



February 2, 2024

SENATE BILL No. 282

DIGEST OF SB 282 (Updated January 31, 2024 6:19 pm - DI 110)

Citations Affected: IC 20-18; IC 20-33; noncode.

Synopsis: Absenteeism and school attendance. Amends the duties of an attendance officer and the state attendance officer. Requires, not later than November 1 of each year, the state attendance officer to submit a report to the legislative council containing recommended legislation based on the state attendance officer's discussions with attendance officers. Requires the governing authority of a school corporation, charter school, and nonpublic school that has at least one employee to establish a truancy prevention policy regarding certain students in kindergarten through grade 6. Urges the legislative council to assign to the appropriate interim study committee the task of studying certain matters concerning absenteeism.

Effective: Upon passage; July 1, 2024.

**Donato, Rogers, Raatz, Alexander,
Crider, Johnson T, Deery, Dernule**

January 16, 2024, read first time and referred to Committee on Education and Career Development.
February 1, 2024, amended, reported favorably — Do Pass.

SB 282—LS 6915/DI 148



February 2, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 282

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 20-18-2-26.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 26.5. "Truancy prevention**
4 **measure" means an action designed to:**
5 (1) **address truancy before a child becomes a habitual truant;**
6 **and**
7 (2) **minimize the need for:**
8 (A) **referrals to a voluntary truancy prevention program;**
9 **or**
10 (B) **reports to a juvenile court.**
11 SECTION 2. IC 20-33-2-39, AS ADDED BY P.L.1-2005,
12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2024]: Sec. 39. An attendance officer has the following duties:
14 (1) To serve subject to the rules, direction, and control of the
15 superintendent in the attendance officer's attendance district.
16 (2) To maintain an office at a place designated by the
17 superintendent.

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- 1 (3) To be on duty during school hours and at other times as the
 2 superintendent may request.
 3 (4) To keep records and make reports as required by the state
 4 board.
 5 (5) To visit the homes of children who are absent from school or
 6 who are reported to be in need of books, clothing, or parental
 7 care.
 8 (6) Whenever the superintendent directs or approves it, to bring
 9 suit to enforce any provision of this chapter that is being violated.
 10 (7) To serve written notice on any parent whose child is out of
 11 school illegally.
 12 (8) To visit factories where children are employed.
 13 **(9) To implement the truancy prevention measures required**
 14 **under IC 20-33-2.5.**
 15 **(10) To meet at least one (1) time each year with the**
 16 **department of child services and the intake officer for the**
 17 **juvenile court to discuss the effectiveness of truancy**
 18 **prevention measures adopted in the attendance officer's**
 19 **jurisdiction.**
 20 **(11) To meet at least one (1) time each year with the state**
 21 **attendance officer to:**
 22 **(A) review data, policies, and procedures; and**
 23 **(B) discuss recommending to the legislative council under**
 24 **section 43 of this chapter legislation to deter absenteeism**
 25 **and to promote school attendance.**
 26 **The meeting with the state attendance officer may be**
 27 **conducted in person, virtually, or both.**
 28 ~~(9)~~ **(12) To perform other duties necessary for complete**
 29 **enforcement of this chapter and IC 20-33-2.5.**
 30 SECTION 3. IC 20-33-2-42, AS AMENDED BY P.L.43-2021,
 31 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2024]: Sec. 42. The secretary of education
 33 shall:
 34 (1) prescribe duties for the state attendance officer not provided
 35 by law;
 36 (2) design and require use of a system of attendance reports,
 37 records, and forms necessary for the enforcement of this chapter;
 38 and
 39 (3) establish guidance regarding truancy prevention policies
 40 adopted by governing authorities in accordance with
 41 IC 20-33-2.5; and
 42 ~~(3)~~ (4) perform all other duties necessary for the complete



1 enforcement of this chapter.

2 SECTION 4. IC 20-33-2-43, AS AMENDED BY P.L.43-2021,
3 SECTION 111, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: Sec. 43. (a) The secretary of education
5 shall appoint a state attendance officer. The state attendance officer
6 serves at the pleasure of the secretary of education and may be removed
7 by the secretary of education at any time.

8 (b) The state attendance officer shall:

9 (1) exercise general supervision over the attendance officers of
10 Indiana;

11 (2) visit the various attendance districts throughout Indiana;

12 (3) inspect the work of the attendance officers; and

13 (4) investigate the manner in which this chapter is being enforced.

14 (c) The state attendance officer may initiate court action whenever
15 necessary for the enforcement of this chapter.

