

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WITHDRAWN	Noes _____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

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1           Page 80, line 26, after "grants," insert "**small school grants, and**
- 2           **restoration grants**".
- 3           Page 120, delete lines 44 through 48, begin a new paragraph and
- 4           insert:
- 5           "SECTION 65. IC 20-43-1-1, AS AMENDED BY
- 6           P.L.182-2009(ss), SECTION 323, IS AMENDED TO READ AS
- 7           FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. This article expires
- 8           January 1, ~~2012~~ **2014**.
- 9           SECTION 66. IC 20-43-1-25, AS AMENDED BY
- 10          P.L.182-2009(ss), SECTION 325, IS AMENDED TO READ AS
- 11          FOLLOWS [EFFECTIVE JANUARY 1, 2012]: Sec. 25. "State tuition
- 12          support" means the amount of state funds to be distributed to:
- 13               (1) a school corporation other than a virtual charter school in any
- 14               calendar year under this article for all grants, distributions, and
- 15               awards described in IC 20-43-2-3; and
- 16               (2) a virtual charter school in any calendar year under
- 17               ~~IC 20-24-7-13~~ **IC 20-43-6-3**.
- 18          SECTION 67. IC 20-43-2-2, AS AMENDED BY P.L.182-2009(ss),
- 19          SECTION 329, IS AMENDED TO READ AS FOLLOWS
- 20          [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]: Sec. 2. The
- 21          maximum state distribution for a calendar year for all school
- 22          corporations for the purposes described in section 3 of this chapter is:
- 23               (†) ~~five billion eight hundred twenty-nine million nine hundred~~
- 24               **thousand dollars (\$5,829,900,000) in 2009;**

1           ~~(2)~~ six billion five hundred forty-eight million nine hundred  
2           thousand dollars (\$6,548,900,000) in 2010; and

3           ~~(3)~~ **(1)** six billion five two hundred sixty-eight forty-seven  
4           million five seven hundred thousand dollars (\$6,568,500,000)  
5           **(\$6,247,700,000)** in 2011;

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

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

10           SECTION 68. IC 20-43-3-4, AS AMENDED BY P.L.182-2009(ss),  
11           SECTION 331, IS AMENDED TO READ AS FOLLOWS  
12           [EFFECTIVE JANUARY 1, 2012]: Sec. 4. ~~(a)~~ This subsection applies  
13           to calendar year 2009: A school corporation's previous year revenue  
14           equals the amount determined under STEP TWO of the following  
15           formula:

16           STEP ONE: Determine the sum of the following:

17           (A) The school corporation's basic tuition support for the year  
18           that precedes the current year:

19           (B) The school corporation's maximum permissible tuition  
20           support levy for calendar year 2008:

21           (C) The school corporation's excise tax revenue for calendar  
22           year 2007:

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

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

30           STEP ONE: Determine the sum of the following:

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

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

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

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

44           ~~(c)~~ **(b)** A school corporation's previous year revenue must be  
45           reduced if:

46           (1) the school corporation's state tuition support for special

1 education or career and technical education is reduced as a result  
 2 of a complaint being filed with the department after December 31,  
 3 1988, because the school program overstated the number of  
 4 children enrolled in special education programs or career and  
 5 technical education programs; and

6 (2) the school corporation's previous year revenue has not been  
 7 reduced under this subsection more than one (1) time because of  
 8 a given overstatement.

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

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

17 ~~(1) the sum of the amounts distributed to the conversion charter~~  
 18 ~~school under IC 20-24-7-3(c) and IC 20-24-7-3(d) (as effective~~  
 19 ~~December 31, 2008); multiplied by~~

20 ~~(2) two (2);~~

21 SECTION 69. IC 20-43-4-7, AS AMENDED BY P.L.182-2009(ss),  
 22 SECTION 332, IS AMENDED TO READ AS FOLLOWS  
 23 [EFFECTIVE JANUARY 1, 2012]: Sec. 7. ~~(a) This subsection does not~~  
 24 ~~apply to a charter school. When calculating adjusted ADM for 2010~~  
 25 ~~2012 distributions, this subsection, as effective after December 31,~~  
 26 ~~2009; 2011, shall be used to calculate the adjusted ADM for the~~  
 27 ~~previous year rather than the calculation used to calculate adjusted~~  
 28 ~~ADM for 2009 2011 distributions. For purposes of this article, a school~~  
 29 ~~corporation's "adjusted ADM" for the current year is the result~~  
 30 ~~determined under the following formula:~~

