

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 575 be amended to read as follows:

- 1 Page 17, between lines 2 and 3, begin a new paragraph and insert:
- 2 "SECTION 34. IC 20-43-1-1, AS AMENDED BY
- 3 P.L.182-2009(ss), SECTION 323, IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. This article expires
- 5 January 1, ~~2012~~: **2014**.
- 6 SECTION 35. IC 20-43-1-25, AS AMENDED BY
- 7 P.L.182-2009(ss), SECTION 325, IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JANUARY 1, 2012]: Sec. 25. "State tuition
- 9 support" means the amount of state funds to be distributed to:
- 10 (1) a school corporation other than a virtual charter school in any
- 11 calendar year under this article for all grants, distributions, and
- 12 awards described in IC 20-43-2-3; and
- 13 (2) a virtual charter school in any calendar year under
- 14 ~~IC 20-24-7-13~~: **IC 20-43-6-3**.
- 15 SECTION 36. IC 20-43-2-2, AS AMENDED BY P.L.182-2009(ss),
- 16 SECTION 329, IS AMENDED TO READ AS FOLLOWS
- 17 [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]: Sec. 2. The
- 18 maximum state distribution for a calendar year for all school
- 19 corporations for the purposes described in section 3 of this chapter is:
- 20 (1) ~~five billion eight hundred twenty-nine million nine hundred~~
- 21 ~~thousand dollars (\$5,829,900,000) in 2009;~~
- 22 (2) ~~six billion five hundred forty-eight million nine hundred~~
- 23 ~~thousand dollars (\$6,548,900,000) in 2010; and~~
- 24 (3) **(1) six billion five two hundred sixty-eight forty-seven**

1 million ~~five seven~~ hundred thousand dollars (~~\$6,568,500,000~~)
 2 **(\$6,247,700,000)** in 2011;

3 **(2) six billion two hundred forty-seven million seven hundred**
 4 **thousand dollars (\$6,247,700,000) in 2012; and**

5 **(3) six billion two hundred forty-seven million seven hundred**
 6 **thousand dollars (\$6,247,700,000) in 2013.**

7 SECTION 37. IC 20-43-3-4, AS AMENDED BY P.L.182-2009(ss),
 8 SECTION 331, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JANUARY 1, 2012]: Sec. 4. (a) This subsection applies
 10 to calendar year 2009. A school corporation's previous year revenue
 11 equals the amount determined under STEP TWO of the following
 12 formula:

13 STEP ONE: Determine the sum of the following:

14 (A) The school corporation's basic tuition support for the year
 15 that precedes the current year.

16 (B) The school corporation's maximum permissible tuition
 17 support levy for calendar year 2008.

18 (C) The school corporation's excise tax revenue for calendar
 19 year 2007.

20 STEP TWO: Subtract from the STEP ONE result an amount equal
 21 to the reduction in the school corporation's state tuition support
 22 under any combination of subsection (c); subsection (d);
 23 IC 20-10.1-2-1 (before its repeal); or IC 20-30-2-4.

24 ~~(b) This subsection applies to calendar years 2010 and 2011.~~ (a) A
 25 school corporation's previous year revenue equals the amount
 26 determined under STEP TWO of the following formula:

27 STEP ONE: Determine the sum of the following:

28 (A) The school corporation's basic tuition support for the year
 29 that precedes the current year.

30 ~~(B) For calendar year 2010, the amount of education~~
 31 ~~stabilization funds received by the school corporation in~~
 32 ~~calendar year 2009 under Section 14002(a) of the federal~~
 33 ~~American Recovery and Reinvestment Act of 2009 (ARRA).~~

34 ~~(C) (B) The amount of the annual decrease in federal aid to~~
 35 ~~impacted areas from the year preceding the ensuing calendar~~
 36 ~~year by three (3) years to the year preceding the ensuing~~
 37 ~~calendar year by two (2) years.~~

38 STEP TWO: Subtract from the STEP ONE result an amount equal
 39 to the reduction in the school corporation's state tuition support
 40 under any combination of subsection ~~(c)~~ (b) or IC 20-30-2-4.

