

January 28, 1998

HOUSE BILL No. 1119

DIGEST OF HB1119 (Updated January 27, 1998 11:15 am - DI 2)

Citations Affected: IC 20-8.1-3-17; IC 20-8.1-3-17.6.

Synopsis: Exit interviews for certain students. Provides that in Allen County the exit interview for a student who wishes to withdraw from school and who is under the jurisdiction of a court having juvenile jurisdiction or a juvenile court sponsored alternative program must be personally attended by the student, the student's parent or guardian, a representative of the school's principal, and a representative of the juvenile court or the juvenile court sponsored program. (Current law requires attendance by the student, the student's parent or guardian, a representative of the school, and the school's principal.) Makes corresponding changes to a related section.

Effective: July 1, 1998.

Moses, Pond

January 6, 1998, read first time and referred to Committee on Education.
January 27, 1998, reported — Do Pass.

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January 28, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

HOUSE BILL No. 1119

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 20-8.1-3-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 17. (a) Subject to the
3 specific exceptions under this chapter, each individual shall attend
4 either a public school which the individual is entitled to attend under
5 IC 20-8.1-6.1 or some other school which is taught in the English
6 language.
7 (b) An individual is bound by the requirements of this chapter from
8 the earlier of the date on which the individual officially enrolls in a
9 school or, except as provided in subsection (h), the beginning of the fall
10 school term for the school year in which the individual becomes seven
11 (7) years of age until the date on which the individual:
12 (1) graduates;
13 (2) reaches at least sixteen (16) years of age but who is less than
14 eighteen (18) years of age and the requirements under subsection
15 (j) **or section 17.6 of this chapter** concerning an exit interview
16 are met enabling the individual to withdraw from school before
17 graduation; or

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1 (3) reaches at least eighteen (18) years of age;
2 whichever occurs first.

3 (c) An individual who:

- 4 (1) enrolls in school before the fall school term for the school year
5 in which the individual becomes seven (7) years of age; and
6 (2) is withdrawn from school before the school year described in
7 subdivision (1) occurs;

8 is not subject to the requirements of this chapter until the individual is
9 reenrolled as required in subsection (b). Nothing in this section shall
10 be construed to require that a child complete grade 1 before the child
11 reaches eight (8) years of age.

12 (d) An individual for whom education is compulsory under this
13 section shall attend school each year:

- 14 (1) for the number of days public schools are in session in the
15 school corporation in which the individual is enrolled in Indiana;
16 or
17 (2) if the individual is enrolled outside Indiana, for the number of
18 days the public schools are in session where the individual is
19 enrolled.

20 (e) In addition to the requirements of subsections (a) through (d), an
21 individual must be at least five (5) years of age on:

- 22 (1) July 1 of the 1991-92 school year; or
23 (2) June 1 of the 1992-93 school year or any subsequent school
24 year;

25 to officially enroll in a kindergarten program offered by a school
26 corporation. However, subject to subsection (g), the governing body of
27 the school corporation shall adopt a procedure affording a parent of an
28 individual who does not meet the minimum age requirement set forth
29 in this subsection the right to appeal to the superintendent of the school
30 corporation for enrollment of the individual in kindergarten at an age
31 earlier than the age that is set forth in this subsection.

32 (f) In addition to the requirements of subsections (a) through (e),
33 and subject to subsection (g), if an individual enrolls in school as
34 permitted under subsection (b) and has not attended kindergarten, the
35 superintendent of the school corporation shall make a determination as
36 to whether the individual shall enroll in kindergarten or grade 1 based
37 on the particular model assessment adopted by the governing body
38 under subsection (g).

39 (g) To assist the principal and governing bodies, the department
40 shall do the following:

- 41 (1) Establish guidelines to assist each governing body in
42 establishing a procedure for making appeals to the superintendent

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1 of the school corporation under subsection (e).

2 (2) Establish criteria by which a governing body may adopt a
3 model assessment which will be utilized in making the
4 determination under subsection (f).

5 (h) If the parents of an individual who would otherwise be subject
6 to compulsory school attendance under subsection (b), upon request of
7 the superintendent of the school corporation, certify to the
8 superintendent of the school corporation that the parents intend to:

9 (1) enroll the individual in a nonaccredited, nonpublic school; or

10 (2) begin providing the individual with instruction equivalent to
11 that given in the public schools as permitted under

12 ~~IC 20-8.1-3-34~~; **section 34 of this chapter**;

13 not later than the date on which the individual reaches seven (7) years
14 of age, the individual is not bound by the requirements of this chapter
15 until the individual reaches seven (7) years of age.

16 (i) The governing body of each school corporation shall designate
17 the appropriate employees of the school corporation to conduct the exit
18 interviews for students described in subsection (b)(2). **Except as**
19 **provided in section 17.6 of this chapter**, each exit interview must be
20 personally attended by:

21 (1) the student's parent or guardian;

22 (2) the student;

23 (3) each designated appropriate school employee; and

24 (4) the student's principal.

25 (j) **Except as provided in section 17.6 of this chapter**, a student
26 who is at least sixteen (16) years of age but less than eighteen (18)
27 years of age is bound by the requirements of compulsory school
28 attendance and may not withdraw from school before graduation
29 unless:

30 (1) the student, the student's parent or guardian, and the principal
31 agree to the withdrawal; and

32 (2) at the exit interview, the student provides written
33 ~~acknowledgement~~ **acknowledgment** of the withdrawal and the
34 student's parent or guardian and the school principal each provide
35 written consent for the student to withdraw from school.

36 (k) For the purposes of this section, "school year" has the meaning
37 set forth in IC 21-2-12-3(j).

38 SECTION 2. IC 20-8.1-3-17.6 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 1998]: **Sec. 17.6. (a) This section applies only**
41 **to a county having a population of more than three hundred**
42 **thousand (300,000) but less than four hundred thousand (400,000).**



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1 (b) Notwithstanding section 17(i) of this chapter, the exit
2 interview for a student who is at least sixteen (16) years of age but
3 less than eighteen (18) years of age who is under the jurisdiction of
4 a juvenile court or a juvenile court sponsored alternative program
5 may be conducted at a location specified by the juvenile court or
6 the juvenile court sponsored alternative program and must be
7 personally attended by:

8 (1) the student's parent or guardian;

9 (2) the student;

10 (3) a designated representative of the principal of the school
11 in which the student is or should be enrolled; and

12 (4) a designated representative of the juvenile court or the
13 juvenile court sponsored alternative program.

14 (c) Notwithstanding section 17(j) of this chapter, a student who
15 is at least sixteen (16) years of age but less than eighteen (18) years
16 of age who is under the jurisdiction of a juvenile court or a juvenile
17 court sponsored alternative program is bound by the requirements
18 of compulsory school attendance and may not withdraw from
19 school before graduation unless:

20 (1) the student, the student's parent or guardian, and the
21 designated representative of the juvenile court or the juvenile
22 court sponsored alternative program agree to the withdrawal;
23 and

24 (2) at the exit interview, the student provides written
25 acknowledgment of the withdrawal and the student's parent
26 or guardian and the designated representative of the juvenile
27 court or the juvenile court sponsored alternative program
28 each provide written consent for the student to withdraw
29 from school.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

ROBERTSON, Chair

Committee Vote: yeas 9, nays 0.

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