

SENATE BILL No. 396

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-2; IC 20-51-1; IC 20-51.4-2-4.

Synopsis: Age for compulsory school attendance. Provides that a student is bound by compulsory school attendance requirements from the beginning of the fall school term for the school year in which the student is five years of age on August 1 of that school year. (Current law provides that a student is bound by compulsory school attendance requirements from the beginning of the fall school term for the school year in which the student becomes seven years of age.) Makes conforming amendments.

Effective: July 1, 2025.

Taylor G

January 13, 2025, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 396

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 AMENDED BY P.L.242-2005,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: 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)~~ **is five (5)** years of age **on August 1 of that**
8 **school year** until the date on which 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 20-33-2-8, AS ADDED BY P.L.1-2005, SECTION
17 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,



1 2025]: Sec. 8. A student is not bound by the requirements of this
 2 chapter until the student becomes ~~seven (7)~~ **five (5)** years of age, if,
 3 upon request of the superintendent of the school corporation, the parent
 4 of a student who would otherwise be subject to compulsory school
 5 attendance under section 6 of this chapter certifies to the
 6 superintendent that the parent intends to:

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

11 not later than ~~the date on which the student becomes seven (7)~~ **August**
 12 **1 of the school year if the student is five (5) years of age on August**
 13 **1 of the school year.**

14 SECTION 3. IC 20-51-1-4.3, AS AMENDED BY P.L.201-2023,
 15 SECTION 215, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2025]: Sec. 4.3. "Eligible choice scholarship
 17 student" refers to an individual who:

- 18 (1) has legal settlement in Indiana;
 19 (2) is at least five (5) years of age and less than twenty-two (22)
 20 years of age on ~~October 1~~ **August 1** of the applicable school year;
 21 and
 22 (3) is a member of a household with an annual income of not
 23 more than four hundred percent (400%) of the amount required
 24 for the individual to qualify for the federal free or reduced price
 25 lunch program.

26 SECTION 4. IC 20-51-1-5, AS AMENDED BY P.L.162-2024,
 27 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2025]: Sec. 5. "Eligible student" refers to an individual who:

- 29 (1) has legal settlement in Indiana;
 30 (2) is at least four (4) years of age and less than twenty-two (22)
 31 years of age on ~~October 1~~ **August 1** of the applicable school year;
 32 (3) either has been or is currently enrolled in a participating
 33 school; and
 34 (4) is a member of a household with an annual income of not
 35 more than four hundred percent (400%) of the amount required
 36 for the individual to qualify for the federal free or reduced price
 37 lunch program.

38 SECTION 5. IC 20-51.4-2-4, AS AMENDED BY P.L.127-2024,
 39 SECTION 3, AND AS AMENDED BY P.L.162-2024, SECTION 28,
 40 AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL
 41 OF THE 2025 GENERAL ASSEMBLY, IS CORRECTED AND
 42 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:



- 1 Sec. 4. "Eligible student" refers to an individual who:
2 (1) has legal settlement in Indiana;
3 (2) is at least five (5) years of age and less than twenty-two (22)
4 years of age *on the date in the school year specified in*
5 ~~IC 20-33-2-7; on October 1~~ **on August 1** *of the applicable school*
6 *year;*
7 (3) is a student:
8 (A) with a disability at the time the account is established who
9 requires special education and for whom:
10 ~~(A)~~ (i) an individualized education program;
11 ~~(B)~~ (ii) a service plan developed under 511 IAC 7-34; or
12 ~~(C)~~ (iii) a choice special education plan developed under
13 511 IAC 7-49;
14 has been developed; ~~and~~ *or*
15 (B) *who is a sibling of a student described in clause (A) who*
16 *has had an ESA account established in the student's name*
17 *under IC 20-51.4-4-1; and*
18 (4) meets the annual income qualification requirement for a
19 choice scholarship student under IC 20-51-1.

