
HOUSE BILL No. 1581

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-5-1.

Synopsis: Preschool and kindergarten programs. Provides that when adequate funds are available, a school corporation must conduct a full-day kindergarten and preschool program.

Effective: July 1, 2011.

Porter

January 20, 2011, read first time and referred to Committee on Education.

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Introduced

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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HOUSE BILL No. 1581



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 20-26-5-1, AS ADDED BY P.L.1-2005, SECTION
2 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2011]: Sec. 1. (a) A school corporation shall:
4 (1) conduct an educational program for all children who reside
5 within the school corporation in kindergarten and in grades 1
6 through 12; ~~and~~
7 (2) provide each preschool child with a disability with an
8 appropriate special education as required under IC 20-35-4-9 only
9 if the general assembly appropriates state funds for preschool
10 special education;
11 **(3) when adequate funds are available, conduct a full-day**
12 **kindergarten program for all children who reside within the**
13 **school corporation; and**
14 **(4) when adequate funds are available, conduct a preschool**
15 **program, which may duplicate proven early education**
16 **programs to ensure the success of all participating children,**
17 **for all children who reside within the school corporation.**



1 (b) A school corporation may:

2 (1) conduct an educational program for adults and children at

3 least fourteen (14) years of age who do not attend a program

4 described in subsection (a);

5 (2) provide instruction in vocational, industrial, or manual

6 training;

7 (3) provide libraries for the schools of the school corporation;

8 (4) provide public libraries open and free for the use and benefit

9 of the residents and taxpayers of the school corporation where

10 permitted by law;

11 (5) provide vacation school and recreational programs;

12 (6) conduct other educational or other activities as are permitted

13 or required to be performed by law by any school corporation; and

14 (7) provide a school age child care program that operates during

15 periods when school is in session for students who are enrolled in

16 a half-day kindergarten program.

17 (c) A school corporation shall develop a written policy that provides

18 for:

19 (1) the implementation of a school age child care program for

20 children who attend kindergarten through grade 6 that, at a

21 minimum, operates after the school day and may include periods

22 before school is in session or periods when school is not

23 otherwise in session (commonly referred to as a latch key

24 program) and is offered by the school corporation; or

25 (2) the availability of the school corporation's buildings or parts

26 of the school corporation's buildings to conduct the type of

27 program described in subdivision (1) by a nonprofit organization

28 or a for-profit organization.

29 (d) The written policy required under subsection (c) must address

30 compliance with certain standards of reasonable care for children

31 served by a child care program offered under subsection (c), including:

32 (1) requiring the offering entity to acquire a particular amount of

33 liability insurance; and

34 (2) establishing maximum adult to child ratios governing the

35 overall supervision of the children served.

36 If a school corporation implements a child care program as described

37 in subsection (c)(1) or enters into a contract with an entity described in

38 subsection (c)(2) to provide a child care program, the school

39 corporation may not assess a fee for the use of the building, and the

40 contract between the school corporation and the entity providing the

41 program must be in writing. However, the school corporation may

42 assess a fee to reimburse the school corporation for providing security,

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1 maintenance, utilities, school personnel, or other costs directly
2 attributable to the use of the building for the program. In addition, if a
3 school corporation offers a child care program as described in
4 subsection (c)(1), the school corporation may assess a fee to cover
5 costs attributable to implementing the program.

6 (e) The powers under this section are purposes as well as powers.

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