

# HOUSE BILL No. 1105

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-33-2; IC 22-4.1-18.

**Synopsis:** Education matters. Sets forth certain requirements for a student to withdraw from school. Provides a specified exception to the information required in an official high school transcript. Provides that an individual less than 18 years of age may participate in the Indiana high school equivalency testing program (testing program) if the individual receives a recommendation from a specified individual. Prohibits the department of education from requiring certain students to attend an exit interview to participate in the testing program.

**Effective:** July 1, 2024.

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## Davis

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January 8, 2024, read first time and referred to Committee on Education.

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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.

# HOUSE BILL No. 1105

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 20-33-2-9, AS AMENDED BY P.L.233-2015,  
2 SECTION 247, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The governing body of each  
4 school corporation shall designate the appropriate individuals to attend  
5 the exit interviews for students described in section 6(3) of this chapter.  
6 (b) A student who is at least sixteen (16) years of age but less than  
7 eighteen (18) years of age is bound by the requirements of compulsory  
8 school attendance and may not withdraw from school before graduation  
9 unless:  
10 (1) ~~the student~~; the student's parent ~~and the principal agree to the~~  
11 **provides written consent for the student's** withdrawal; **and**  
12 (2) ~~the student provides written acknowledgment of the~~  
13 ~~withdrawal that meets the requirements of subsection (c) and the:~~  
14 (A) student's parent; and  
15 (B) school principal;  
16 each provide written consent for the student to withdraw from  
17 school; and



1           (2) the withdrawal is due to:

2           (A) financial hardship and the individual must be employed to  
3           support the individual's family or a dependent;

4           (B) illness; or

5           (C) an order by a court that has jurisdiction over the student;

6           or

7           **(D) any other reason to be determined by the student's  
8           parent to be in the best interest of the student.**

9           (c) A written acknowledgment of withdrawal under subsection (b)  
10          must include a statement that the student and the student's parent  
11          understand that withdrawing from school is likely to:

12          (1) reduce the student's future earnings; and

13          (2) increase the student's likelihood of being unemployed in the  
14          future.

15          SECTION 2. IC 20-33-2-13, AS AMENDED BY P.L.160-2023,  
16          SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17          JULY 1, 2024]: Sec. 13. A school corporation shall record or include  
18          the following information in the official high school transcript for a  
19          student in high school:

20          (1) Attendance records.

21          (2) The student's latest statewide assessment program test results,  
22          **except for test results from an exam described in  
23          IC 20-32-5.1-7(d).**

24          (3) Any secondary level and postsecondary level certificates of  
25          achievement earned by the student.

26          (4) Any dual credit courses taken that are included in the core  
27          transfer library under IC 21-42-5-4.

28          SECTION 3. IC 20-33-2-28.5, AS AMENDED BY P.L.147-2020,  
29          SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30          JULY 1, 2024]: Sec. 28.5. (a) This section applies to an individual:

31          (1) who:

32               (A) attends or last attended a public school;

33               (B) is at least sixteen (16) years of age but less than eighteen  
34               (18) years of age; and

35               (C) has not completed the requirements for graduation;

36          (2) who:

37               (A) wishes to withdraw from school before graduation;

38               (B) fails to return at the beginning of a semester; or

39               (C) stops attending school during a semester; and

40          (3) who has no record of transfer to another school.

41          (b) An individual to whom this section applies may withdraw from  
42          school only if all of the following conditions are met:



- 1 (1) An exit interview is conducted.
- 2 (2) The individual's parent ~~consents~~ **provides written consent** to
- 3 the withdrawal.
- 4 ~~(3) The school principal approves of the withdrawal.~~
- 5 ~~(4)~~ **(3)** The withdrawal is due to:
- 6 (A) financial hardship and the individual must be employed to
- 7 support the individual's family or a dependent;
- 8 (B) illness; ~~or~~
- 9 (C) an order by a court that has jurisdiction over the child; ~~or~~
- 10 **(D) any other reason to be determined by the student's**
- 11 **parent to be in the best interest of the student.**
- 12 During the exit interview, the school principal shall provide to the
- 13 student and the student's parent a copy of statistics compiled by the
- 14 department concerning the likely consequences of life without a high
- 15 school diploma. The school principal shall advise the student and
- 16 the student's parent that the student's withdrawal from school may prevent
- 17 the student from receiving or result in the revocation of the student's
- 18 employment certificate and driver's license or learner's permit.
- 19 (e) For purposes of this section, the following must be in written
- 20 form:
- 21 (1) An individual's request to withdraw from school.
- 22 (2) A parent's consent to a withdrawal.
- 23 (3) A principal's consent to a withdrawal.
- 24 (d) If the individual's principal does not consent to the individual's
- 25 withdrawal under this section, the individual's parent may appeal the
- 26 denial of consent to the governing body of the public school that the
- 27 individual last attended.
- 28 (e) (c) Each public school, including each school corporation and
- 29 each charter school (as defined in IC 20-24-1-4), shall provide an
- 30 annual report to the department setting forth the following information:
- 31 (1) The total number of individuals:
- 32 (A) who withdrew from school under this section; and
- 33 (B) who either:
- 34 (i) failed to return to school at the beginning of a semester;
- 35 or
- 36 (ii) stopped attending school during a semester;
- 37 and for whom there is no record of transfer to another school.
- 38 (2) The number of individuals who withdrew from school
- 39 following an exit interview.
- 40 ~~(f)~~ **(d)** If an individual to which this section applies:
- 41 (1) has not ~~received consent to withdraw~~ **withdrawn** from school
- 42 ~~under in accordance with~~ this section; and