16 **(d) The state attendance officer shall meet at least one (1) time
17 each year with all attendance officers to:**

18 **(1) review data, policies, and procedures; and**

19 **(2) discuss recommending to the legislative council legislation
20 to deter absenteeism and to promote school attendance.**

21 **(e) Not later than November 1 of each year, the state attendance
22 officer shall submit a report to the legislative council containing
23 recommended legislation based on the state attendance officer's
24 discussions with attendance officers under subsection (d) and
25 section 39 of this chapter. A report required by this subsection
26 must be submitted in an electronic format under IC 5-14-6.**

27 SECTION 5. IC 20-33-2.5 IS ADDED TO THE INDIANA CODE
28 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2024]:

30 **Chapter 2.5. Truancy Prevention Policy**

31 **Sec. 1. As used in this chapter, "absent student" means a
32 student who:**

33 **(1) is enrolled in a school in kindergarten through grade 6;
34 and**

35 **(2) is absent from school five (5) days within a ten (10) week
36 period without being:**

37 **(A) excused; or**

38 **(B) absent under a parental request that has been filed
39 with the school.**

40 **Sec. 2. As used in this chapter, "governing authority" refers to
41 the:**

42 **(1) governing body of a school corporation;**



- 1 (2) organizer of a charter school; or
 2 (3) equivalent authority of a governing body as described in
 3 subdivision (1) for a nonpublic school that has at least one (1)
 4 employee.

5 **Sec. 3. As used in this chapter, "school" refers to the following:**

- 6 (1) A public school, including a charter school.
 7 (2) A nonpublic school that has at least one (1) employee.

8 **Sec. 4. A governing authority of a school corporation or school**
 9 **shall adopt a truancy prevention policy regarding absent students**
 10 **that includes the following:**

11 (1) A school shall immediately provide written notification to
 12 the parent of an absent student that includes the following
 13 information:

14 (A) That the student is an absent student based on the
 15 student's school attendance.

16 (B) That the parent is responsible for:

17 (i) monitoring the absent student's school attendance;
 18 and

19 (ii) ensuring the absent student attends school in
 20 accordance with compulsory attendance laws.

21 (C) That the school will be initiating truancy prevention
 22 measures regarding the absent student.

23 (D) That the parent is required to attend an attendance
 24 conference regarding the truancy prevention measures
 25 that the school will be implementing for the absent student.

26 (E) That, if the student meets the requirements of a
 27 habitual truant, the:

28 (i) superintendent or attendance officer of the school is
 29 required to report the student to an intake officer of the
 30 juvenile court or the department of child services in
 31 accordance with IC 20-33-2-25;

32 (ii) juvenile court may determine that the student is
 33 committing a delinquent act as provided under
 34 IC 31-37-2-3; and

35 (iii) parent of the student may be subject to prosecution
 36 under IC 35-46-1-4.

37 (2) A school shall hold an attendance conference with the
 38 following individuals to discuss the student's absences and
 39 establish a plan for the student to prevent future absences:

40 (A) A representative of the school.

41 (B) A teacher of the student.

42 (C) The student's parent.



1 **(3) A school shall establish a plan under subdivision (2) that**
 2 **includes the following:**

3 **(A) Any wrap around services that are able to be provided**
 4 **to the absent student to ensure the absent student attends**
 5 **school.**

6 **(B) A specific description of the behavior that is required**
 7 **or prohibited for the absent student.**

8 **(C) The period for which the plan will be effective, not to**
 9 **exceed forty-five (45) instructional days after the date the**
 10 **plan is established.**

11 **(D) Any additional disciplinary action the school will take**
 12 **if the absent student does not comply with the plan.**

13 **(E) If applicable, a referral to or requirement for**
 14 **counseling, mentoring, or other services for the student.**

15 **(F) If applicable, whether a parent is expected to attend the**
 16 **counseling, mentoring, or other services under clause (E)**
 17 **with the student.**

18 **(G) To the extent possible, the signature of the parent of**
 19 **the student agreeing to comply with the plan.**

20 **(4) A school shall offer additional counseling services to an**
 21 **absent student if the school determines that the student's**
 22 **absences are related to any of the following:**

23 **(A) The student's pregnancy.**

24 **(B) That the student is in foster care (as defined in**
 25 **IC 31-9-2-46.7).**

26 **(C) That the student is homeless.**

27 **(D) That the student has a severe or life threatening illness**
 28 **or related treatment.**

29 **Sec. 5. A school shall hold an attendance conference described**
 30 **in section 4(2) of this chapter not more than five (5) instructional**
 31 **days after the student's fifth absence described in section 1(2) of**
 32 **this chapter regardless of whether the parent of the student is able**
 33 **to attend the conference.**

34 **SECTION 6. [EFFECTIVE UPON PASSAGE] (a) The legislative**
 35 **council is urged to assign to the appropriate interim study**
 36 **committee the task of studying, during the 2024 legislative interim,**
 37 **the following:**

38 **(1) Ways to encourage families to promote school attendance**
 39 **and reduce absenteeism.**

40 **(2) Age appropriate consequences for a minor determined to**
 41 **be a habitual truant (as defined in IC 20-18-2-6.5).**

42 **(3) The appropriate consequences for a parent, guardian, or**



1 **custodian of a minor determined to be a habitual truant (as**
2 **defined in IC 20-18-2-6.5).**
3 **(4) The impact of absenteeism on school funding.**
4 **(5) Ways to encourage schools to develop programs and**
5 **services to promote school attendance and reduce**
6 **absenteeism.**
7 **(b) This SECTION expires January 1, 2025.**
8 **SECTION 7. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 282, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 6.