31 ~~STEP ONE: Determine the sum of the following:~~

32 ~~(A) The school corporation's ADM for the year preceding the~~  
 33 ~~current year by two (2) years divided by three (3);~~

34 ~~(B) The school corporation's ADM for the year preceding the~~  
 35 ~~current year by one (1) year divided by three (3);~~

36 ~~(C) The school corporation's ADM for the current year divided~~  
 37 ~~by three (3);~~

38 ~~STEP TWO: Determine the school corporation's ADM for the~~  
 39 ~~current year;~~

40 ~~STEP THREE: Determine the greater of the following:~~

41 ~~(A) The STEP ONE result;~~

42 ~~(B) The STEP TWO result;~~

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

45 SECTION 70. IC 20-43-5-3, AS AMENDED BY P.L.182-2009(ss),  
 46 SECTION 333, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JANUARY 1, 2012]: Sec. 3. A school corporation's  
2 complexity index is determined under the following formula:

3 STEP ONE: Determine the greater of zero (0) or the result of the  
4 following:

5 (1) Determine the percentage of the school corporation's  
6 students who were eligible for free or reduced price lunches in  
7 the school year ending in the later of:

8 (A) ~~2007 for purposes of determining the complexity index~~  
9 ~~in 2009; and 2009~~ **2011** for the purposes of determining the  
10 complexity index in ~~2010 and 2011~~; **2012 and 2013**; or

11 (B) the first year of operation of the school corporation.

12 (2) Determine the quotient of:

13 ~~(A) in 2009:~~

14 ~~(i) two thousand four hundred dollars (\$2,400); divided by~~

15 ~~(ii) four thousand eight hundred twenty-five dollars~~  
16 ~~(\$4,825);~~

17 ~~(B) in 2010:~~

18 ~~(i) two thousand two hundred sixty-three dollars (\$2,263);~~  
19 ~~divided by~~

20 ~~(ii) four thousand five hundred fifty dollars (\$4,550); and~~

21 ~~(C) (A) in 2011:~~ **2012:**

22 (i) two thousand two hundred forty-one dollars (\$2,241);  
23 divided by

24 (ii) four thousand five hundred five dollars (\$4,505); **and**

25 **(B) in 2013:**

26 **(i) two thousand two hundred forty-one dollars (\$2,241);**  
27 **divided by**

28 **(ii) four thousand five hundred five dollars (\$4,505).**

29 (3) Determine the product of:

30 (A) the subdivision (1) amount; multiplied by

31 (B) the subdivision (2) amount.

32 STEP TWO: Determine the result of one (1) plus the STEP ONE  
33 result.

34 STEP THREE: This STEP applies if the STEP TWO result is  
35 equal to or greater than at least one and twenty-five hundredths  
36 (1.25). Determine the result of the following:

37 (1) Subtract one and twenty-five hundredths (1.25) from the  
38 STEP TWO result.

39 (2) Determine the result of:

40 (A) the STEP TWO result; plus

41 (B) the subdivision (1) result.

42 The data to be used in making the calculations under STEP ONE must  
43 be the data collected in the annual pupil enrollment count by the  
44 department.

45 SECTION 71. IC 20-43-5-4, AS AMENDED BY P.L.182-2009(ss),  
46 SECTION 334, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JANUARY 1, 2012]: Sec. 4. A school corporation's  
 2 foundation amount for a calendar year is the result determined under  
 3 STEP TWO of the following formula:

4 STEP ONE: The STEP ONE amount is:

5 ~~(A) in 2009; four thousand eight hundred twenty-five dollars~~  
 6 ~~(\$4,825);~~

7 ~~(B) in 2010; four thousand five hundred fifty dollars (\$4,550);~~  
 8 ~~and~~

9 ~~(C) (A) in 2011; 2012, four thousand five hundred five dollars~~  
 10 ~~(\$4,505); and~~