1 (2) fails to return to school at the beginning of a semester or  
 2 during the semester;  
 3 the principal of the school that the individual last attended may deliver  
 4 by certified mail or personal delivery to the bureau of youth  
 5 employment a record of the individual's failure to return to school so  
 6 that the bureau of youth employment revokes any employment  
 7 certificates issued under IC 22-2-18 (before its expiration on June 30,  
 8 2021) to the individual and does not issue any additional employment  
 9 certificates to the individual. For purposes of IC 22-2-18-20 (before its  
 10 expiration on June 30, 2021), the individual shall be considered a  
 11 dropout.

12 ~~(g)~~ (e) At the same time that a school principal delivers the record  
 13 under subsection ~~(f)~~; (d), the principal may deliver by certified mail or  
 14 personal delivery to the bureau of motor vehicles a record of the  
 15 individual's failure to return to school so that the bureau of motor  
 16 vehicles revokes any driver's license or learner's permit issued to the  
 17 individual and does not issue any additional driver's licenses or  
 18 learner's permits to the individual before the individual is at least  
 19 eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual  
 20 shall be considered a dropout.

21 ~~(h)~~ (f) If:  
 22 (1) a principal has delivered the record ~~required described~~ under  
 23 subsection ~~(f)~~ (d) or ~~(g)~~; (e), or both; and  
 24 (2) the school ~~subsequently gives consent to the~~ individual  
 25 **subsequently complies with the requirements** to withdraw from  
 26 school under this section;  
 27 the principal of the school shall send a notice of withdrawal to the  
 28 bureau of youth employment and the bureau of motor vehicles by  
 29 certified mail or personal delivery and, for purposes of IC 22-2-18-20  
 30 (before its expiration on June 30, 2021) and IC 9-24-2-1, the individual  
 31 shall no longer be considered a dropout.

32 SECTION 4. IC 20-33-2-28.6, AS AMENDED BY P.L.147-2020,  
 33 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2024]: Sec. 28.6. (a) This section applies to a high school  
 35 student who is transferring to a nonaccredited nonpublic school.

36 (b) Before a student withdraws from a public school, the principal  
 37 of the student's school shall provide to the student and to the student's  
 38 parent information on a form developed by the department and  
 39 approved by the state board that explains the legal requirements of  
 40 attending a nonaccredited nonpublic school located in Indiana. The  
 41 principal and a parent of the student shall both sign the form to  
 42 acknowledge that the parent understands the content of the form.



1 (c) If the parent of the student refuses to sign the form provided by  
 2 the principal under subsection (b), the student is considered a dropout  
 3 and the principal may report the student to the bureau of motor vehicles  
 4 for action under section ~~28.5(g)~~ **28.5(e)** of this chapter. The student is  
 5 considered a dropout for purposes of calculating a high school's  
 6 graduation rate under IC 20-26-13-10.

7 **(d) A student or a parent of a student described in subsection (a)**  
 8 **may not be required to attend an exit interview or meeting for the**  
 9 **student to transfer to a nonaccredited nonpublic school.**

10 SECTION 5. IC 22-4.1-18-1, AS AMENDED BY P.L.228-2017,  
 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 1. This chapter applies to an individual who is:

- 13 (1) at least eighteen (18) years of age; or  
 14 (2) less than eighteen (18) years of age, if **at least one (1) of the**  
 15 **following applies:**

16 **(A) a superintendent (as defined in IC 20-18-2-21) or**  
 17 **principal; or the superintendent's or principal's designee;**  
 18 **recommends that the individual participate in the testing**  
 19 **program. The individual:**

- 20 **(i) attends a school maintained by a school corporation**  
 21 **or charter school; and**  
 22 **(ii) receives a recommendation from the superintendent**  
 23 **of the school corporation or principal of the school, or**  
 24 **the superintendent's or principal's designee, to**  
 25 **participate in the testing program.**

26 **(B) The individual:**

- 27 **(i) attends a nonpublic school that has at least one (1)**  
 28 **employee; and**  
 29 **(ii) receives a recommendation from the principal of the**  
 30 **nonpublic school, or the principal's designee, to**  
 31 **participate in the testing program.**

32 **(C) The individual:**

- 33 **(i) attends a nonaccredited nonpublic school that has less**  
 34 **than one (1) employee; and**  
 35 **(ii) receives a recommendation from the individual's**  
 36 **parent or guardian that the individual participate in the**  
 37 **testing program.**

38 **(D) A judge recommends the individual participate in the**  
 39 **testing program.**

40 SECTION 6. IC 22-4.1-18-4.5 IS ADDED TO THE INDIANA  
 41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2024]: **Sec. 4.5. The department may not**



1     **require an individual who attends a nonaccredited nonpublic**  
2     **school that has less than one (1) employee to attend an exit**  
3     **interview to participate in the testing program.**

