

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1681 be amended to read as follows:

- 1           Page 2, between lines 13 and 14, begin a new paragraph and  
2           insert:  
3           "SECTION 2. IC 20-8.1-3-17 IS AMENDED TO READ AS  
4           FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. (a) Subject to the  
5           specific exceptions under this chapter, each individual shall attend  
6           either a public school which the individual is entitled to attend under  
7           IC 20-8.1-6.1 or some other school which is taught in the English  
8           language.  
9           (b) An individual is bound by the requirements of this chapter  
10          from the earlier of the date on which the individual officially enrolls in  
11          a school or, except as provided in subsection (h), the beginning of the  
12          fall school term for the school year in which the individual becomes  
13          seven (7) years of age until the date on which the individual:  
14               (1) graduates;  
15               (2) reaches at least sixteen (16) years of age but who is less than  
16               eighteen (18) years of age and the requirements under subsection  
17               (j) concerning an exit interview are met enabling the individual  
18               to withdraw from school before graduation; or  
19               (3) reaches at least eighteen (18) years of age;  
20          whichever occurs first.  
21          (c) An individual who:  
22               (1) enrolls in school before the fall school term for the school  
23               year in which the individual becomes seven (7) years of age; and  
24               (2) is withdrawn from school before the school year described in  
25               subdivision (1) occurs;  
26          is not subject to the requirements of this chapter until the individual is  
27          reenrolled as required in subsection (b). Nothing in this section shall  
28          be construed to require that a child complete grade 1 before the child  
29          reaches eight (8) years of age.  
30          (d) An individual for whom education is compulsory under this  
31          section shall attend school each year:  
32               (1) for the number of days public schools are in session in the

1 school corporation in which the individual is enrolled in Indiana;  
2 or  
3 (2) if the individual is enrolled outside Indiana, for the number  
4 of days the public schools are in session where the individual is  
5 enrolled.  
6 (e) In addition to the requirements of subsections (a) through (d),  
7 an individual must be at least five (5) years of age on:  
8 ~~(1) July 1 of the 1991-92 school year; or~~  
9 ~~(2) June 1 of the 1992-93 school year or~~  
10 **(1) July 1 of the 2000-2001 school year;**  
11 **(2) August 1 of the 2001-2002 school year; or**  
12 **(3) September 1 of the 2002-2003 school year or any**  
13 **subsequent school year;**  
14 to officially enroll in a kindergarten program offered by a school  
15 corporation. However, ~~subject to subsection (g)~~; the governing body of  
16 the school corporation ~~shall~~ **may** adopt a procedure affording a parent  
17 of an individual who does not meet the minimum age requirement set  
18 forth in this subsection the right to appeal to the superintendent of the  
19 school corporation for enrollment of the individual in kindergarten at  
20 an age earlier than the age that is set forth in this subsection.  
21 (f) In addition to the requirements of subsections (a) through (e),  
22 and subject to subsection (g), if an individual enrolls in school as  
23 permitted under subsection (b) and has not attended kindergarten, the  
24 superintendent of the school corporation shall make a determination as  
25 to whether the individual shall enroll in kindergarten or grade 1 based  
26 on the particular model assessment adopted by the governing body  
27 under subsection (g).  
28 (g) To assist the principal and governing bodies, the department  
29 shall do the following:  
30 (1) Establish guidelines to assist each governing body in  
31 establishing a procedure for making appeals to the  
32 superintendent of the school corporation under subsection (e).  
33 (2) Establish criteria by which a governing body may adopt a  
34 model assessment which will be utilized in making the  
35 determination under subsection (f).  
36 (h) If the parents of an individual who would otherwise be subject  
37 to compulsory school attendance under subsection (b), upon request of  
38 the superintendent of the school corporation, certify to the  
39 superintendent of the school corporation that the parents intend to:  
40 (1) enroll the individual in a nonaccredited, nonpublic school; or  
41 (2) begin providing the individual with instruction equivalent to  
42 that given in the public schools as permitted under  
43 ~~IC 20-8.1-3-34;~~ **section 34 of this chapter;**  
44 not later than the date on which the individual reaches seven (7) years  
45 of age, the individual is not bound by the requirements of this chapter  
46 until the individual reaches seven (7) years of age.  
47 (i) The governing body of each school corporation shall designate  
48 the appropriate employees of the school corporation to conduct the exit  
49 interviews for students described in subsection (b)(2). Each exit  
50 interview must be personally attended by:  
51 (1) the student's parent or guardian;

- 1           (2) the student;  
2           (3) each designated appropriate school employee; and  
3           (4) the student's principal.  
4           (j) A student who is at least sixteen (16) years of age but less than  
5           eighteen (18) years of age is bound by the requirements of compulsory  
6           school attendance and may not withdraw from school before graduation  
7           unless:  
8           (1) the student, the student's parent or guardian, and the principal  
9           agree to the withdrawal; and  
10          (2) at the exit interview, the student provides written  
11          ~~acknowledgement~~ **acknowledgment** of the withdrawal and the  
12          student's parent or guardian and the school principal each  
13          provide written consent for the student to withdraw from school.  
14          (k) For the purposes of this section, "school year" has the meaning  
15          set forth in IC 21-2-12-3(j)."  
16          Renumber all SECTIONS consecutively.  
              (Reference is to EHB 1681 as printed March 30, 1999.)

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Senator LUBBERS