



Printer's Error
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February 2, 2010

HOUSE BILL No. 1117

DIGEST OF HB 1117 (Updated February 1, 2010 6:59 pm - DI 51)

Citations Affected: IC 20-30; IC 20-43; noncode.

Synopsis: Funding of adult education. Provides an adult education grant to school corporations as part of the state tuition support distribution. Adds the adult education appropriation for state fiscal year 2010-2011 to the state tuition support distribution appropriation for state fiscal year 2010-2011. Repeals a provision that permits a surplus in a tuition support distribution appropriation to be used to fund adult education.

Effective: Upon passage; July 1, 2010.

Moseley, Bartlett, Klinker, Barnes

January 5, 2010, read first time and referred to Committee on Education.
January 14, 2010, reported — Do Pass.
February 1, 2010, read second time, amended, ordered engrossed.

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HB 1117—LS 6579/DI 51+



Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1117

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

- 1 SECTION 1. IC 20-30-6-1, AS ADDED BY P.L. 1-2005, SECTION
2 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2010]: Sec. 1. (a) The state board and the state superintendent may
4 prescribe a program of adult education ~~The state board shall adopt rules~~
5 ~~under IC 4-22-2 to provide for this program and to provide for the state~~
6 ~~distribution formula for money appropriated by the general assembly~~
7 ~~for adult education. Money appropriated by the general assembly for~~
8 ~~adult education may be used only to reimburse a school corporation for~~
9 ~~adult education that is provided to for individuals who:~~
10 (1) need the education to master a skill that leads to:
11 (A) the completion of grade 8; or
12 (B) a state of Indiana general educational development (GED)
13 diploma under IC 20-20-6;
14 (2) need the education to receive high school credit to obtain a
15 high school diploma; or
16 (3) have graduated from high school (or received a high school
17 equivalency certificate or a state of Indiana general educational



1 development (GED) diploma) but who demonstrate basic skill
 2 deficiencies in mathematics or English/language arts;
 3 For purposes of reimbursement under this section, the school
 4 corporation may not count an individual who is also **and are not**
 5 enrolled in the school corporation's kindergarten through grade 12
 6 educational program. ~~An individual described in subdivision (3) may~~
 7 ~~be counted for reimbursement by the school corporation only for~~
 8 ~~classes taken in mathematics and English/language arts.~~

9 (b) The state board shall provide for reimbursement to a school
 10 corporation under this section for instructor salaries and administrative
 11 and support costs. However, the state board may not allocate more than
 12 fifteen percent (15%) of the total appropriation under subsection (a) for
 13 administrative and support costs. **adopt rules under IC 4-22-2 to**
 14 **provide for the program of adult education described in subsection**
 15 **(a).**

16 (c) A school corporation may conduct a program of adult education.

17 (d) **A school corporation may permit a student who is enrolled**
 18 **in the school corporation's kindergarten through grade 12**
 19 **educational program or a student who is a high school graduate**
 20 **but not an eligible adult (as defined in IC 20-43-1-10.5) to**
 21 **participate in a program of adult education.** A school corporation
 22 may require an individual who:

- 23 (1) is at least sixteen (16) years of age; and
- 24 (2) wishes to enroll in a school following the student's expulsion
 25 from school under IC 20-33-8 on the grounds that the student
 26 was:

- 27 (A) disorderly; or
 - 28 (B) dangerous to persons or property;
- 29 to attend evening classes or classes established for students who are at
 30 least sixteen (16) years of age. However, the school corporation shall
 31 provide a child with a disability (as defined in IC 20-35-1-2) who is at
 32 least eighteen (18) years of age and whom the school corporation elects
 33 to educate with an appropriate special educational program.