11 **(B) in 2013, four thousand five hundred five dollars**  
 12 **(\$4,505).**

13 STEP TWO: Multiply the STEP ONE amount by the school  
 14 corporation's complexity index.

15 SECTION 72. IC 20-43-5-6, AS AMENDED BY P.L.182-2009(ss),  
 16 SECTION 336, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JANUARY 1, 2012]: Sec. 6. (a) A school corporation's  
 18 transition to foundation amount for a calendar year is equal to the result  
 19 determined under STEP ~~THREE~~ **TWO** of the following formula:

20 STEP ONE: Determine the difference of:

21 (A) the school corporation's foundation amount; minus

22 (B) the school corporation's previous year revenue foundation  
 23 amount.

24 STEP TWO: Divide the STEP ONE result by:

25 ~~(A) three (3) in 2009;~~

26 ~~(B) two (2) in 2010; and~~

27 ~~(C) one (1) in 2011.~~

28 STEP ~~THREE~~ **TWO**: A school corporation's STEP ~~THREE~~  
 29 **TWO** amount is the following:

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

34 (i) the school corporation's transition to foundation revenue  
 35 for the calendar year where the charter school is located;  
 36 divided by

37 (ii) the school corporation's current ADM.

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

45 (i) Determine the transition to foundation revenue for each  
 46 school corporation where a student counted in the current

- 1 ADM of the charter school has legal settlement.
- 2 (ii) For each school corporation identified in item (i), divide
- 3 the item (i) amount by the school corporation's current
- 4 ADM.
- 5 (iii) For each school corporation identified in item (i),
- 6 multiply the item (ii) amount by the number of students
- 7 counted in the current ADM of the charter school that have
- 8 legal settlement in the particular school corporation.
- 9 (iv) Determine the sum of the item (iii) amounts for the
- 10 charter school.
- 11 (C) The STEP ~~THREE TWO~~ amount for a school corporation
- 12 that is not a charter school described in clause (A) or (B) is the
- 13 following:
- 14 (i) The school corporation's foundation amount for the
- 15 calendar year if the STEP ONE amount is at least negative
- 16 one hundred fifty dollars (-\$150). ~~and not more than fifty~~
- 17 ~~dollars (\$50).~~
- 18 (ii) The sum of the school corporation's previous year
- 19 revenue foundation amount and the greater of the school
- 20 corporation's STEP ~~TWO ONE~~ amount, ~~or fifty dollars~~
- 21 ~~(\$50); if the school corporation's STEP ONE amount is~~
- 22 ~~greater than fifty zero dollars (\$50): (\$0).~~
- 23 (iii) The amount determined under subsection (b), if the
- 24 school corporation's STEP ONE amount is less than negative
- 25 one hundred fifty dollars (-\$150).
- 26 (b) For the purposes of STEP ~~THREE TWO~~ (C)(iii) in subsection
- 27 (a), determine the result of:
- 28 (1) the school corporation's previous year revenue foundation
- 29 amount; minus
- 30 (2) the greater of:
- 31 (A) one hundred fifty dollars (\$150); or
- 32 (B) the result of:
- 33 (i) the absolute value of the STEP ONE amount; divided by
- 34 (ii) ~~nine (9) in 2010; and eight (8) in 2011; seven (7) in~~
- 35 ~~2012 and six (6) in 2013.~~
- 36 SECTION 73. IC 20-43-5-7, AS AMENDED BY P.L.182-2009(ss),
- 37 SECTION 337, IS AMENDED TO READ AS FOLLOWS
- 38 [EFFECTIVE JANUARY 1, 2012]: Sec. 7. A school corporation's
- 39 transition to foundation revenue for a calendar year is equal to the
- 40 product of:
- 41 (1) the school corporation's transition to foundation amount for
- 42 the calendar year; multiplied by
- 43 (2) the school corporation's
- 44 ~~(A) current ADM; if the current ADM for the school~~
- 45 ~~corporation is less than one hundred (100); and~~
- 46 ~~(B) current adjusted ADM. if clause (A) does not apply.~~

1 SECTION 74. IC 20-43-6-3, AS AMENDED BY P.L.182-2009(ss),  
 2 SECTION 339, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) A school corporation's basic  
 4 tuition support for a year is the amount determined under the applicable  
 5 provision of this section.

