



January 28, 2000

SENATE BILL No. 256

DIGEST OF SB 256 (Updated January 27, 2000 1:47 PM - DI 44)

Citations Affected: IC 21-3; noncode.

Synopsis: Forgiveness of state support. Releases a school corporation offering vocational education through programs offered by the Area 30 Career Center from its obligation to repay state support received before January 1, 2000, that was attributable to students participating in the alternative education program provided by the Area 30 Career Center. Provides that a school corporation may not include a student participating in an alternative education program offered through the Area 30 Career Center in the school corporation's average daily membership, average daily attendance, or additional pupil count unless the student meets the requirements for counting. Provides that the school corporation may not include the student in the school corporation's previous year average daily membership, average daily attendance, additional pupil count, or the school corporation's previous year revenue for the purposes of school funding. Makes a technical correction to conform to the continuation of using the additional pupil count for vocational education funding in SEA 9-2000.

Effective: December 31, 1999 (retroactive); January 1, 2000 (retroactive); upon passage.

Lawson C, Bray

January 10, 2000, read first time and referred to Committee on Finance.
January 27, 2000, amended, reported favorably — Do Pass.

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SB 256—LS 6823/DI 92+



January 28, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

SENATE BILL No. 256

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 21-3-1.8-7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 DECEMBER 31, 1999 (RETROACTIVE)]: **Sec. 7. This chapter**
4 **expires January 1, 2002.**

5 SECTION 2. IC 21-3-1.9 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
7 UPON PASSAGE]:

8 **Chapter 1.9. Forgiveness of the Obligation to Repay State**
9 **Support Attributable to Certain Students**

10 **Sec. 1. This chapter applies to a school corporation that offers**
11 **vocational education through programs offered by the Area 30**
12 **Career Center.**

13 **Sec. 2. As used in this chapter, "department" refers to the**
14 **department of education.**

15 **Sec. 3. As used in this chapter, "state support" refers to money**
16 **distributed to a school corporation under the following:**

17 (1) State tuition support (IC 21-3-1.7).

SB 256—LS 6823/DI 92+



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- 1 (2) Distribution for transportation (IC 21-3-3.1).
- 2 (3) Alternative education program grant (IC 21-3-11).
- 3 (4) Average daily attendance flat grant (IC 21-3-4.5).
- 4 (5) Vocational education grants (IC 21-3-1.8).

5 **Sec. 4. If:**

- 6 (1) the department determines that a school corporation
- 7 incorrectly included students participating in an alternative
- 8 education program offered through the Area 30 Career
- 9 Center in the school corporation's:
- 10 (A) average daily membership;
- 11 (B) average daily attendance; and
- 12 (C) additional pupil count; and
- 13 (2) the school corporation received state support attributable
- 14 to the students described in subdivision (1) during the period
- 15 beginning January 1, 1995, and ending December 31, 1999;
- 16 the school corporation's obligation to repay the part of the state
- 17 support attributable to the students participating in an alternative
- 18 education program offered through the Area 30 Career Center is
- 19 forgiven and released.

20 **Sec. 5. This chapter expires January 1, 2001.**

21 SECTION 3. [EFFECTIVE JANUARY 1, 2000 (RETROACTIVE)]

- 22 (a) Notwithstanding IC 21-3-1.9, as added by this act, a school
- 23 corporation may not include a student participating in an
- 24 alternative education program offered through the Area 30 Career
- 25 Center in the school corporation's:
- 26 (1) average daily membership;
- 27 (2) average daily attendance; or
- 28 (3) additional pupil count;

29 for the purpose of calculating the school corporation's state
30 support for calendar year 2000 unless the requirements for
31 counting the student are satisfied. In addition, the school
32 corporation may not include the student in the school corporation's
33 previous year average daily membership, average daily attendance,
34 additional pupil count, or the school corporation's previous year
35 revenue for the purposes of IC 21-3-1.7.

36 **(b) This SECTION expires December 31, 2001.**

37 SECTION 4. IC 21-3-1.8-6 IS REPEALED [EFFECTIVE
38 DECEMBER 31, 1999 (RETROACTIVE)].

39 SECTION 5. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 256, 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 1, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 1. IC 21-3-1.8-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE DECEMBER 31, 1999 (RETROACTIVE)]: **Sec. 7. This chapter expires January 1, 2002.**".

Page 2, between lines 19 and 20, begin a new paragraph and insert: "**Sec. 5. This chapter expires January 1, 2001.**".

Page 2, delete lines 21 through 30.

Page 2, line 31, delete "(c)" and insert "(a)".

Page 2, line 31, delete "any other law, rule, or guideline of the".

Page 2, run in lines 20 and 31.

Page 2, delete line 32.

Page 2, line 33, delete "subtract" and insert "**IC 21-3-1.9, as added by this act, a school corporation may not include**".

Page 2, line 34, delete "from" and insert "**in**".

Page 2, line 40, delete "." and insert "**unless the requirements for counting the student are satisfied. In addition, the school corporation may not include the student in the school corporation's previous year average daily membership, average daily attendance, additional pupil count, or the school corporation's previous year revenue for the purposes of IC 21-3-1.7.**".

Page 2, line 41, delete "(d)" and insert "(b)".

Page 2, line 41, delete "2000" and insert "**2001**".

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

"SECTION 4. IC 21-3-1.8-6 IS REPEALED [EFFECTIVE DECEMBER 31, 1999 (RETROACTIVE)]."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 256 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 12, Nays 1.

SB 256—LS 6823/DI 92+