Page 1, delete line 17.

Delete page 2.

Page 3, delete line 1.

Page 3, delete lines 31 through 32, begin a new line double block indented and insert:

"(B) discuss recommending to the legislative council under section 43 of this chapter legislation to deter absenteeism and to promote school attendance.

The meeting with the state attendance officer may be conducted in person, virtually, or both."

Page 4, delete lines 2 through 4, begin a new line block indented and insert:

"(3) establish guidance regarding truancy prevention policies adopted by governing authorities in accordance with IC 20-33-2.5; and"

Page 4, line 5, delete "(5)" and insert "(4)".

Page 4, delete lines 24 through 42, begin a new line block indented and insert:

"(2) discuss recommending to the legislative council legislation to deter absenteeism and to promote school attendance.

(e) Not later than November 1 of each year, the state attendance officer shall submit a report to the legislative council containing recommended legislation based on the state attendance officer's discussions with attendance officers under subsection (d) and section 39 of this chapter. A report required by this subsection must be submitted in an electronic format under IC 5-14-6.

SECTION 5. IC 20-33-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

Chapter 2.5. Truancy Prevention Policy

Sec. 1. As used in this chapter, "absent student" means a student who:

**(1) is enrolled in a school in kindergarten through grade 6;
and**

(2) is absent from school five (5) days within a ten (10) week



period without being:

- (A) excused; or
- (B) absent under a parental request that has been filed with the school.

Sec. 2. As used in this chapter, "governing authority" refers to the:

- (1) governing body of a school corporation;
- (2) organizer of a charter school; or
- (3) equivalent authority of a governing body as described in subdivision (1) for a nonpublic school that has at least one (1) employee.

Sec. 3. As used in this chapter, "school" refers to the following:

- (1) A public school, including a charter school.
- (2) A nonpublic school that has at least one (1) employee.

Sec. 4. A governing authority of a school corporation or school shall adopt a truancy prevention policy regarding absent students that includes the following:

- (1) A school shall immediately provide written notification to the parent of an absent student that includes the following information:
 - (A) That the student is an absent student based on the student's school attendance.
 - (B) That the parent is responsible for:
 - (i) monitoring the absent student's school attendance; and
 - (ii) ensuring the absent student attends school in accordance with compulsory attendance laws.
 - (C) That the school will be initiating truancy prevention measures regarding the absent student.
 - (D) That the parent is required to attend an attendance conference regarding the truancy prevention measures that the school will be implementing for the absent student.
 - (E) That, if the student meets the requirements of a habitual truant, the:
 - (i) superintendent or attendance officer of the school is required to report the student to an intake officer of the juvenile court or the department of child services in accordance with IC 20-33-2-25;
 - (ii) juvenile court may determine that the student is committing a delinquent act as provided under IC 31-37-2-3; and
 - (iii) parent of the student may be subject to prosecution



under IC 35-46-1-4.

(2) A school shall hold an attendance conference with the following individuals to discuss the student's absences and establish a plan for the student to prevent future absences:

- (A) A representative of the school.
- (B) A teacher of the student.
- (C) The student's parent.

(3) A school shall establish a plan under subdivision (2) that includes the following:

- (A) Any wrap around services that are able to be provided to the absent student to ensure the absent student attends school.
- (B) A specific description of the behavior that is required or prohibited for the absent student.
- (C) The period for which the plan will be effective, not to exceed forty-five (45) instructional days after the date the plan is established.
- (D) Any additional disciplinary action the school will take if the absent student does not comply with the plan.
- (E) If applicable, a referral to or requirement for counseling, mentoring, or other services for the student.
- (F) If applicable, whether a parent is expected to attend the counseling, mentoring, or other services under clause (E) with the student.
- (G) To the extent possible, the signature of the parent of the student agreeing to comply with the plan.

(4) A school shall offer additional counseling services to an absent student if the school determines that the student's absences are related to any of the following:

- (A) The student's pregnancy.
- (B) That the student is in foster care (as defined in IC 31-9-2-46.7).
- (C) That the student is homeless.
- (D) That the student has a severe or life threatening illness or related treatment.

Sec. 5. A school shall hold an attendance conference described in section 4(2) of this chapter not more than five (5) instructional days after the student's fifth absence described in section 1(2) of this chapter regardless of whether the parent of the student is able to attend the conference.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to the appropriate interim study



committee the task of studying, during the 2024 legislative interim, the following:

- (1) Ways to encourage families to promote school attendance and reduce absenteeism.**
- (2) Age appropriate consequences for a minor determined to be a habitual truant (as defined in IC 20-18-2-6.5).**
- (3) The appropriate consequences for a parent, guardian, or custodian of a minor determined to be a habitual truant (as defined in IC 20-18-2-6.5).**
- (4) The impact of absenteeism on school funding.**
- (5) Ways to encourage schools to develop programs and services to promote school attendance and reduce absenteeism.**

(b) This SECTION expires January 1, 2025.

SECTION 7. An emergency is declared for this act."

Delete pages 5 through 9.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 282 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 13, Nays 0.