34 SECTION 2. IC 20-43-1-7.4 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 36 1, 2010]: **Sec. 7.4. "Adult education course" refers to a course of**
 37 **study offered in a program of adult education that is subject to**
 38 **IC 20-30-6-1.**

39 SECTION 3. IC 20-43-1-7.6 IS ADDED TO THE INDIANA CODE
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 41 1, 2010]: **Sec. 7.6. "Adult education grant" refers to an adult**
 42 **education grant under IC 20-43-13.**

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1 SECTION 4. IC 20-43-1-10.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: **Sec. 10.5. "Eligible adult" means an**
4 **Indiana resident who:**

5 (1) either:

6 (A) has officially withdrawn from a kindergarten through
7 grade 12 educational program and does not have a high
8 school diploma; or

9 (B) is a high school graduate and has been determined to
10 need basic skill development in English language arts or
11 mathematics at or below the high school level; and

12 (2) meets the criteria established by the state board to enroll
13 in an adult education course.

14 SECTION 5. IC 20-43-1-24.5 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2010]: **Sec. 24.5. "Standard reimbursable**
17 **unit of adult instruction" means an individual course in a program**
18 **of adult education that consists of the following:**

19 (1) For an adult basic education (ABE) program or general
20 educational development (GED) program, a block of time that
21 includes the following:

22 (A) At least forty (40) and not more than eighty (80)
23 teacher hours.

24 (B) A student enrollment of at least five (5) eligible adults
25 who each have at least twelve (12) hours of attendance in
26 the unit.

27 (2) For an adult secondary credit (ASC) program, a block of
28 time that includes the following:

29 (A) At least sixty (60) and not more than seventy-five (75)
30 teacher hours.

31 (B) A student enrollment of at least five (5) eligible adults
32 who each have at least six (6) hours of attendance in the
33 unit.

34 SECTION 6. IC 20-43-2-2, AS AMENDED BY P.L.182-2009(ss),
35 SECTION 329, IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2010]: **Sec. 2.** The maximum state distribution
37 for a calendar year for all school corporations for the purposes
38 described in section 3 of this chapter is:

39 (1) five billion eight hundred twenty-nine million nine hundred
40 thousand dollars (\$5,829,900,000) in 2009;

41 (2) six billion five hundred ~~forty-eight~~ **fifty-five** million nine
42 hundred thousand dollars (~~\$6,548,900,000~~) **(\$6,555,900,000)** in

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1 2010; and
2 (3) six billion five hundred ~~sixty-eight~~ **eighty-two** million five
3 hundred thousand dollars (~~\$6,568,500,000~~) (**\$6,582,500,000**) in
4 2011.

5 SECTION 7. IC 20-43-2-3, AS AMENDED BY P.L.182-2009(ss),
6 SECTION 330, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2010]: Sec. 3. If the total amount to be
8 distributed:

- 9 (1) as basic tuition support;
- 10 (2) for academic honors diploma awards;
- 11 (3) for primetime distributions;
- 12 (4) for special education grants;
- 13 (5) for career and technical education grants;
- 14 (6) for restoration grants; ~~and~~
- 15 (7) for small school grants; **and**
- 16 **(8) for adult education grants;**

17 for a particular year exceeds the maximum state distribution for a
18 calendar year, the amount to be distributed for state tuition support
19 under this article to each school corporation during each of the last six
20 (6) months of the year shall be proportionately reduced so that the total
21 reductions equal the amount of the excess.

22 SECTION 8. IC 20-43-13 IS ADDED TO THE INDIANA CODE
23 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2010]:

25 **Chapter 13. Adult Education Grant**

26 **Sec. 1. This chapter does not apply to a charter school.**

27 **Sec. 2. A school corporation that conducts a program of adult**
28 **education is entitled to an adult education grant.**

29 **Sec. 3. A school corporation shall count the number of eligible**
30 **adults enrolled in an adult education course on:**

- 31 (1) the date specified in IC 20-43-4-4(1) in the year
- 32 immediately preceding the current year; and
- 33 (2) the date specified in IC 20-43-4-4(2) in the current year.

34 **The school corporation shall include an eligible adult in the count**
35 **for each adult education course in which the eligible adult is**
36 **enrolled.**

37 **Sec. 4. This section applies to adult education grants only for**
38 **calendar years beginning after December 31, 2010. Subject to the**
39 **adjustments required under sections 6 and 7 of this chapter, the**
40 **amount of the grant to which a school corporation is entitled for**
41 **the first six (6) months of the current year is equal to the result**
42 **determined in the last STEP of the following formula:**

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STEP ONE: Determine the number of standard reimbursable units of adult instruction for each adult education course provided by the school corporation in the last six (6) months of the year immediately preceding the current year.