41 ~~(c) (b)~~ (b) A school corporation's previous year revenue must be
 42 reduced if:

43 (1) the school corporation's state tuition support for special
 44 education or career and technical education is reduced as a result
 45 of a complaint being filed with the department after December 31,
 46 1988, because the school program overstated the number of

- 1 children enrolled in special education programs or career and
 2 technical education programs; and
 3 (2) the school corporation's previous year revenue has not been
 4 reduced under this subsection more than one (1) time because of
 5 a given overstatement.

6 The amount of the reduction equals the amount the school corporation
 7 would have received in state tuition support for special education and
 8 career and technical education because of the overstatement.

9 (d) This section applies only to 2009. A school corporation's
 10 previous year revenue must be reduced if an existing elementary or
 11 secondary school located in the school corporation converts to a charter
 12 school under IC 20-24-11. The amount of the reduction equals the
 13 product of:

- 14 (1) the sum of the amounts distributed to the conversion charter
 15 school under IC 20-24-7-3(c) and IC 20-24-7-3(d) (as effective
 16 December 31, 2008); multiplied by
 17 (2) two (2).

18 SECTION 38. IC 20-43-4-7, AS AMENDED BY P.L.182-2009(ss),
 19 SECTION 332, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JANUARY 1, 2012]: Sec. 7. (a) This subsection does not
 21 apply to a charter school. When calculating adjusted ADM for 2010
 22 2012 distributions, this subsection, as effective after December 31,
 23 2009, 2011, shall be used to calculate the adjusted ADM for the
 24 previous year rather than the calculation used to calculate adjusted
 25 ADM for 2009 2011 distributions. For purposes of this article, a school
 26 corporation's "adjusted ADM" for the current year is the result
 27 determined under the following formula:

- 28 STEP ONE: Determine the sum of the following:
 29 (A) The school corporation's ADM for the year preceding the
 30 current year by two (2) years divided by three (3);
 31 (B) The school corporation's ADM for the year preceding the
 32 current year by one (1) year divided by three (3);
 33 (C) The school corporation's ADM for the current year divided
 34 by three (3).
 35 STEP TWO: Determine the school corporation's ADM for the
 36 current year.
 37 STEP THREE: Determine the greater of the following:
 38 (A) The STEP ONE result;
 39 (B) The STEP TWO result.

40 (b) A charter school's adjusted ADM for purposes of this article is
 41 the charter school's school corporation's current ADM.

42 SECTION 39. IC 20-43-5-3, AS AMENDED BY P.L.182-2009(ss),
 43 SECTION 333, IS AMENDED TO READ AS FOLLOWS
 44 [EFFECTIVE JANUARY 1, 2012]: Sec. 3. A school corporation's
 45 complexity index is determined under the following formula:

- 46 STEP ONE: Determine the greater of zero (0) or the result of the

- 1 following:
- 2 (1) Determine the percentage of the school corporation's
- 3 students who were eligible for free or reduced price lunches in
- 4 the school year ending in the later of:
- 5 (A) ~~2007 for purposes of determining the complexity index~~
- 6 ~~in 2009; and 2009~~ **2011** for the purposes of determining the
- 7 complexity index in ~~2010 and 2011~~; **2012 and 2013**; or
- 8 (B) the first year of operation of the school corporation.
- 9 (2) Determine the quotient of:
- 10 ~~(A) in 2009:~~
- 11 ~~(i) two thousand four hundred dollars (\$2,400); divided by~~
- 12 ~~(ii) four thousand eight hundred twenty-five dollars~~
- 13 ~~(\$4,825);~~
- 14 ~~(B) in 2010:~~
- 15 ~~(i) two thousand two hundred sixty-three dollars (\$2,263);~~
- 16 ~~divided by~~
- 17 ~~(ii) four thousand five hundred fifty dollars (\$4,550); and~~
- 18 ~~(C) (A) in 2011:~~ **2012:**
- 19 (i) two thousand two hundred forty-one dollars (\$2,241);
- 20 divided by
- 21 (ii) four thousand five hundred five dollars (\$4,505); **and**
- 22 **(B) in 2013:**
- 23 **(i) two thousand two hundred forty-one dollars (\$2,241);**
- 24 **divided by**
- 25 **(ii) four thousand five hundred five dollars (\$4,505).**
- 26 (3) Determine the product of:
- 27 (A) the subdivision (1) amount; multiplied by
- 28 (B) the subdivision (2) amount.
- 29 STEP TWO: Determine the result of one (1) plus the STEP ONE
- 30 result.
- 31 STEP THREE: This STEP applies if the STEP TWO result is
- 32 equal to or greater than at least one and twenty-five hundredths
- 33 (1.25). Determine the result of the following:
- 34 (1) Subtract one and twenty-five hundredths (1.25) from the
- 35 STEP TWO result.
- 36 (2) Determine the result of:
- 37 (A) the STEP TWO result; plus
- 38 (B) the subdivision (1) result.
- 39 The data to be used in making the calculations under STEP ONE must
- 40 be the data collected in the annual pupil enrollment count by the
- 41 department.
- 42 SECTION 40. IC 20-43-5-4, AS AMENDED BY P.L.182-2009(ss),
- 43 SECTION 334, IS AMENDED TO READ AS FOLLOWS
- 44 [EFFECTIVE JANUARY 1, 2012]: Sec. 4. A school corporation's
- 45 foundation amount for a calendar year is the result determined under
- 46 STEP TWO of the following formula:

1 STEP ONE: The STEP ONE amount is:
 2 (A) in 2009, four thousand eight hundred twenty-five dollars
 3 (\$4,825);
 4 (B) in 2010, four thousand five hundred fifty dollars (\$4,550);
 5 and
 6 (C) (A) in 2011, 2012, four thousand five hundred five dollars
 7 (\$4,505); and
 8 (B) in 2013, four thousand five hundred five dollars
 9 (\$4,505).

10 STEP TWO: Multiply the STEP ONE amount by the school
 11 corporation's complexity index.

12 SECTION 41. IC 20-43-5-6, AS AMENDED BY P.L.182-2009(ss),
 13 SECTION 336, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JANUARY 1, 2012]: Sec. 6. (a) A school corporation's
 15 transition to foundation amount for a calendar year is equal to the result
 16 determined under STEP ~~THREE~~ TWO of the following formula:

17 STEP ONE: Determine the difference of:
 18 (A) the school corporation's foundation amount; minus
 19 (B) the school corporation's previous year revenue foundation
 20 amount.

21 STEP TWO: Divide the STEP ONE result by:

22 (A) three (3) in 2009;
 23 (B) two (2) in 2010; and
 24 (C) one (1) in 2011.

25 STEP ~~THREE~~ TWO: A school corporation's STEP ~~THREE~~
 26 TWO amount is the following:

27 (A) For a charter school located outside Marion County that
 28 has previous year revenue that is not greater than zero (0), the
 29 charter school's STEP ~~THREE~~ TWO amount is the quotient
 30 of:

31 (i) the school corporation's transition to foundation revenue
 32 for the calendar year where the charter school is located;
 33 divided by
 34 (ii) the school corporation's current ADM.

35 (B) For a charter school located in Marion County that has
 36 previous year revenue that is not greater than zero (0), the
 37 charter school's STEP ~~THREE~~ TWO amount is the weighted
 38 average of the transition to foundation revenue for the school
 39 corporations where the students counted in the current ADM
 40 of the charter school have legal settlement, as determined
 41 under item (iv) of the following formula:

42 (i) Determine the transition to foundation revenue for each
 43 school corporation where a student counted in the current
 44 ADM of the charter school has legal settlement.
 45 (ii) For each school corporation identified in item (i), divide
 46 the item (i) amount by the school corporation's current

- 1 ADM.
 2 (iii) For each school corporation identified in item (i),
 3 multiply the item (ii) amount by the number of students
 4 counted in the current ADM of the charter school that have
 5 legal settlement in the particular school corporation.
 6 (iv) Determine the sum of the item (iii) amounts for the
 7 charter school.

