

January 23, 1998

---

---

## SENATE BILL No. 100

---

DIGEST OF SB100 (Updated January 21, 1998 6:18 pm - DI 71)

**Citations Affected:** IC 20-8.1; noncode.

**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, Clark**

---

---

January 6, 1998, read first time and referred to Committee on Education.  
January 22, 1998, amended, reported favorably — Do Pass.

---

---

SB 100—LS 6340/DI 02+



C  
O  
P  
Y

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.

C  
o  
p  
y



January 23, 1998

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.

C  
O  
P  
Y

## 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**

SB 100—LS 6340/DI 02+



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) Except as provided in section 12(b) of this chapter, the  
 35 principal of the school and the superintendent of the school  
 36 corporation where the school is located jointly agree to enroll  
 37 the student in the school.

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

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

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



C  
O  
P  
Y

1 (c) The department may not grant a scholarship to a student  
2 who wishes to enroll in a school for primarily athletic reasons.

3 Sec. 8. The superintendent of a school corporation where a  
4 parent seeks enrollment of a student under the scholarship  
5 program:

6 (1) is not required to enroll the student; and

7 (2) may not enroll the student if enrollment will cause the  
8 school corporation to be out of compliance with a court  
9 order, including a court order described in IC 20-8.1-6.5-1.

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

12 (1) There is no monetary scholarship award.

13 (2) There is no change in the ADM of the school corporation  
14 or state assistance to the school corporation.

15 (3) The school corporation is not required to provide  
16 transportation for the student.

17 Sec. 10. The following apply when a student uses a scholarship  
18 to enroll in a school outside of the student's base school  
19 corporation:

20 (1) The amount of the scholarship award is fifty percent  
21 (50%) of the state aid per ADM provided under IC 21-3 to  
22 the student's base school corporation.

23 (2) The student remains in the ADM of the student's base  
24 school corporation until the earlier of the following:

25 (A) The date the student graduates from a high school.

26 (B) The date of the end of the school year during which  
27 the student reaches eighteen (18) years of age.

28 (3) The school that enrolls the student may not include the  
29 student in the school's ADM.

30 (4) The department shall do the following:

31 (A) Pay the amount of the scholarship to the school that  
32 enrolls the student.

33 (B) Deduct the amount of the scholarship from the  
34 distribution of state aid to the student's base school  
35 corporation.

36 (5) The parent of the student is responsible for all costs of the  
37 student to attend the school that exceed the amount of the  
38 scholarship.

39 (6) The student's base school corporation and the school  
40 corporation that enrolls the student are not responsible for  
41 providing transportation for the student.

42 Sec. 11. Except as provided in section 12(b) of this chapter, at

C  
O  
P  
Y



1 the end of each school year, the superintendent of the school  
 2 corporation that enrolls a student under the program and the  
 3 principal of the school the student attends shall jointly:  
 4 (1) determine whether to enroll the student for the following  
 5 school year; and  
 6 (2) inform the department of the decision.  
 7 **Sec. 12. (a) The governing body of a school corporation may**  
 8 **adopt a policy that sets forth guidelines to be used in determining**  
 9 **whether:**  
 10 (1) to accept a student for enrollment under the program;  
 11 and  
 12 (2) to continue a student's enrollment under the program.  
 13 (b) Notwithstanding sections 7(a)(4) and 11 of this chapter, a  
 14 policy adopted under this section may provide that the governing  
 15 body makes a determination of whether to enroll a student or  
 16 continue a student's enrollment under the program.  
 17 **Sec. 13. The department shall establish procedures for the**  
 18 **administration of this chapter.**  
 19 **Sec. 14. The department may adopt rules under IC 4-22-2 to**  
 20 **implement and administer the program.**  
 21 **SECTION 5. [EFFECTIVE JULY 1, 1998] (a) As used in this**  
 22 **SECTION, "department" has the meaning set forth in**  
 23 **IC 20-8.1-1-17.**  
 24 (b) As used in this SECTION, "school year" has the meaning  
 25 set forth in IC 20-10.1-2-1.  
 26 (c) The department shall grant scholarships under  
 27 IC 20-8.1-14, as added by this act, beginning with the 1999-2000  
 28 school year.  
 29 (d) This SECTION expires July 1, 2001.

C  
O  
P  
Y



SENATE MOTION

Mr. President: I move that Senator Clark be added as second author of Senate Bill 100.

KENLEY

C  
o  
p  
y



## COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill 100, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 34, delete "The" and insert "**Except as provided in section 12(b) of this chapter, the**".

Page 2, between lines 41 and 42, begin a new paragraph and insert:

**"(c) The department may not grant a scholarship to a student who wishes to enroll in a school for primarily athletic reasons."**

Page 3, line 39, delete "At" and insert "**Except as provided in section 12(b) of this chapter, at**".

Page 4, between lines 2 and 3, begin a new paragraph and insert:

**"Sec. 12. (a) The governing body of a school corporation may adopt a policy that sets forth guidelines to be used in determining whether:**

**(1) to accept a student for enrollment under the program;**  
**and**

**(2) to continue a student's enrollment under the program.**

**(b) Notwithstanding sections 7(a)(4) and 11 of this chapter, a policy adopted under this section may provide that the governing body makes a determination of whether to enroll a student or continue a student's enrollment under the program."**

Page 4, line 3, delete "12." and insert "**13.**".

Page 4, line 5, delete "13." and insert "**14.**".

and when so amended that said bill do pass.

(Reference is to Senate Bill 100 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 5, Nays 2.

C  
O  
P  
Y

