

---

---

# HOUSE BILL No. 1381

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-18-2-24; IC 20-26.

**Synopsis:** Public school transfers. Requires the governing body of a school corporation to establish the number of transfer students the school corporation has the capacity to accept in each school building and grade level. Requires the governing body to establish a date by which transfer requests must be received. Provides that, with certain exceptions, a governing body may not deny a request to transfer from another school corporation to a school within the school corporation or between two schools within the school corporation for any reason other than capacity. Requires the governing body to publish the deadline for transfer requests on the school corporation's Internet web site and to report the deadline to the department of education. Requires the department of education to publish school corporations' transfer request deadlines on the department's Internet web site. Provides that if the number of transfer requests a school corporation receives exceeds the school's capacity, admissions must be determined by a random drawing at a public meeting. Allows a governing body to limit the number of transfers to a particular school building or grade level to ensure that a student who has already transferred to a school may continue attending the same school and to allow the members of the same household as a transfer student to attend a particular school. Allows a governing body to deny a request for a student to transfer, or to establish terms and conditions for enrollment that prevent a student from enrolling, if the student was suspended in the twelve months preceding the student's request to transfer: (1) for 10 or more school days; (2) for causing a physical injury; (3) for possession of a firearm; or (4) for a violation of drug or alcohol rules. Provides that for purposes of determining a  
(Continued next page)

C  
o  
p  
y

**Effective:** July 1, 2013.

---

---

**Karickhoff, Clere, Mahan, Austin**

---

---

January 22, 2013, read first time and referred to Committee on Education.

---

---



Digest Continued

school's graduation rate, if a student would be unable to graduate on time, the student shall be included in the cohort for students in the transferee school who are in the current grade level as the transferring student.

C  
o  
p  
y



Introduced

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C  
O  
P  
Y

## HOUSE BILL No. 1381

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 20-18-2-24, AS ADDED BY P.L.1-2005,  
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2013]: Sec. 24. (a) "Transfer", for purposes of this title  
 4 (except IC 20-26-11-32), with respect to a student refers to the  
 5 situation in which the student, for all or part of the student's education,  
 6 attends school in a public school of a school corporation other than the  
 7 school corporation in which the student has legal settlement.  
 8 (b) "Transfer", for purposes of IC 20-26-11-32, with respect to  
 9 a student refers to the situation in which the student, for all or part  
 10 of the student's education, attends school in a public school:  
 11 (1) of a school corporation other than the school corporation  
 12 in which the student has legal settlement; or  
 13 (2) within the school corporation in which the student resides,  
 14 but not the public school with the attendance area in which  
 15 the student resides.



1 SECTION 2. IC 20-26-11-32 IS ADDED TO THE INDIANA  
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2013]: **Sec. 32. (a) The governing body of a**  
 4 **school corporation shall annually establish:**

5 (1) the number of transfer students the school corporation has  
 6 the capacity to accept in each:

7 (A) school building; and

8 (B) grade level within each school building; and

9 (2) the date by which requests to transfer into or within the  
 10 school corporation must be received by the governing body.

11 (b) After establishing the date under subsection (a)(2), the  
 12 governing body shall:

13 (1) publish the date on the school corporation's Internet web  
 14 site; and

15 (2) report the date to the department.

16 (c) The department shall publish the dates received from school  
 17 corporations under subsection (b)(2) on the department's Internet  
 18 web site.

19 (d) If the number of requests to transfer into or within a school  
 20 corporation received by the date established for the school  
 21 corporation under subsection (a)(2) exceeds the capacity  
 22 established for the school corporation under subsection (a)(1), each  
 23 timely request must be given an equal chance to be accepted, with  
 24 the exception that a student described in subsection (f) shall be  
 25 given priority. The governing body must determine which students  
 26 will be admitted as transfer students to each school building and  
 27 each grade level within the school corporation by a random  
 28 drawing in a public meeting.

29 (e) Except as provided in subsections (g) and (h), the governing  
 30 body of a school corporation may not deny a request for a student  
 31 to transfer into or within the school corporation based upon the  
 32 student's academic record, scores on ISTEP tests, disciplinary  
 33 record, or disability, or upon any other factor not related to the  
 34 school corporation's capacity.

35 (f) Except as provided in subsections (g) and (h), the governing  
 36 body of a school corporation may not deny a request for a student  
 37 to transfer into or within the school corporation if the student  
 38 requesting to transfer is a member of a household in which any  
 39 other member of the household is a student in the transferee  
 40 school.

41 (g) A governing body of a school corporation may limit the  
 42 number of new transfers to a school building or grade level within

C  
O  
P  
Y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**the school corporation:**

**(1) to ensure that a student who attends a school within the school corporation as a transfer student during a school year may continue to attend the school in subsequent school years; and**

**(2) to allow a student described in subsection (f) to attend a school within the school corporation.**

**(h) Notwithstanding subsections (e) and (f), a governing body of a school corporation may deny a request for a student to transfer to or within the school corporation, or establish terms or conditions for enrollment that prevent a student from enrolling in a school if the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months preceding the student's request to transfer under this section:**

**(1) for ten (10) or more school days. For purposes of this clause, student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivisions (2) through (4) shall be included in the calculation of the number of school days that a student has been suspended;**

**(2) for a violation under IC 20-33-8-16;**

**(3) for causing physical injury to a student, a school employee, or a visitor to the school; or**

**(4) for a violation of a school corporation's drug or alcohol rules.**

**(i) The parent of a student for whom a request to transfer is made is responsible for providing the school corporation to which the request is made with records or information necessary for the school corporation to determine whether the request to transfer may be denied under subsection (h).**

**(j) This subsection applies to a student who transfers at least one (1) year after the reporting year in which the student is first considered by a school corporation to have entered grade 9. If, at the time the student transfers, the student would be unable to graduate in the student's expected graduation year even if the student, after transferring, were to successfully complete the courses necessary for the student to graduate, the student shall be considered for purposes of determining the student's cohort under IC 20-26-13, as a member of the cohort for students at the transferee school who are in the current grade level as the student at the time the student transfers to the school.**

SECTION 3. IC 20-26-13-2, AS AMENDED BY P.L.229-2007,

C  
o  
p  
y



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2013]: Sec. 2. As used in this chapter, "cohort" refers to,  
3 **except as provided in IC 20-26-11-32(j)**, a class of students who:  
4 (1) attend the same high school; and  
5 (2) are first considered to have entered grade 9 in the same year.

C  
o  
p  
y

