corporation; or
 32 (2) charter school.

33 Sec. 2. A school employee or staff member shall not subject a
 34 student to disciplinary action solely because the student declines to:

- 35 (1) identify the student's pronouns; or
 36 (2) address an individual by using a name other than the
 37 individual's legal name or derivative of the individual's legal
 38 name by using a pronoun or a title that is not consistent with
 39 the individual's sex.

40 Sec. 3. A school corporation or school shall not subject a school
 41 employee or staff member to an adverse employment action solely
 42 because the school employee or staff member declines to:



- 1 (1) identify their pronouns; or
 2 (2) address an individual by using a name other than the
 3 individual's legal name or derivative of the individual's legal
 4 name by using a pronoun or a title that is not consistent with
 5 the individual's sex.

6 Sec. 4. (a) A student who is harmed as a result of a violation of
 7 section 2 of this chapter, or a school employee or staff member who
 8 is harmed as a result of a violation of section 3 of this chapter may
 9 bring a civil action against the school corporation or school.

10 (b) An action described in this section must be commenced
 11 within two (2) years of the violation.

12 Sec. 5. The court may award to an individual who prevails in
 13 an action under section 4 of this chapter any of the following:

- 14 (1) Injunctive relief.
 15 (2) Declaratory judgment.
 16 (3) Costs and reasonable attorney's fees.

17 Sec. 6. The provisions of this chapter are severable as provided
 18 in IC 1-1-1-8(b).

19 SECTION 11. IC 21-39-11 IS ADDED TO THE INDIANA CODE
 20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]:

22 Chapter 11. Individual Identification

23 Sec. 1. A state educational institution, including an employee
 24 or staff member of a state educational institution, shall not subject
 25 a student of a state educational institution to disciplinary action
 26 solely because the student declines to:

- 27 (1) identify the student's pronouns; or
 28 (2) address an individual by using a name other than the
 29 individual's legal name or derivative of the individual's legal
 30 name by using a pronoun or a title that is not consistent with
 31 the individual's sex.

32 Sec. 2. A state educational institution shall not subject a school
 33 employee or staff member to an adverse employment action solely
 34 because the school employee or staff member declines to:

- 35 (1) identify their pronouns; or
 36 (2) address an individual by using a name other than the
 37 individual's legal name or derivative of the individual's legal
 38 name by using a pronoun or a title that is not consistent with
 39 the individual's sex.

40 Sec. 3. (a) A student who is harmed as a result of a violation of
 41 section 1 of this chapter, or a school employee or staff member who
 42 is harmed as a result of a violation of section 2 of this chapter may



bring a civil action against the state educational institution.

(b) An action described in this section must be commenced within two (2) years of the violation.

Sec. 4. The court may award to an individual who prevails in an action under section 3 of this chapter any of the following:

(1) Injunctive relief.

(2) Declaratory judgment.

(3) Costs and reasonable attorney's fees.

Sec. 5. The provisions of this chapter are severable as provided in IC 1-1-1-8(b).

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. [

SECTION 13. IC 24-15-2-14, AS ADDED BY P.L.94-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. "Health record" has the meaning set forth in ~~IC 1-1-4-5(a)(6)~~. IC 1-1-4-5(a)(8).

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