

SENATE BILL No. 100

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1.

Synopsis: Public school scholarship program. Establishes a public elementary and secondary school scholarship program. Allows the parent of a public school student to request a scholarship for the student to enroll in: (1) a different public school in the base school corporation; or (2) a public school in a different school corporation. Requires the receiving principal and superintendent to jointly agree to enroll a scholarship student. For students who select a new school corporation, allocates public funds in a manner that counts a scholarship student in the ADM of the student's base school corporation, gives 50% of the state aid for that student to the receiving school corporation, and makes the parent responsible for costs of attendance that exceed the amount of the scholarship. Requires the parent to provide student transportation. Requires a school corporation that enrolls a scholarship student to determine whether to continue to
(Continued next page)

Effective: July 1, 1998.

Kenley

January 8, 1998, read first time and referred to Committee on Education.



Digest Continued

enroll the student for the following year. Provides that the laws concerning transfer students, including court ordered transfer students, do not apply to a student who attends a public school outside the student's base school corporation under the scholarship program. Prohibits enrollment of a scholarship student that negates compliance with certain court orders. Provides for administration of the program by the department of education.



Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 100

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 20-8.1-1-1.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 1998]: **Sec. 1.5. As used in this article,**
4 **"ADM" has the meaning set forth in IC 21-3-1.6-1.1.**
- 5 SECTION 2. IC 20-8.1-6.1-0.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 1998]: **Sec. 0.5. This chapter does not apply**
8 **to a student who under the public elementary and secondary school**
9 **scholarship program (IC 20-8.1-14) attends a public school that is**
10 **outside the school corporation where the student has legal**
11 **settlement.**
- 12 SECTION 3. IC 20-8.1-6.5-0.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 1998]: **Sec. 0.5. This chapter does not apply**
15 **to a student who under the public elementary and secondary school**



1 scholarship program (IC 20-8.1-14) attends a public school that is
 2 outside the school corporation where the student has legal
 3 settlement.

4 SECTION 4. IC 20-8.1-14 IS ADDED TO THE INDIANA CODE
 5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 1998]:

7 **Chapter 14. Public Elementary and Secondary School**
 8 **Scholarship Program**

9 **Sec. 1.** As used in this chapter, "base school corporation"
 10 means the school corporation where a student has legal settlement
 11 (as defined in IC 20-8.1-1-7.1).

12 **Sec. 2.** As used in this chapter, "program" refers to the public
 13 elementary and secondary school scholarship program.

14 **Sec. 3.** As used in this chapter, "public school" has the
 15 meaning set forth in IC 20-10.1-1-2.

16 **Sec. 4.** As used in this chapter, "scholarship" refers to a
 17 scholarship under the program.

18 **Sec. 5.** The public elementary and secondary school
 19 scholarship program is established.

20 **Sec. 6.** On a date the department specifies that falls before the
 21 beginning of a school year, the department shall grant scholarships
 22 and renewal scholarships under this chapter.

23 **Sec. 7. (a)** The department shall grant a scholarship to a
 24 student who meets the following requirements:

25 (1) The student's parent requests a scholarship for the
 26 student.

27 (2) The student's parent selects a school for the student to
 28 attend under the scholarship program.

29 (3) The school is a public school in Indiana that is:

30 (A) in the student's base school corporation but is a
 31 different school from the school where the school
 32 corporation has assigned the student; or

33 (B) outside of the student's base school corporation.

34 (4) The principal of the school and the superintendent of the
 35 school corporation where the school is located jointly agree
 36 to enroll the student in the school.

37 (b) The department shall grant a renewal scholarship to a
 38 student who meets the following requirements:

39 (1) The student previously received a scholarship in any
 40 year.

41 (2) The requirements of subsection (a) are met.

42 **Sec. 8.** The superintendent of a school corporation where a



1 parent seeks enrollment of a student under the scholarship
2 program:

- 3 (1) is not required to enroll the student; and
4 (2) may not enroll the student if enrollment will cause the
5 school corporation to be out of compliance with a court
6 order, including a court order described in IC 20-8.1-6.5-1.

7 **Sec. 9.** The following apply when a student uses a scholarship
8 to enroll in a school in the student's base school corporation:

- 9 (1) There is no monetary scholarship award.
10 (2) There is no change in the ADM of the school corporation
11 or state assistance to the school corporation.
12 (3) The school corporation is not required to provide
13 transportation for the student.

14 **Sec. 10.** The following apply when a student uses a scholarship
15 to enroll in a school outside of the student's base school
16 corporation:

- 17 (1) The amount of the scholarship award is fifty percent
18 (50%) of the state aid per ADM provided under IC 21-3 to
19 the student's base school corporation.
20 (2) The student remains in the ADM of the student's base
21 school corporation until the earlier of the following:
22 (A) The date the student graduates from a high school.
23 (B) The date of the end of the school year during which
24 the student reaches eighteen (18) years of age.
25 (3) The school that enrolls the student may not include the
26 student in the school's ADM.
27 (4) The department shall do the following:
28 (A) Pay the amount of the scholarship to the school that
29 enrolls the student.
30 (B) Deduct the amount of the scholarship from the
31 distribution of state aid to the student's base school
32 corporation.
33 (5) The parent of the student is responsible for all costs of the
34 student to attend the school that exceed the amount of the
35 scholarship.
36 (6) The student's base school corporation and the school
37 corporation that enrolls the student are not responsible for
38 providing transportation for the student.

39 **Sec. 11.** At the end of each school year, the superintendent of
40 the school corporation that enrolls a student under the program
41 and the principal of the school the student attends shall jointly:

- 42 (1) determine whether to enroll the student for the following



1 school year; and
2 (2) inform the department of the decision.
3 **Sec. 12. The department shall establish procedures for the**
4 **administration of this chapter.**
5 **Sec. 13. The department may adopt rules under IC 4-22-2 to**
6 **implement and administer the program.**
7 SECTION 5. [EFFECTIVE JULY 1, 1998] (a) As used in this
8 SECTION, "department" has the meaning set forth in
9 IC 20-8.1-1-17.
10 (b) As used in this SECTION, "school year" has the meaning
11 set forth in IC 20-10.1-2-1.
12 (c) The department shall grant scholarships under
13 IC 20-8.1-14, as added by this act, beginning with the 1999-2000
14 school year.
15 (d) This SECTION expires July 1, 2001.