STEP TWO: For each adult education course provided by the school corporation in the last six (6) months of the year immediately preceding the current year, determine:

- (A) the result of:**
 - (i) the number of eligible adults participating in the adult education course on the date specified in section 3(1) of this chapter; multiplied by**
 - (ii) the number of standard reimbursable units determined in STEP ONE for the course; and**
- (B) the result of:**
 - (i) the result determined under clause (A); multiplied by**
 - (ii) two hundred fifty dollars (\$250).**

STEP THREE: Determine the sum of the following:

- (A) The sum of the results determined under clause (B) of STEP TWO.**
- (B) This clause applies only to a school corporation that has continuously operated a program of adult education of the type described by this clause since at least 2009. If the school corporation has entered into a written agreement with one (1) or more school corporations to operate a program of adult education for the other school corporations at a common location, the school corporation provides substantially all of its adult education courses in a facility that is separate from buildings used to provide education to students enrolled in kindergarten through grade 12, and the school corporation provides education courses during the regular business hours for kindergarten through grade 12 instead of or in addition to evening adult education classes, the result of:**
 - (i) the sum of the results determined under clause (A) of STEP TWO; multiplied by**
 - (ii) seventy-five dollars (\$75).**

Sec. 5. This section applies to adult education grants for calendar years 2010 and 2011. Subject to the adjustments required under sections 6 and 7 of this chapter, the amount of the grant to which a school corporation is entitled for the last six (6) months of the current year is equal to the result determined in the last STEP of the following formula:

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STEP ONE: Determine the number of standard reimbursable units of adult instruction for each adult education course provided by the school corporation in the first six (6) months of the current year.

STEP TWO: For each adult education course provided by the school corporation in the first six (6) months of the current year, determine:

(A) the result of:

(i) the number of eligible adults participating in the adult education course on the count date specified in section 3(2) of this chapter; multiplied by

(ii) the number of standard reimbursable units determined in STEP ONE for the course; and

(B) the result of:

(i) the result determined under clause (A); multiplied by

(ii) two hundred fifty dollars (\$250).

STEP THREE: Determine the sum of the following:

(A) The sum of the results determined under clause (B) of STEP TWO.

(B) This clause applies only to a school corporation that has continuously operated a program of adult education of the type described by this clause since at least 2009. If the school corporation has entered into a written agreement with one (1) or more other school corporations to operate a program of adult education for the other school corporations at a common location, the school corporation provides substantially all of its adult education courses in a facility that is separate from buildings used to provide education to students enrolled in kindergarten through grade 12, and the school corporation provides education courses during the regular business hours for kindergarten through grade 12 instead of or in addition to evening adult education classes, the result of:

(i) the sum of the results determined under clause (A) of STEP TWO; multiplied by

(ii) seventy-five dollars (\$75).

Sec. 6. (a) Before the first day of a six (6) month period for which a distribution is permitted under section 4 or 5 of this chapter, the department shall provide each school corporation that is implementing an adult education program with an estimate of the amount of the expenditures for which the school corporation would have been eligible for reimbursement under 511 IAC 11-3-6,

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1 if IC 20-30-6-1 had not been amended in the 2010 session of the
2 general assembly and if fourteen million dollars (\$14,000,000) had
3 been appropriated for the state fiscal year to provide
4 reimbursement under 511 IAC 11-3-6 for two (2) six (6) month
5 funding periods. The total amount of distributions made to a school
6 corporation under section 4 or 5 of this chapter for a six (6) month
7 funding period may not exceed the amount of the estimate
8 provided for the funding period under this section.

9 (b) Not later than February 1, 2011, a school corporation shall
10 submit its claim for reimbursement for adult education
11 expenditures for the last six (6) months of 2010 in the manner
12 provided in 511 IAC 11-3-7. Costs shall be determined as provided
13 in 511 IAC 11-3. If the amount distributable to the school
14 corporation under section 5 of this chapter for the same funding
15 period is less than the lesser of the amount determined under this
16 subsection or the amount determined under subsection (a), the
17 school corporation shall be held harmless and the amount of the
18 distribution to which the school corporation is entitled under this
19 chapter for the funding period is the lesser of the amount
20 determined under this subsection or the amount determined under
21 subsection (a) for that funding period.

