

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 280, 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:

- 1 Replace the effective dates in SECTIONS 1 through 46 with
- 2 "[EFFECTIVE JULY 1, 2013]".
- 3 Page 6, line 31, delete "2012," and insert "**2013**,".
- 4 Page 11, line 42, delete "beginning after June 30,".
- 5 Page 11, line 42, strike "2012.".
- 6 Page 11, line 42, after "thereafter." insert "**beginning after June 30,**
- 7 **2013**.".
- 8 Page 12, line 24, delete "2013." and insert "**2014**.".
- 9 Page 12, line 29, delete "2013," and insert "**2014**,".
- 10 Page 12, line 32, delete "2012," and insert "**2013**,".
- 11 Page 12, line 40, delete "2012," and insert "**2013**,".
- 12 Page 13, line 1, delete "2012," and insert "**2013**,".
- 13 Page 14, line 22, delete "2012," and insert "**2013**,".
- 14 Page 14, line 32, delete "were" and insert "**are**".
- 15 Page 14, line 33, delete "existed" and insert "**exists**".
- 16 Page 14, delete lines 36 through 42.
- 17 Page 15, delete line 1.
- 18 Page 15, line 2, delete "(3)" and insert "**(2)**".
- 19 Page 15, line 3, delete "2012." and insert "**2013**.".

- 1 Page 15, line 12, delete "2012." and insert "2013".
- 2 Page 15, line 26, delete "2012." and insert "2013".
- 3 Page 16, line 19, delete ", IC 20-43-4-4,".
- 4 Page 16, line 20, delete "2012." and insert "2013".
- 5 Page 16, line 22, delete "2011" and insert "2012".
- 6 Page 16, line 24, delete "2012." and insert "2013".
- 7 Page 16, line 25, delete "2012," and insert "2013,".
- 8 Page 17, line 7, delete "2012," and insert "2013,".
- 9 Page 17, line 15, delete "2011" and insert "2012".
- 10 Page 17, line 16, delete "2012);" and insert "2013);".
- 11 Page 17, line 18, delete "2013" and insert "2014".
- 12 Page 17, between lines 31 and 32, begin a new line block indented
- 13 and insert:
- 14 **"(4) In February of each year, the department shall determine**
- 15 **the result of:**
- 16 **(A) the total amount of the distributions that would have**
- 17 **been received by the school corporation during the months**
- 18 **of January and February if the distributions had been**
- 19 **based on the January count of that year instead of the**
- 20 **count made in the preceding September; minus**
- 21 **(B) the total amount of the distributions received by a**
- 22 **school corporation during the months of January and**
- 23 **February of that year.**
- 24 **(5) If the result determined under subdivision (4) is positive,**
- 25 **the school corporation shall receive an additional distribution**
- 26 **in March equal to the result determined under subdivision (4).**
- 27 **(6) If the result determined under subdivision (4) is negative,**
- 28 **the distributions otherwise received by the school corporation**
- 29 **in March, April, May, and June of that year shall be**
- 30 **proportionately reduced so that the total reduction is equal to**
- 31 **the result determined under subdivision (4).**
- 32 **(7) In January of each year, the department shall determine**
- 33 **the result of:**
- 34 **(A) the total amount of the distributions that would have**
- 35 **been received by the school corporation during the months**
- 36 **of October, November, and December of the preceding**
- 37 **year if the school corporation's ADM for each of those**
- 38 **months had included students:**

- 1 (i) who, after the September count date and before the
- 2 January count date, left a charter school or nonpublic
- 3 eligible school (as defined in IC 20-51-1-4.7); and
- 4 (ii) were enrolled during the month in a public school
- 5 maintained by the school corporation; minus
- 6 (B) the total amount of the distributions received by a
- 7 school corporation during the months of October,
- 8 November, and December of the preceding year.
- 9 (8) If the result determined under subdivision (7) is positive,
- 10 the school corporation shall receive an additional distribution
- 11 in March equal to the result determined under subdivision (7).
- 12 (9) In September of each year, the department shall determine
- 13 the result of:
- 14 (A) the total amount of the distributions that would have
- 15 been received by the school corporation during the months
- 16 of February, March, April, May, and June of the year if
- 17 the school corporation's ADM for each of those months
- 18 had included students:
- 19 (i) who, after the January count date and before the end
- 20 of the school year, left a charter school or nonpublic
- 21 eligible school (as defined in IC 20-51-1-4.7); and
- 22 (ii) who were enrolled during the month in a public
- 23 school maintained by the school corporation; minus
- 24 (B) the total amount of the distributions received by a
- 25 school corporation during the months of February, March,
- 26 April, May, and June of the year.
- 27 (10) If the result determined under subdivision (9) is positive,
- 28 the school corporation shall receive an additional distribution
- 29 in November equal to the result determined under subdivision
- 30 (9).
- 31 (11) In January of each year, the department shall determine
- 32 the result of:
- 33 (A) the total amount of the distributions that would have
- 34 been received by the school corporation during the months
- 35 of October, November, and December of the preceding
- 36 year if the school corporation's ADM for each of those
- 37 months had not included students:
- 38 (i) who, after the September count date and before the

