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# SENATE BILL No. 317

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-33-2.

**Synopsis:** Kindergarten. Provides that a student is required to begin school in the fall term of the school year in which the student becomes six years of age. (Current law requires the student to begin school in the fall term of the school year in which the student becomes seven years of age.) Requires that a student must be at least five years of age before: (1) September 1 of the 2012-2013 school year; (2) October 1 of the 2013-2014 school year; or (3) November 1 of the 2014-2015 school year or any subsequent school year; to enroll in a kindergarten offered by a school corporation. Removes provisions that: (1) require the school superintendent to make a determination as to whether a child who enrolls in school and has not attended kindergarten shall enroll in grade 1 or kindergarten; and (2) require the department of education to adopt a model assessment that may be used by the superintendent in making that determination.

**Effective:** July 1, 2011.

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January 10, 2011, read first time and referred to Committee on Education and Career Development.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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**SENATE BILL No. 317**



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 20-33-2-6, AS ADDED BY P.L.242-2005,  
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2011]: Sec. 6. A student is bound by the requirements of this  
4 chapter from the earlier of the date on which the student officially  
5 enrolls in a school or, except as provided in section 8 of this chapter,  
6 the beginning of the fall school term for the school year in which the  
7 student becomes ~~seven (7)~~ **six (6)** years of age until the date on which  
8 the student:  
9 (1) graduates;  
10 (2) becomes eighteen (18) years of age; or  
11 (3) becomes sixteen (16) years of age but is less than eighteen  
12 (18) years of age and the requirements under section 9 of this  
13 chapter concerning an exit interview are met enabling the student  
14 to withdraw from school before graduation;  
15 whichever occurs first.  
16 SECTION 2. IC 20-33-2-7, AS ADDED BY P.L.246-2005,  
17 SECTION 177, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2011]: Sec. 7. (a) In addition to the  
 2 requirements of sections 4 through 6 of this chapter, a student must be  
 3 at least five (5) years of age on:

- 4 ~~(1) July 1 of the 2005-2006 school year; or~~  
 5 ~~(2) (1) August 1 of the 2006-2007~~ **2011-2012** school year; or any  
 6 subsequent school year;  
 7 **(2) September 1 of the 2012-2013 school year;**  
 8 **(3) October 1 of the 2013-2014 school year; or**  
 9 **(4) November 1 of the 2014-2015 school year or any**  
 10 **subsequent school year;**

11 to officially enroll in a kindergarten program offered by a school  
 12 corporation. However, subject to subsection ~~(c)~~; **(b)**, the governing  
 13 body of the school corporation shall adopt a procedure affording a  
 14 parent of a student who does not meet the minimum age requirement  
 15 set forth in this subsection the right to appeal to the superintendent for  
 16 enrollment of the student in kindergarten at an age earlier than the age  
 17 set forth in this subsection.

18 ~~(b)~~ In addition to the requirements of sections 4 through 6 of this  
 19 chapter and subsection (a), and subject to subsection ~~(c)~~; if a student  
 20 enrolls in school as allowed under section 6 of this chapter and has not  
 21 attended kindergarten, the superintendent shall make a determination  
 22 as to whether the student shall enroll in kindergarten or grade 1 based  
 23 on the particular model assessment adopted by the governing body  
 24 under subsection ~~(c)~~.

25 ~~(c)~~ **(b)** To assist the principal and governing bodies, the department  
 26 shall ~~do the following:~~ ~~(1)~~ establish guidelines to assist each governing  
 27 body in establishing a procedure for making appeals to the  
 28 superintendent under subsection (a).

- 29 ~~(2)~~ Establish criteria by which a governing body may adopt a  
 30 model assessment that may be used in making the determination  
 31 under subsection ~~(b)~~.

32 SECTION 3. IC 20-33-2-8, AS ADDED BY P.L.1-2005, SECTION  
 33 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 34 2011]: Sec. 8. A student is not bound by the requirements of this  
 35 chapter until the student becomes ~~seven (7)~~ **six (6)** years of age, if,  
 36 upon request of the superintendent of the school corporation, the parent  
 37 of a student who would otherwise be subject to compulsory school  
 38 attendance under section 6 of this chapter certifies to the  
 39 superintendent that the parent intends to:

- 40 (1) enroll the student in a nonaccredited, nonpublic school; or  
 41 (2) begin providing the student with instruction equivalent to that  
 42 given in the public schools as permitted under section 28 of this

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- 1 chapter;
- 2 not later than the date on which the student becomes ~~seven (7)~~ six (6)
- 3 years of age.

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