22 (c) Not later than July 1, 2011, a school corporation shall submit
23 its claim for reimbursement for adult education expenditures for
24 the first six (6) months of 2011 in the manner provided in 511
25 IAC 11-3-7. Costs shall be determined as provided in 511 IAC 11-3.
26 If the amount distributable to the school corporation under section
27 4 of this chapter for the same funding period is less than the lesser
28 of the amount determined under this subsection or the amount
29 determined under subsection (a) for the funding period, the school
30 corporation shall be held harmless and the amount of the
31 distribution to which the school corporation is entitled under this
32 chapter for the funding period is the lesser of the amount
33 determined under this subsection or the amount determined under
34 subsection (a) for that funding period.

35 (d) Not later than February 1, 2012, a school corporation shall
36 submit its claim for reimbursement for adult education
37 expenditures for the last six (6) months of 2011 in the manner
38 provided in 511 IAC 11-3-7. Costs shall be determined as provided
39 in 511 IAC 11-3. If the amount distributable to the school
40 corporation under section 5 of this chapter for the same funding
41 period is less than the lesser of the amount determined under this
42 subsection or the amount determined under subsection (a) for the

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1 funding period, the school corporation shall be held harmless and
 2 the amount of the distribution to which the school corporation is
 3 entitled to under this chapter for the funding period is the lesser of
 4 the amount determined under this subsection or the amount
 5 determined under subsection (a) for that funding period.

6 (e) The department shall, in the year a determination is made
 7 under this section, provide for a reconciling payment to a school
 8 corporation that is entitled to a larger distribution under this
 9 section than under section 4 or 5 of this chapter for a particular
 10 funding period.

11 (f) If the total amount to be distributed under this section plus
 12 the amount to be distributed under section 4 or 5 of this chapter
 13 for a particular six (6) month funding period exceeds seven million
 14 dollars (\$7,000,000), the excess shall be proportionately deducted
 15 from school corporations that are eligible to receive a larger
 16 distribution under section 4 or 5 of this chapter than under this
 17 section. The amount of the reduction for a particular school
 18 corporation under this section is equal to the total amount of the
 19 excess determined under this section multiplied by a fraction. The
 20 numerator of the fraction is the amount of the distribution for
 21 adult education grants that the school corporation would have
 22 received if a reduction were not made under this section. The
 23 denominator of the fraction is the total amount that would be
 24 distributed for adult education grants to all school corporations
 25 that would have received a larger distribution under section 4 or
 26 5 of this chapter than under this section, if a reduction were not
 27 made under this section.

28 **Sec. 7. (a)** The maximum amount that may be distributed under
 29 section 5 of this chapter for calendar year 2010, as adjusted under
 30 section 6 of this chapter, is seven million dollars (\$7,000,000), and
 31 the maximum amount that may be distributed under sections 4 and
 32 5 of this chapter for calendar year 2011, as adjusted under section
 33 6 of this chapter, is fourteen million dollars (\$14,000,000).

34 (b) If the total amount to be distributed in a particular year
 35 exceeds the amount specified for the calendar year under
 36 subsection (a), the amount to be distributed for adult education
 37 grants under this chapter to each school corporation during the
 38 last six (6) months of the year shall be proportionately reduced so
 39 that the total reductions equal the amount of the excess. The
 40 amount of the reduction for a particular school corporation under
 41 this section is equal to the total amount of the excess determined
 42 under this section multiplied by a fraction. The numerator of the

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1 fraction is the amount of the distribution for adult education
 2 grants that the school corporation would have received if a
 3 reduction were not made under this section. The denominator of
 4 the fraction is the total amount that would be distributed for adult
 5 education grants to all school corporations if a reduction were not
 6 made under this section. An excess shall be recovered from adult
 7 education grants distributed to the school corporation over the six
 8 (6) month period following the date a determination is made under
 9 this subsection.

