

SENATE BILL No. 448

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-3-13.

Synopsis: Education funding for expelled students. Provides for the distribution of state and local funds to a public or nonpublic school (including a home school) that enrolls a student that a school corporation has expelled.

Effective: July 1, 2002.

Breaux

January 14, 2002, read first time and referred to Committee on Education.

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Second Regular Session 112th General Assembly (2002)

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 2001 General Assembly.

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SENATE BILL No. 448



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

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

1 SECTION 1. IC 21-3-13 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]:
4 **Chapter 13. Funding for Education of Expelled Students**
5 **Sec. 1. As used in this chapter, "ADM" has the meaning set**
6 **forth in IC 21-3-1.6-1.1.**
7 **Sec. 2. As used in this chapter, "board" has the meaning set**
8 **forth in IC 20-10.1-1-17.**
9 **Sec. 3. As used in this chapter, "department" has the meaning**
10 **set forth in IC 20-10.1-1-18.**
11 **Sec. 4. As used in this chapter, "eligible student" means a**
12 **student who:**
13 **(1) is expelled by a school corporation under IC 20-8.1-5.1;**
14 **and**
15 **(2) has legal settlement in the expelling school corporation.**
16 **Sec. 5. As used in this chapter, "expelling school corporation"**
17 **means a school corporation that expels a student under**



- 1 IC 20-8.1-5.1.
- 2 Sec. 6. As used in this chapter, "governing body" has the
3 meaning set forth in IC 20-10.1-1-5.
- 4 Sec. 7. As used in this chapter, "legal settlement" has the
5 meaning set forth in IC 20-8.1-1-7.1.
- 6 Sec. 8. As used in this chapter, "nonpublic school" has the
7 meaning set forth in IC 20-10.1-1-3.
- 8 Sec. 9. As used in this chapter, "public school" has the meaning
9 set forth in IC 20-10.1-1-2.
- 10 Sec. 10. As used in this chapter, "receiving school" means a
11 public or nonpublic school in Indiana that:
- 12 (1) enrolls an eligible student; and
13 (2) is not a school in the school corporation where the eligible
14 student has legal settlement.
- 15 Sec. 11. As used in this chapter, "school corporation" has the
16 meaning set forth in IC 20-10.1-1-1.
- 17 Sec. 12. At a time established by the department, an expelling
18 school corporation shall report to the department the name and
19 address of each eligible student.
- 20 Sec. 13. At a time established by the department, a receiving
21 school that wishes to receive distributions under this chapter must
22 notify:
- 23 (1) the department; and
24 (2) the governing body of the expelling school corporation;
25 of the name and address of each eligible student enrolled in the
26 receiving school. The department, with the assistance of the
27 governing body, shall verify the accuracy of this information.
- 28 Sec. 14. (a) The department shall distribute to a receiving school
29 a proportionate share of the following state and federal support for
30 an eligible student:
- 31 (1) Tuition support and other state funding for any purpose.
32 (2) If the eligible student is a student with disabilities, state
33 and federal funds provided for students with disabilities or for
34 staff services for students with disabilities.
35 (3) If the eligible student qualifies for federal or state aid
36 under a categorical aid program, funds provided under that
37 program.
- 38 (b) The distribution under this section shall be:
- 39 (1) made on the same schedule as other state funds are
40 distributed to school corporations; and
41 (2) deducted from the distributions of other state funds to the
42 expelling school corporation.

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1 **Sec. 15. An eligible student counts each year in the ADM of the**
 2 **expelling school corporation.**

3 **Sec. 16. (a) The governing body of the expelling school**
 4 **corporation shall distribute to the receiving school a proportionate**
 5 **share of local support for the eligible student in an amount**
 6 **determined under STEP TWO of the following formula:**

7 **STEP ONE: Add the revenues obtained by the school**
 8 **corporation's:**

9 **(A) general fund property tax levy; and**

10 **(B) general fund motor vehicle excise and financial**
 11 **institutions excise tax.**

12 **STEP TWO: Divide the sum determined under STEP ONE by**
 13 **the total number of students enrolled in the school**
 14 **corporation.**

15 **(b) The distribution under this section shall be made on the**
 16 **same schedule that the school corporation receives the revenues**
 17 **listed in subsection (a).**

18 **Sec. 17. (a) This section applies to receiving schools that are**
 19 **public schools.**

20 **(b) Distributions under this chapter shall be made as follows:**

21 **(1) If the receiving school is a noncharter school, to the school**
 22 **corporation in which the noncharter school is located.**

23 **(2) If the receiving school is a charter school, to the organizer**
 24 **of the charter school.**

25 **Sec. 18. The department shall establish a method to adjust the**
 26 **distributions under this chapter to a school that is a receiving**
 27 **school for less than a full school year.**

28 **Sec. 19. Distributions under this chapter to a receiving school**
 29 **cease when a formerly eligible student:**

30 **(1) reenrolls in; or**

31 **(2) changes legal settlement from;**

32 **the expelling school corporation.**

33 **Sec. 20. (a) The department shall establish guidelines to**
 34 **implement this chapter.**

35 **(b) The board may adopt rules under IC 4-22-2 to implement**
 36 **this chapter.**

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