

# HOUSE BILL No. 1478

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-26-11.

**Synopsis:** Student transfers. Removes the requirement that, for a student to transfer from one school corporation to another school corporation pursuant to a request from the student's parent or (if at least 18 years of age) the student, the request for the student's transfer must be approved by the school corporation from which the student would transfer.

**Effective:** July 1, 2013.

---

---

**Lucas, Messmer**

---

---

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

---

---

C  
O  
P  
Y



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. 1478



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 20-26-11-5, AS ADDED BY P.L.89-2005,  
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2013]: Sec. 5. (a) The parents of any student, regardless of the  
4 student's age, or the student after the student has become eighteen (18)  
5 years of age may request a transfer from a school corporation in which  
6 the student has a legal settlement to a transferee school corporation in  
7 Indiana or another state if the student may be better accommodated in  
8 the public schools of the transferee corporation. Whether the student  
9 can be better accommodated depends on such matters as:  
10 (1) crowded conditions of the transferee or transferor corporation;  
11 and  
12 (2) curriculum offerings at the high school level that are important  
13 to the vocational or academic aspirations of the student.  
14 (b) The request for transfer must be made in writing to the ~~transferor~~  
15 **transferee** corporation, which shall immediately mail a copy to the  
16 ~~transferee~~ **transferor** corporation. The request for transfer must be  
17 made at the times provided under rules adopted by the state board. The



1 transfer is effected if ~~both the transferee and the transferor corporations~~  
 2 ~~approve~~ **corporation approves** the transfer not more than thirty (30)  
 3 days after that mailing. ~~If the transferor school corporation fails to act~~  
 4 ~~on the transfer request within thirty (30) days after the request is~~  
 5 ~~received; the transfer is considered approved.~~ The transfer is denied  
 6 when ~~either the transferee~~ school corporation mails a written denial  
 7 by certified mail to the requesting parents or student at their last known  
 8 address.

9 (c) If a request for transfer is denied under subsection (b), an appeal  
 10 may be taken to the state board by the requesting parents or student, if  
 11 commenced not more than ten (10) days after the denial. An appeal is  
 12 commenced by mailing a notice of appeal by certified mail to the  
 13 superintendent of ~~each the transferee~~ school corporation and the state  
 14 board. The state superintendent shall develop forms for this purpose  
 15 and ~~the transferor corporation~~ shall assist the parents or student in the  
 16 mechanics of commencing the appeal. An appeal hearing must comply  
 17 with section 15 of this chapter.

18 SECTION 2. IC 20-26-11-6, AS AMENDED BY P.L.30-2010,  
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2013]: Sec. 6. (a) ~~A school corporation may accept a~~  
 21 ~~transferring student without approval of the transferor corporation~~  
 22 ~~under section 5 of this chapter.~~

23 ~~(b)~~ (a) A transfer may be accepted regardless of whether, as a  
 24 condition of the transfer, the transferee school requires the requesting  
 25 parents or student to pay transfer tuition in an amount determined  
 26 under the formula established in section 13 of this chapter for the  
 27 payment of transfer tuition by a transferor school corporation.  
 28 However, if the transferee school elects to charge transfer tuition, the  
 29 transferee school may not offset the amounts described in section 13(b)  
 30 STEP TWO (B) through section 13(b) STEP TWO (D) of this chapter  
 31 from the amount charged to the requesting parents or student.

32 ~~(c)~~ (b) When the transferee school elects to charge tuition to the  
 33 requesting parents or student, the tuition determined under subsection  
 34 ~~(b)~~ (a) must be paid by the parents or the student before the end of the  
 35 school year in installments as determined by the transferee corporation.

36 ~~(d)~~ (c) Failure to pay a tuition installment that is agreed to by the  
 37 parents or student and the transferee school corporation is a ground for  
 38 exclusion from school.

39 ~~(e)~~ (d) If the transferee school elects not to charge transfer tuition  
 40 to the parents or student under this section, the transferee school may  
 41 not charge transfer tuition or fees to the transferor school.

C  
o  
p  
y