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

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

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

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

19 (3) years to the year preceding the ensuing calendar year by two  
 20 (2) years.

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

25 SECTION 75. IC 20-43-7-0.5 IS ADDED TO THE INDIANA  
 26 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 27 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 28 **apply to a virtual charter school.**

29 SECTION 76. IC 20-43-8-0.5 IS ADDED TO THE INDIANA  
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 32 **apply to a virtual charter school.**

33 SECTION 77. IC 20-43-9-0.5 IS ADDED TO THE INDIANA  
 34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 35 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 36 **apply to a virtual charter school.**

37 SECTION 78. IC 20-43-10-0.5 IS ADDED TO THE INDIANA  
 38 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 39 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 40 **apply to a virtual charter school.**

41 SECTION 79. IC 20-43-12-0.5 IS ADDED TO THE INDIANA  
 42 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 43 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 44 **apply to a virtual charter school.**

45 SECTION 80. IC 20-43-12.2-0.5 IS ADDED TO THE INDIANA  
 46 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

1 [EFFECTIVE JANUARY 1, 2012]: **Sec. 0.5. This chapter does not**  
 2 **apply to a virtual charter school.**

3 SECTION 81. IC 20-43-12-2, AS AMENDED BY P.L.109-2010,  
 4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JANUARY 1, 2012]: Sec. 2. The amount of the restoration grant to  
 6 which a school corporation is entitled in calendar year ~~2010~~ **2012** and  
 7 calendar year ~~2011~~ **2013** is equal to the result determined under the  
 8 following formula:

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

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

15 STEP THREE: Determine the sum of:

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

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

20 STEP FOUR: Determine the result of:

21 (A) the school corporation's STEP THREE amount; multiplied  
 22 by

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

24 STEP FIVE: Determine the sum of:

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

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

29 STEP SIX: Determine the result of:

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

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

32 STEP SEVEN: Determine the lesser of:

33 (A) the STEP FOUR amount; or

34 (B) the STEP TWO amount.

35 STEP EIGHT: Determine the greater of:

36 (A) the STEP SEVEN amount; or

37 (B) the STEP SIX amount.

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

39 (A) the STEP EIGHT amount; minus

40 (B) the STEP ONE amount.

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

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

44 (A) ~~For 2010, divide the STEP TEN amount by the STEP~~  
 45 ~~TWO amount.~~

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

- 1                   (i) (A) the STEP TEN amount; **divided by**  
 2                   (ii) (B) the sum of the prior year basic tuition support plus  
 3                   the prior year STEP NINE amount.  
 4           STEP TWELVE: Determine the greater of:  
 5                   (A) zero (0); or  
 6                   (B) the result of:  
 7                       (i) ninety-seven hundredths (0.97); minus  
 8                       (ii) the STEP ELEVEN amount.  
 9           STEP THIRTEEN: Determine the lesser of:  
 10                   (A) ~~two hundred twenty dollars (\$220) for 2010~~ and three  
 11                   hundred fifty dollars (\$350); ~~for 2011~~; or  
 12                   (B) the result of  
 13                       (i) ~~the STEP TWELVE amount multiplied by nine thousand~~  
 14                       ~~five hundred (9,500); in 2010; and~~  
 15                       (ii) the STEP TWELVE amount multiplied by twelve  
 16                       thousand (12,000). ~~in 2011~~;  
 17           STEP FOURTEEN: Determine the product of:  
 18                   (A) the STEP THIRTEEN amount; multiplied by  
 19                   (B) the school corporation's current ADM.  
 20           STEP FIFTEEN: Determine the sum of:  
 21                   (A) the STEP NINE amount; plus  
 22                   (B) the STEP FOURTEEN amount."  
 23           Delete pages 121 through 125.  
 24           Page 126, delete lines 1 through 40.  
 25           Page 135, line 39, delete "IC 20-43-1-21.5; IC 20-43-3-2;  
 26           IC 20-43-12;" and insert "IC 20-43-3-2."  
 27           Page 135, delete line 40.  
 28           Re-number all SECTIONS consecutively.  
 (Reference is to HB 1001 as printed February 21, 2011.)

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Representative Pryor