



January 28, 2000

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## SENATE BILL No. 66

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DIGEST OF SB 66 (Updated January 27, 2000 9:47 AM - DI 51)

**Citations Affected:** IC 20-8.1.

**Synopsis:** Kindergarten enrollment date. Provides that a child must be at least five years of age on the following dates to officially enroll in a kindergarten program offered by a school corporation: (1) July 1 of the 2001-2002 school year. (2) August 1 of the 2002-2003 school year. (3) September 1 of the 2003-2004 school year or any subsequent school year. (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 at least five years old on the statutory date. (Current law requires a school corporation to adopt the procedure.)

**Effective:** July 1, 2000.

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**Lubbers, Rogers, Ford, Blade,  
Weatherwax, Sipes, Breaux, Antich,  
Howard**

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November 17, 1999, read first time and referred to Committee on Education.  
January 13, 2000, reported favorably — Do Pass; reassigned to Committee on Finance.  
January 27, 2000, reported favorably — Do Pass.

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SB 66—LS 6384/DI 71+



January 28, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

## SENATE BILL No. 66

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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, 2000]: 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;

SB 66—LS 6384/DI 71+



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- 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           **(1) July 1 of the 2001-2002 school year;**
- 24           **(2) August 1 of the 2002-2003 school year; or**
- 25           **(3) September 1 of the 2003-2004 school year or any**
- 26           subsequent school year;
- 27       to officially enroll in a kindergarten program offered by a school
- 28       corporation. However, ~~subject to subsection (g)~~; the governing body of
- 29       the school corporation ~~shall~~ **may** adopt a procedure affording a parent
- 30       of an individual who does not meet the minimum age requirement set
- 31       forth in this subsection the right to appeal to the superintendent of the
- 32       school corporation for enrollment of the individual in kindergarten at
- 33       an age earlier than the age that is set forth in this subsection.
- 34       (f) In addition to the requirements of subsections (a) through (e),
- 35       and subject to subsection (g), if an individual enrolls in school as
- 36       permitted under subsection (b) and has not attended kindergarten, the
- 37       superintendent of the school corporation shall make a determination as
- 38       to whether the individual shall enroll in kindergarten or grade 1 based
- 39       on the particular model assessment adopted by the governing body
- 40       under subsection (g).
- 41       (g) To assist the principal and governing bodies, the department
- 42       shall do the following:



- 1 (1) Establish guidelines to assist each governing body in  
 2 establishing a procedure for making appeals to the superintendent  
 3 of the school corporation under subsection (e).  
 4 (2) Establish criteria by which a governing body may adopt a  
 5 model assessment which will be utilized in making the  
 6 determination under subsection (f).  
 7 (h) If the parents of an individual who would otherwise be subject  
 8 to compulsory school attendance under subsection (b), upon request of  
 9 the superintendent of the school corporation, certify to the  
 10 superintendent of the school corporation that the parents intend to:  
 11 (1) enroll the individual in a nonaccredited, nonpublic school; or  
 12 (2) begin providing the individual with instruction equivalent to  
 13 that given in the public schools as permitted under  
 14 ~~IC 20-8.1-3-34~~; **section 34 of this chapter**;  
 15 not later than the date on which the individual reaches seven (7) years  
 16 of age, the individual is not bound by the requirements of this chapter  
 17 until the individual reaches seven (7) years of age.  
 18 (i) The governing body of each school corporation shall designate  
 19 the appropriate employees of the school corporation to conduct the exit  
 20 interviews for students described in subsection (b)(2). Each exit  
 21 interview must be personally attended by:  
 22 (1) the student's parent or guardian;  
 23 (2) the student;  
 24 (3) each designated appropriate school employee; and  
 25 (4) the student's principal.  
 26 (j) A student who is at least sixteen (16) years of age but less than  
 27 eighteen (18) years of age is bound by the requirements of compulsory  
 28 school 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).

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SENATE MOTION

Mr. President: I move that Senator Rogers be added as second author and Senators Ford and Blade be added as coauthors of Senate Bill 66.

LUBBERS

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SENATE MOTION

Mr. President: I move that Senators Weatherwax and Sipes be added as coauthors of Senate Bill 66.

LUBBERS

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SENATE MOTION

Mr. President: I move that Senator Breaux be added as coauthor of Senate Bill 66.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 66, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Finance.

(Reference is made to Senate Bill 66 as introduced.)

Weatherwax, Chairperson

Committee Vote: Yeas 9, Nays 1.

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SENATE MOTION

Mr. President: I move that Senator Antich be added as coauthor of Senate Bill 66.

LUBBERS

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SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 66.

LUBBERS

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 66, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 66 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 12, Nays 3.

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