



### Memorandum

TO: DOE Dialogue

FROM: Bernice A. N. Corley, General Counsel – Department of Education

RE: HEA 1005 (2013) Required Form

DATE: July 24, 2013

---

Effective July 1, 2013, Section 10 of House Enrolled Act 1005, added I.C. 20-33-2-28.6, a new section, to law. I.C. 20-33-2-28.6 provides the following:

- (a) This section applies to a high school student who is transferring to a nonaccredited nonpublic school.**
- (b) Before a student withdraws from a public school, the principal of the student's school shall provide to the student and to the student's parent information on a form developed by the department and approved by the state board that explains the legal requirements of attending a nonaccredited nonpublic school located in Indiana. The principal and a parent of the student shall both sign the form to acknowledge that the parent understands the content of the form.**
- (c) If the parent of the student refuses to sign the form provided by the principal under subsection (b), the student is considered a dropout and the principal shall report the student to the bureau of motor vehicles for action under section 28.5(g) of this chapter. The student is considered a dropout for purposes of calculating a high school's graduation rate under IC 20-26-13-10.**

The Indiana Department of Education Department has developed the attached State Board of Education approved form.

If there are any questions, please contact Cathy Danyluk, Chief State Attendance Officer at 317/232-9150 or [cdanyluk@doe.in.gov](mailto:cdanyluk@doe.in.gov).

**Withdrawal from public school and transfer to a nonaccredited nonpublic school located in Indiana**  
Indiana Code § 20-33-2-28.6

Name of Withdrawal School:

Name of Principal:

Name of nonaccredited nonpublic school (or simply designate "Homeschool"):

Name of Parent(s)/guardian:

Address of Parent(s)/guardian:

Telephone number of Parent(s)/guardian:

Name of Student:

**LEGAL REQUIREMENTS OF ATTENDING A  
NONACCREDITED NONPUBLIC SCHOOL**

- **180 DAYS OF INSTRUCTION:** You decide which days your school will be in session, and how long to teach each day. In the case of mid-year transfers, days attended at the first school count toward the 180 day total at the homeschool.
- **ATTENDANCE RECORDS:** There is no special form for these records, which are used to verify private school attendance. Please note that the law allows local public school superintendents to request copies of your child's attendance records to verify attendance.
- **INSTRUCTION EQUIVALENT TO THAT GIVEN IN THE PUBLIC SCHOOLS:** State law does not define equivalency of instruction for public or private schools. If there is ever a question of educational neglect, keeping good attendance records and other documentation regarding attendance and continuing educational activity is highly instrumental in addressing these concerns.
- **CURRICULUM:** State law exempts home schools from the curriculum and program requirements which public schools must follow.

I acknowledge that I understand the legal requirements of attending a nonaccredited nonpublic school located in Indiana.<sup>1</sup>

\_\_\_\_\_  
Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Parent/Guardian

\_\_\_\_\_  
Date

**Note:**

**Pursuant to 511 IAC 6-7.1-2, the State Board of Education recognizes only high school diplomas conferred by schools that are accredited by the State Board of Education.**

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Date

<sup>1</sup>

If the parent of the student refuses to sign this form, the student is considered a dropout and the principal shall report the student to the bureau of motor vehicles for action under I.C. 20-33-2-28.5, revoking the driving privileges of an individual under the age of 18. I.C. 20-33-2-28.6(c).