8 (C) The STEP ~~THREE~~ **TWO** amount for a school corporation
 9 that is not a charter school described in clause (A) or (B) is the
 10 following:

- 11 (i) The school corporation's foundation amount for the
 12 calendar year if the STEP ONE amount is at least negative
 13 one hundred fifty dollars (-\$150). ~~and not more than fifty~~
 14 ~~dollars (\$50)~~.
 15 (ii) The sum of the school corporation's previous year
 16 revenue foundation amount and the greater of the school
 17 corporation's STEP ~~TWO~~ **ONE** amount, ~~or fifty dollars~~
 18 ~~(\$50)~~, if the school corporation's STEP ONE amount is
 19 greater than ~~fifty zero~~ dollars ~~(\$50)~~. **(\$0)**.
 20 (iii) The amount determined under subsection (b), if the
 21 school corporation's STEP ONE amount is less than negative
 22 one hundred fifty dollars (-\$150).

23 (b) For the purposes of STEP ~~THREE~~ **TWO** (C)(iii) in subsection
 24 (a), determine the result of:

- 25 (1) the school corporation's previous year revenue foundation
 26 amount; minus
 27 (2) the greater of:
 28 (A) one hundred fifty dollars (\$150); or
 29 (B) the result of:
 30 (i) the absolute value of the STEP ONE amount; divided by
 31 (ii) ~~nine (9) in 2010, and eight (8) in 2011~~. **seven (7) in**
 32 **2012 and six (6) in 2013**.

33 SECTION 42. IC 20-43-5-7, AS AMENDED BY P.L.182-2009(ss),
 34 SECTION 337, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JANUARY 1, 2012]: Sec. 7. A school corporation's
 36 transition to foundation revenue for a calendar year is equal to the
 37 product of:

- 38 (1) the school corporation's transition to foundation amount for
 39 the calendar year; multiplied by
 40 (2) the school corporation's
 41 ~~(A) current ADM, if the current ADM for the school~~
 42 ~~corporation is less than one hundred (100); and~~
 43 ~~(B) current adjusted ADM. if clause (A) does not apply.~~

44 SECTION 43. IC 20-43-6-3, AS AMENDED BY P.L.182-2009(ss),
 45 SECTION 339, IS AMENDED TO READ AS FOLLOWS
 46 [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) A school corporation's basic

1 tuition support for a year is the amount determined under the applicable
2 provision of this section.

3 (b) This subsection applies to a school corporation that has
4 transition to foundation revenue per adjusted ADM for a year that is
5 not equal to the foundation amount for the year. The school
6 corporation's basic tuition support for a year is equal to the school
7 corporation's transition to foundation revenue for the year.

8 (c) This subsection applies to a school corporation that has
9 transition to foundation revenue per adjusted ADM for a year that is
10 equal to the foundation amount for the year. The school corporation's
11 basic tuition support for a year is the sum of the following:

12 (1) The foundation amount for the year multiplied by the school
13 corporation's adjusted ADM.

14 (2) The amount of the annual decrease in federal aid to impacted
15 areas from the year preceding the ensuing calendar year by three

16 (3) years to the year preceding the ensuing calendar year by two
17 (2) years.

18 (d) This subsection applies to students of a virtual charter school.
19 ~~who are participating in the pilot program under IC 20-24-7-13.~~ A
20 virtual charter school's basic tuition support for a year for those
21 students is the amount determined under IC 20-24-7-13.

