

# INDIANA ATTENDANCE LAW

Legal enforcement of attendance will vary widely between states as each state is permitted to enact their own laws. Enforcement of the law will vary from jurisdiction to jurisdiction as each county prosecutors, DCS and Courts have the discretion to case process according to the best interests of the child and/or family. This could include civil and/or criminal penalties or no action at all.

Indiana has many laws governing attendance. Violations of the law have both criminal and civil penalties.

Students are required to attend school at age seven OR attend if enrolled sooner. This includes kindergarten.

Indiana law requires a superintendent or a designee to report habitually absent children to either the intake officer or DCS.

Where you report will depend on the age of the child and the nature of the absences.

The intake officer will process truancy referrals and the child could be prosecuted. DCS will investigate civil child neglect where the parent will be the respondent.

The local county prosecutor may have different reporting procedures to initiate a criminal failure to ensure or criminal neglect case against a parent. This will be a separate case.

Truancy is a status offense meaning only a child can commit the offense. These cases are heard in a juvenile or family court.

Criminal and civil cases filed against the parent can happen at the same time. This often creates confusion for the school and the families.

PIVOT ATTENDANCE SOLUTIONS [HTTPS://MYPAS.US](https://mypas.us)

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