10 **Sec. 8. This chapter shall not be treated as reducing or**
 11 **restricting the method by which federal funds are distributed to**
 12 **school corporations for adult education.**

13 SECTION 9. IC 20-43-2-6 IS REPEALED [EFFECTIVE JULY 1,
 14 2010].

15 SECTION 10. [EFFECTIVE UPON PASSAGE] (a)
 16 Notwithstanding IC 20-43-13-4, as added by this act, adult
 17 education grant distributions in calendar year 2010 shall be based
 18 solely on the distribution amount determined under IC 20-43-13-5,
 19 as added by this act, without considering the amount determined
 20 under IC 20-43-13-4, as added by this act. The initial student count
 21 for distributions under IC 20-43-13-5, as added by this act, shall be
 22 made on the date specified in IC 20-43-4-4(2) in 2010. Except as
 23 provided in IC 20-43-13-6, as added by this act, 511 IAC 11-3 shall
 24 not be used to distribute state revenue to school corporations for
 25 adult education programs.

26 (b) Notwithstanding P.L.182-2009(ss), SECTION 9, the
 27 appropriation for ADULT EDUCATION DISTRIBUTION for the
 28 state fiscal year beginning July 1, 2010, and ending June 30, 2011,
 29 is reassigned to supplement the appropriation for DISTRIBUTION
 30 FOR TUITION SUPPORT for the state fiscal year beginning July
 31 1, 2010, and ending June 30, 2011, and shall be used for the
 32 purposes of the DISTRIBUTION FOR TUITION SUPPORT for
 33 that state fiscal year.

34 SECTION 11. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1117, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 6, nays 4.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1117 be amended to read as follows:

Page 4, line 37, delete "The" and insert **"This section applies to adult education grants only for calendar years beginning after December 31, 2010. Subject to the adjustments required under sections 6 and 7 of this chapter, the"**.

Page 5, line 14, delete "result of:" and insert **"sum of the following:"**.

Page 5, line 15, delete "the" and insert "The".

Page 5, line 16, delete "TWO; and" and insert **"TWO."**.

Page 5, line 17, delete "the result of:" and insert **"This clause applies only to a school corporation that has continuously operated a program of adult education of the type described by this clause since at least 2009. If the school corporation has entered into a written agreement with one (1) or more school corporations to operate a program of adult education for the other school corporations at a common location,"**.

Page 5, delete lines 18 through 21.

Page 5, line 22, delete "location operated by the school corporation,".

Page 5, run in lines 17 through 22.

Page 5, line 29, after "education" insert **"classes, the result of: (i) the sum of the results determined under clause (A) of STEP TWO; multiplied by"**.

Page 5, delete line 30.

Page 5, line 32, delete "The" and insert **"This section applies to adult education grants for calendar years 2010 and 2011. Subject to the adjustments required under sections 6 and 7 of this chapter, the"**.



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Page 6, line 9, delete "result of:" and insert "**sum of the following:**".

Page 6, line 10, delete "the" and insert "**The**".

Page 6, line 11, delete "TWO; plus" and insert "**TWO.**".

Page 6, line 12, delete "if" and insert "**This clause applies only to a school corporation that has continuously operated a program of adult education of the type described by this clause since at least 2009. If**".

Page 6, between lines 25 and 26, begin a new paragraph and insert:

"Sec. 6. (a) Before the first day of a six (6) month period for which a distribution is permitted under section 4 or 5 of this chapter, the department shall provide each school corporation that is implementing an adult education program with an estimate of the amount of the expenditures for which the school corporation would have been eligible for reimbursement under 511 IAC 11-3-6, if IC 20-30-6-1 had not been amended in the 2010 session of the general assembly and if fourteen million dollars (\$14,000,000) had been appropriated for the state fiscal year to provide reimbursement under 511 IAC 11-3-6 for two (2) six (6) month funding periods. The total amount of distributions made to a school corporation under section 4 or 5 of this chapter for a six (6) month funding period may not exceed the amount of the estimate provided for the funding period under this section.