22 SECTION 44. IC 20-43-7-0.5 IS ADDED TO THE INDIANA
23 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
24 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
25 **apply to a virtual charter school.**

26 SECTION 45. IC 20-43-8-0.5 IS ADDED TO THE INDIANA
27 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
29 **apply to a virtual charter school.**

30 SECTION 46. IC 20-43-9-0.5 IS ADDED TO THE INDIANA
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
33 **apply to a virtual charter school.**

34 SECTION 47. IC 20-43-10-0.5 IS ADDED TO THE INDIANA
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
37 **apply to a virtual charter school.**

38 SECTION 48. IC 20-43-12-0.5 IS ADDED TO THE INDIANA
39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
41 **apply to a virtual charter school.**

42 SECTION 49. IC 20-43-12.2-0.5 IS ADDED TO THE INDIANA
43 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
44 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**
45 **apply to a virtual charter school.**

46 SECTION 50. IC 20-43-12-2, AS AMENDED BY P.L.109-2010,

1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JANUARY 1, 2012]: Sec. 2. The amount of the restoration grant to
3 which a school corporation is entitled in calendar year ~~2010~~ **2012** and
4 calendar year ~~2011~~ **2013** is equal to the result determined under the
5 following formula:

6 STEP ONE: Determine the school corporation's basic tuition
7 support for the current year.

8 STEP TWO: Determine the amount of the school corporation's
9 previous year revenue that applies to the determination of the
10 school corporation's basic tuition support for the 2010 calendar
11 year.

12 STEP THREE: Determine the sum of:

13 (A) the STEP TWO amount divided by the school
14 corporation's 2009 ADM; plus

15 (B) ~~twenty-five dollars (\$25) for 2010 and~~ seventy-five dollars
16 (\$75). ~~for 2011.~~

17 STEP FOUR: Determine the result of:

18 (A) the school corporation's STEP THREE amount; multiplied
19 by

20 (B) the school corporation's ADM for the current year.

21 STEP FIVE: Determine the sum of:

22 (A) the STEP TWO amount divided by the school
23 corporation's 2009 ADM; minus

24 (B) ~~twenty-five dollars (\$25) for 2010 and~~ seventy-five dollars
25 (\$75). ~~for 2011.~~

26 STEP SIX: Determine the result of:

27 (A) the school corporation's STEP FIVE amount; multiplied by

28 (B) the school corporation's ADM for the current year.

29 STEP SEVEN: Determine the lesser of:

30 (A) the STEP FOUR amount; or

31 (B) the STEP TWO amount.

32 STEP EIGHT: Determine the greater of:

33 (A) the STEP SEVEN amount; or

34 (B) the STEP SIX amount.

35 STEP NINE: Determine the greater of zero (0) or the result of:

36 (A) the STEP EIGHT amount; minus

37 (B) the STEP ONE amount.

38 STEP TEN: Determine the sum of the current year basic tuition
39 support plus the STEP NINE amount.

40 STEP ELEVEN: Determine the result of: ~~the following:~~

41 ~~(A) For 2010, divide the STEP TEN amount by the STEP~~
42 ~~TWO amount.~~

43 ~~(B) For 2011, divide:~~

44 (i) (A) the STEP TEN amount; **divided** by

45 (ii) (B) the sum of the prior year basic tuition support plus
46 the prior year STEP NINE amount.

- 1 STEP TWELVE: Determine the greater of:
 2 (A) zero (0); or
 3 (B) the result of:
 4 (i) ninety-seven hundredths (0.97); minus
 5 (ii) the STEP ELEVEN amount.
 6 STEP THIRTEEN: Determine the lesser of:
 7 (A) ~~two hundred twenty dollars (\$220) for 2010 and three~~
 8 ~~hundred fifty dollars (\$350); for 2011;~~ or
 9 (B) the result of
 10 ~~(i) the STEP TWELVE amount multiplied by nine thousand~~
 11 ~~five hundred (9,500); in 2010; and~~
 12 ~~(ii) the STEP TWELVE amount multiplied by twelve~~
 13 ~~thousand (12,000). in 2011.~~
 14 STEP FOURTEEN: Determine the product of:
 15 (A) the STEP THIRTEEN amount; multiplied by
 16 (B) the school corporation's current ADM.
 17 STEP FIFTEEN: Determine the sum of:
 18 (A) the STEP NINE amount; plus
 19 (B) the STEP FOURTEEN amount."
 20 Renumber all SECTIONS consecutively.
 (Reference is to ESB 575 as printed April 8, 2011.)

Representative Goodin