



January 31, 2014

SENATE BILL No. 282

DIGEST OF SB 282 (Updated January 29, 2014 8:42 pm - DI 71)

Citations Affected: IC 20-51.

Synopsis: Choice scholarship. Provides that a choice scholarship student identified as eligible for special education services may receive special education funding as part of the choice scholarship if the choice scholarship school offers the necessary special education services and the student elects to receive those services at the choice scholarship school.

Effective: July 1, 2014.

Eckerty, Kruse

January 13, 2014, read first time and referred to Committee on Education and Career Development.
January 30, 2014, amended, reported favorably — Do Pass.

SB 282—LS 6376/DI 116



January 31, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 282

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 20-51-4-4, AS AMENDED BY P.L.205-2013,
2 SECTION 311, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 4. The amount an eligible choice
4 scholarship student is entitled to receive under this chapter for a school
5 year is equal to the following:
6 (1) The least of the following:
7 (A) The sum of the tuition, transfer tuition, and fees required
8 for enrollment or attendance of the eligible choice scholarship
9 student at the eligible school selected by the eligible choice
10 scholarship student for a school year that the eligible choice
11 scholarship student (or the parent of the eligible choice
12 scholarship student) would otherwise be obligated to pay to
13 the eligible school.
14 (B) An amount equal to:
15 (i) ninety percent (90%) of the state tuition support amount
16 determined under section 5 of this chapter if the eligible

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1 choice scholarship student is a member of a household with
 2 an annual income of not more than the amount required for
 3 the eligible choice scholarship student to qualify for the
 4 federal free or reduced price lunch program; and

5 (ii) fifty percent (50%) of the state tuition support amount
 6 determined under section 5 of this chapter if the eligible
 7 choice scholarship student is a member of a household with
 8 an annual income of, in the case of an individual not
 9 described in section 2.5 of this chapter, not more than one
 10 hundred fifty percent (150%) of the amount required for the
 11 eligible choice scholarship student to qualify for the federal
 12 free or reduced price lunch program or, in the case of an
 13 individual described in section 2.5 of this chapter, not more
 14 than two hundred percent (200%) of the amount required for
 15 the eligible choice scholarship student to qualify for the
 16 federal free or reduced price lunch program.

17 (C) If the eligible choice scholarship student is enrolled in
 18 grade 1 through 8, the maximum choice scholarship that the
 19 eligible choice scholarship student may receive for a school
 20 year:

21 (i) beginning before July 1, 2013, ~~is~~ four thousand five
 22 hundred dollars (\$4,500);

23 (ii) beginning after June 30, 2013, and before July 1, 2014,
 24 ~~is~~ four thousand seven hundred dollars (\$4,700); and

25 (iii) beginning after June 30, 2014, ~~is~~ four thousand eight
 26 hundred dollars (\$4,800).

27 (2) In addition, if ~~applicable~~, **the eligible choice scholarship**
 28 **student has been identified as eligible for special education**
 29 **services under IC 20-35 and the eligible school provides the**
 30 **necessary special education or related services to the eligible**
 31 **choice scholarship student**, any amount that a school corporation
 32 would receive under IC 20-43-7 for the **eligible choice**
 33 **scholarship student** if the **eligible choice scholarship** student
 34 attended the school corporation.

35 SECTION 2. IC 20-51-4-4.5, AS ADDED BY P.L.211-2013,
 36 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2014]: Sec. 4.5. (a) **If an eligible choice scholarship**
 38 **student:**

39 **(1) who attends school at a choice scholarship school; and**

40 **(2) who is eligible to receive special education funds under**
 41 **IC 20-43-7;**

42 **chooses to receive special education services at a school**



1 corporation required to provide special education services to the
2 eligible choice scholarship student under 511 IAC 7-34-1, the
3 special education funds under IC 20-43-7 for that student will be
4 made available to the school corporation where the student
5 receives special education services.

6 ~~(a)~~ (b) Notwithstanding 511 IAC 7-34-1(d)(4), a public school is not
7 required to make available special education and related services to an
8 eligible choice scholarship student ~~who~~ **if the eligible choice**
9 **scholarship student** receives funds under section 4(2) of this chapter
10 **and the special education services are provided to the eligible**
11 **choice scholarship student by the eligible school. This subsection**
12 **may not be construed as a restriction or limitation on any of the**
13 **rights, benefits, and protections granted to an individual under the**
14 **federal Individuals with Disabilities Education Improvement Act**
15 **of 2004 (20 U.S.C. 1400 et seq.).**

16 ~~(b)~~ (c) A school corporation may not include an eligible choice
17 scholarship student who receives an amount under section 4(2) of this
18 chapter in the school corporation's count under IC 20-43-7.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 282, 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:

Page 2, line 18, delete ":" and insert ",".

Page 2, line 18, reset in roman "the maximum choice scholarship that the".

Page 2, reset in roman lines 19 through 20.

and when so amended that said bill do pass.

(Reference is to SB 282 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 4.

