

SENATE BILL No. 145

DIGEST OF INTRODUCED BILL

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

Synopsis: Birthdate for kindergarten enrollment. Beginning with the 1999-2000 school year, provides that a child must be at least five years of age on September 1 to officially enroll in a kindergarten program offered by a school corporation. (Current law requires that a child must be at least five years of age on June 1 to officially enroll in a kindergarten program.) Allows the governing body of a school corporation to adopt a procedure for a parent to appeal to the school superintendent for kindergarten enrollment of a child who is not five years old on the statutory date. (Current law requires a school corporation to adopt the procedure.)

Effective: July 1, 1998.

Lubbers

January 6, 1998, read first time and referred to Committee on Education.



Introduced

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.

SENATE BILL No. 145

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) concerning an exit interview are met enabling the individual to
16 withdraw from school before graduation; or
17 (3) reaches at least eighteen (18) years of age;

1998

IN 145—LS 6531/DI 71+



- 1 whichever occurs first.
- 2 (c) An individual who:
- 3 (1) enrolls in school before the fall school term for the school year
- 4 in which the individual becomes seven (7) years of age; and
- 5 (2) is withdrawn from school before the school year described in
- 6 subdivision (1) occurs;
- 7 is not subject to the requirements of this chapter until the individual is
- 8 reenrolled as required in subsection (b). Nothing in this section shall
- 9 be construed to require that a child complete grade 1 before the child
- 10 reaches eight (8) years of age.
- 11 (d) An individual for whom education is compulsory under this
- 12 section shall attend school each year:
- 13 (1) for the number of days public schools are in session in the
- 14 school corporation in which the individual is enrolled in Indiana;
- 15 or
- 16 (2) if the individual is enrolled outside Indiana, for the number of
- 17 days the public schools are in session where the individual is
- 18 enrolled.
- 19 (e) In addition to the requirements of subsections (a) through (d), an
- 20 individual must be at least five (5) years of age on:
- 21 (1) July 1 of the 1991-92 school year; ~~or~~
- 22 (2) June 1 of the 1992-93 school year; or
- 23 **(3) September 1 of the 1999-2000 school year or any**
- 24 subsequent school 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~~ **may** adopt a procedure affording a parent
- 28 of an individual who does not meet the minimum age requirement set
- 29 forth in this subsection the right to appeal to the superintendent of the
- 30 school corporation for enrollment of the individual in kindergarten at
- 31 an age 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



- 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). Each exit
- 19 interview must be personally attended by:
- 20 (1) the student's parent or guardian;
- 21 (2) the student;
- 22 (3) each designated appropriate school employee; and
- 23 (4) the student's principal.
- 24 (j) A student who is at least sixteen (16) years of age but less than
- 25 eighteen (18) years of age is bound by the requirements of compulsory
- 26 school attendance and may not withdraw from school before graduation
- 27 unless:
- 28 (1) the student, the student's parent or guardian, and the principal
- 29 agree to the withdrawal; and
- 30 (2) at the exit interview, the student provides written
- 31 ~~acknowledgement~~ **acknowledgment** of the withdrawal and the
- 32 student's parent or guardian and the school principal each provide
- 33 written consent for the student to withdraw from school.
- 34 (k) For the purposes of this section, "school year" has the meaning
- 35 set forth in IC 21-2-12-3(j).

