| | |
|---|---|
| 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| WITHDRAWN | Noes _____ |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:

Page 80, line 26, after "grants," insert "**small school grants, and restoration grants,**".

Page 120, delete lines 44 through 48, begin a new paragraph and insert:

"SECTION 65. IC 20-43-1-1, AS AMENDED BY P.L.182-2009(ss), SECTION 323, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. This article expires January 1, ~~2012.~~ **2014.**

SECTION 66. IC 20-43-1-25, AS AMENDED BY P.L.182-2009(ss), SECTION 325, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2012]: Sec. 25. "State tuition support" means the amount of state funds to be distributed to:

(1) a school corporation other than a virtual charter school in any calendar year under this article for all grants, distributions, and awards described in IC 20-43-2-3; and

(2) a virtual charter school in any calendar year under ~~IC 20-24-7-13.~~ **IC 20-43-6-3.**

SECTION 67. IC 20-43-2-2, AS AMENDED BY P.L.182-2009(ss), SECTION 329, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]: Sec. 2. The maximum state distribution for a calendar year for all school corporations for the purposes described in section 3 of this chapter is:

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

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

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

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

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

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

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

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

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

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

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

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

STEP ONE: Determine the sum of the following:

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

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

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

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

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

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

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

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

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

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

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

~~(2) two (2).~~

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

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

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

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

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

~~STEP TWO: Determine the school corporation's ADM for the current year.~~

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

~~(A) The STEP ONE result.~~

~~(B) The STEP TWO result.~~

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

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

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

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

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

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

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

(2) Determine the quotient of:

~~(A) in 2009:~~

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

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

~~(B) in 2010:~~

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

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

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

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

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

**(B) in 2013:**

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

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

(3) Determine the product of:

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

(B) the subdivision (2) amount.

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

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

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

(2) Determine the result of:

(A) the STEP TWO result; plus

(B) the subdivision (1) result.

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

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

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

STEP ONE: The STEP ONE amount is:

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

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

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

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

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

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

STEP ONE: Determine the difference of:

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

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

~~STEP TWO: Divide the STEP ONE result by:~~

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

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

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

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

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

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

(ii) the school corporation's current ADM.

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

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

ADM of the charter school has legal settlement.

(ii) For each school corporation identified in item (i), divide the item (i) amount by the school corporation's current ADM.

(iii) For each school corporation identified in item (i), multiply the item (ii) amount by the number of students counted in the current ADM of the charter school that have legal settlement in the particular school corporation.

(iv) Determine the sum of the item (iii) amounts for the charter school.

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

(i) The school corporation's foundation amount for the calendar year if the STEP ONE amount is at least negative one hundred fifty dollars (-$150). ~~and not more than fifty dollars ($50).~~

(ii) The sum of the school corporation's previous year revenue foundation amount and the greater of the school corporation's STEP ~~TWO~~ **ONE** amount, ~~or fifty dollars ($50),~~ if the school corporation's STEP ONE amount is greater than ~~fifty~~ **zero** dollars ~~($50).~~ **($0).**

(iii) The amount determined under subsection (b), if the school corporation's STEP ONE amount is less than negative one hundred fifty dollars (-$150).

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

(1) the school corporation's previous year revenue foundation amount; minus

(2) the greater of:

(A) one hundred fifty dollars ($150); or

(B) the result of:

(i) the absolute value of the STEP ONE amount; divided by

(ii) ~~nine (9) in 2010, and eight (8) in 2011.~~ **seven (7) in 2012 and six (6) in 2013.**

SECTION 73. IC 20-43-5-7, AS AMENDED BY P.L.182-2009(ss), SECTION 337, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2012]: Sec. 7. A school corporation's transition to foundation revenue for a calendar year is equal to the product of:

(1) the school corporation's transition to foundation amount for the calendar year; multiplied by

(2) the school corporation's

~~(A) current ADM, if the current ADM for the school corporation is less than one hundred (100); and~~

~~(B)~~ current adjusted ADM. ~~if clause (A) does not apply.~~

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

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

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

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

(2) The amount of the annual decrease in federal aid to impacted areas from the year preceding the ensuing calendar year by three (3) years to the year preceding the ensuing calendar year by two (2) years.

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

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

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

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

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

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

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

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

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

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

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

STEP THREE: Determine the sum of:

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

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

STEP FOUR: Determine the result of:

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

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

STEP FIVE: Determine the sum of:

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

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

STEP SIX: Determine the result of:

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

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

STEP SEVEN: Determine the lesser of:

(A) the STEP FOUR amount; or

(B) the STEP TWO amount.

STEP EIGHT: Determine the greater of:

(A) the STEP SEVEN amount; or

(B) the STEP SIX amount.

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

(A) the STEP EIGHT amount; minus

(B) the STEP ONE amount.

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

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

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

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

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

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

STEP TWELVE: Determine the greater of:

(A) zero (0); or

(B) the result of:

(i) ninety-seven hundredths (0.97); minus

(ii) the STEP ELEVEN amount.

STEP THIRTEEN: Determine the lesser of:

(A) ~~two hundred twenty dollars ($220) for 2010 and~~ three hundred fifty dollars ($350); ~~for 2011;~~ or

(B) the result of

~~(i) the STEP TWELVE amount multiplied by nine thousand five hundred (9,500); in 2010; and~~

~~(ii)~~ the STEP TWELVE amount multiplied by twelve thousand (12,000). ~~in 2011.~~

STEP FOURTEEN: Determine the product of:

(A) the STEP THIRTEEN amount; multiplied by

(B) the school corporation's current ADM.

STEP FIFTEEN: Determine the sum of:

(A) the STEP NINE amount; plus

(B) the STEP FOURTEEN amount.".

Delete pages 121 through 125.

Page 126, delete lines 1 through 40.

Page 135, line 39, delete "IC 20-43-1-21.5; IC 20-43-3-2; IC 20-43-12;" and insert "IC 20-43-3-2.".

Page 135, delete line 40.

Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 21, 2011.)

_____

Representative Goodin