1 **January count date, left a public school maintained by**
2 **the school corporation; and**
3 **(ii) who were enrolled during the month in a charter**
4 **school or nonpublic eligible school (as defined in**
5 **IC 20-51-1-4.7); minus**
6 **(B) the total amount of the distributions received by a**
7 **school corporation during the months of October,**
8 **November, and December of the preceding year.**
9 **(12) If the result determined under subdivision (11) is**
10 **negative, the distributions otherwise received by the school**
11 **corporation in March, April, May, and June of that year shall**
12 **be proportionately reduced so that the total reduction is equal**
13 **to the result determined under subdivision (11).**
14 **(13) In September of each year, the department shall**
15 **determine the result of:**
16 **(A) the total amount of the distributions that would have**
17 **been received by the school corporation during the months**
18 **of February, March, April, May, and June of the year if**
19 **the school corporation's ADM for each of those months**
20 **had not included students:**
21 **(i) who, after the January count date and before the end**
22 **of the school year, left a public school maintained by the**
23 **school corporation; and**
24 **(ii) were enrolled during the month in a charter school or**
25 **nonpublic eligible school (as defined in IC 20-51-1-4.7);**
26 **minus**
27 **(B) the total amount of the distributions received by a**
28 **school corporation during the months of February, March,**
29 **April, May, and June of the year.**
30 **(14) If the result determined under subdivision (13) is**
31 **negative, the distributions otherwise received by the school**
32 **corporation in November and December of that year and**
33 **January and February of the following year shall be**
34 **proportionately reduced so that the total reduction is equal to**
35 **the result determined under subdivision (12)."**

36 Page 18, delete lines 21 through 38.
37 Page 19, delete lines 31 through 42.
38 Delete page 20.

- 1 Page 21, delete lines 1 through 17.
- 2 Page 23, line 37, reset in roman "December 1".
- 3 Page 23, line 37, delete "the latest ADM count".
- 4 Page 23, line 38, delete "date".
- 5 Page 23, delete lines 41 through 42.
- 6 Page 24, delete lines 1 through 16.
- 7 Page 24, line 19, after "6." insert "(a)".
- 8 Page 24, between lines 34 and 35, begin a new paragraph and insert:
- 9 **"(b) Before February 1 of each calendar year, the department**
- 10 **shall determine the result of:**
- 11 **(1) the total amount of the special education grant that would**
- 12 **have been received by the school corporation during the**
- 13 **months of July, August, September, October, November, and**
- 14 **December of the preceding calendar year and in January 1 of**
- 15 **the current calendar year if the grant had been based on the**
- 16 **count of students with disabilities that was made on the**
- 17 **immediately preceding December 1; minus**
- 18 **(2) the total amount of the special education grant received by**
- 19 **the school corporation during the months of July, August,**
- 20 **September, October, November, and December of the**
- 21 **preceding calendar year and in January 1 of the current**
- 22 **calendar year.**
- 23 **If the result determined under this subsection is positive, the school**
- 24 **corporation shall receive an additional special education grant**
- 25 **distribution in February equal to the result determined under this**
- 26 **subsection. If the result determined under this subsection is**
- 27 **negative, the special education grant distributions that otherwise**
- 28 **would be received by the school corporation in February, March,**
- 29 **April, and May shall be proportionately reduced so that the total**
- 30 **reduction is equal to the result determined under this subsection.**
- 31 **(c) The special education grant distributions made in February,**
- 32 **March, April, May, and June of a calendar year shall be based on**
- 33 **the count of students with disabilities that was made on the**
- 34 **immediately preceding December 1."**
- 35 Page 30, after line 8, begin a new paragraph and insert:
- 36 "SECTION 46. IC 20-51-4-6, AS ADDED BY P.L.92-2011,
- 37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2012]: Sec. 6. (a) If an eligible individual enrolls in an eligible

1 school for less than an entire school year, the choice scholarship
 2 provided under this chapter for that school year shall be reduced on a
 3 prorated basis to reflect the shorter school term.

4 (b) An eligible individual is entitled to only one (1) choice
 5 scholarship for each school year. If the eligible individual leaves the
 6 eligible school for which the eligible individual was awarded a choice
 7 scholarship and enrolls in another eligible school, the eligible
 8 individual is responsible for the payment of any tuition required for the
 9 remainder of that school year.

10 (c) **If an eligible individual who was awarded a choice**
 11 **scholarship leaves the nonpublic eligible school for which the**
 12 **eligible individual was awarded a choice scholarship and in that**
 13 **school year enrolls in a public school maintained by a school**
 14 **corporation, the eligible school shall pay to the treasurer of state**
 15 **for deposit in the state general fund an amount determined in the**
 16 **following STEPS:**

17 **STEP ONE: Determine the amount of the choice scholarship**
 18 **awarded to the eligible individual for the school year.**

19 **STEP TWO: Determine the result of:**

20 **(A) the eligible school's total number of school days in that**
 21 **school year minus the number of days in that school year**
 22 **in which the eligible individual was enrolled in the eligible**
 23 **school; divided by**

24 **(B) the eligible school's total number of school days in that**
 25 **school year.**

26 **STEP THREE: Multiply the STEP ONE result by the STEP**
 27 **TWO result.**

28 **SECTION 47. [EFFECTIVE JULY 1, 2012] (a) The department**
 29 **of education shall before November 1, 2012, report to the state**
 30 **budget committee:**

31 **(1) the number of students who left a charter school and**
 32 **enrolled in a public school maintained by a school corporation**
 33 **during the 2011 - 2012 school year; and**

34 **(2) the number of students who:**

35 **(A) received a choice scholarship for the 2011 - 2012 school**
 36 **year; and**

37 **(B) left a nonpublic eligible school (as defined in**
 38 **IC 20-51-1-4.7) and enrolled in a public school maintained**

- 1 **by a school corporation during the 2011 - 2012 school year.**
- 2 **(b) This SECTION expires January 1, 2013."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 280 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 1.

Kruse

Chairperson