(b) Not later than February 1, 2011, a school corporation shall submit its claim for reimbursement for adult education expenditures for the last six (6) months of 2010 in the manner provided in 511 IAC 11-3-7. Costs shall be determined as provided in 511 IAC 11-3. If the amount distributable to the school corporation under section 5 of this chapter for the same funding period is less than the lesser of the amount determined under this subsection or the amount determined under subsection (a), the school corporation shall be held harmless and the amount of the distribution to which the school corporation is entitled under this chapter for the funding period is the lesser of the amount determined under this subsection or the amount determined under subsection (a) for that funding period.

(c) Not later than July 1, 2011, a school corporation shall submit its claim for reimbursement for adult education expenditures for the first six (6) months of 2011 in the manner provided in 511 IAC 11-3-7. Costs shall be determined as provided in 511 IAC 11-3. If the amount distributable to the school corporation under section 4 of this chapter for the same funding period is less than the lesser of the amount determined under this subsection or the amount

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determined under subsection (a) for the funding period, the school corporation shall be held harmless and the amount of the distribution to which the school corporation is entitled under this chapter for the funding period is the lesser of the amount determined under this subsection or the amount determined under subsection (a) for that funding period.

(d) Not later than February 1, 2012, a school corporation shall submit its claim for reimbursement for adult education expenditures for the last six (6) months of 2011 in the manner provided in 511 IAC 11-3-7. Costs shall be determined as provided in 511 IAC 11-3. If the amount distributable to the school corporation under section 5 of this chapter for the same funding period is less than the lesser of the amount determined under this subsection or the amount determined under subsection (a) for the funding period, the school corporation shall be held harmless and the amount of the distribution to which the school corporation is entitled to under this chapter for the funding period is the lesser of the amount determined under this subsection or the amount determined under subsection (a) for that funding period.

(e) The department shall, in the year a determination is made under this section, provide for a reconciling payment to a school corporation that is entitled to a larger distribution under this section than under section 4 or 5 of this chapter for a particular funding period.

(f) If the total amount to be distributed under this section plus the amount to be distributed under section 4 or 5 of this chapter for a particular six (6) month funding period exceeds seven million dollars (\$7,000,000), the excess shall be proportionately deducted from school corporations that are eligible to receive a larger distribution under section 4 or 5 of this chapter than under this section. The amount of the reduction for a particular school corporation under this section is equal to the total amount of the excess determined under this section multiplied by a fraction. The numerator of the fraction is the amount of the distribution for adult education grants that the school corporation would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed for adult education grants to all school corporations that would have received a larger distribution under section 4 or 5 of this chapter than under this section, if a reduction were not made under this section.

Sec. 7. (a) The maximum amount that may be distributed under

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section 5 of this chapter for calendar year 2010, as adjusted under section 6 of this chapter, is seven million dollars (\$7,000,000), and the maximum amount that may be distributed under sections 4 and 5 of this chapter for calendar year 2011, as adjusted under section 6 of this chapter, is fourteen million dollars (\$14,000,000).

(b) If the total amount to be distributed in a particular year exceeds the amount specified for the calendar year under subsection (a), the amount to be distributed for adult education grants under this chapter to each school corporation during the last six (6) months of the year shall be proportionately reduced so that the total reductions equal the amount of the excess. The amount of the reduction for a particular school corporation under this section is equal to the total amount of the excess determined under this section multiplied by a fraction. The numerator of the fraction is the amount of the distribution for adult education grants that the school corporation would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed for adult education grants to all school corporations if a reduction were not made under this section. An excess shall be recovered from adult education grants distributed to the school corporation over the six (6) month period following the date a determination is made under this subsection.

Sec. 8. This chapter shall not be treated as reducing or restricting the method by which federal funds are distributed to school corporations for adult education."

Page 6, line 28, delete "[EFFECTIVE JULY 1, 2010]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 6, line 33, after "act." insert "**The initial student count for distributions under IC 20-43-13-5, as added by this act, shall be made on the date specified in IC 20-43-4-4(2) in 2010. Except as provided in IC 20-43-13-6, as added by this act, 511 IAC 11-3 shall not be used to distribute state revenue to school corporations for adult education programs."**

Page 6, after line 41, begin a new paragraph and insert:
"SECTION 11. An emergency is declared for this act."

(Reference is to HB 1117 as printed January 15, 2010.)

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