IC 20-43
ARTICLE 43. STATE TUITION SUPPORT

IC 20-43-1
Chapter 1. General Provisions

IC 20-43-1-1
Expiration
Sec. 1. This article expires July 1, 2015.

IC 20-43-1-2
Application of definitions
Sec. 2. The definitions in this chapter apply throughout this article.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-3
"Honors diploma award"
Sec. 3. "Honors diploma award" refers to the amount determined under IC 20-43-10-2.

IC 20-43-1-4
"Adjusted ADM"
Sec. 4. "Adjusted ADM" refers to the amount determined under IC 20-43-4-7.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-5
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-1-6
"ADM"
Sec. 6. "ADM" refers to average daily membership determined under IC 20-43-4.

IC 20-43-1-7
"ADM of the previous year"
Sec. 7. "ADM of the previous year" means:
(1) for previous state fiscal years ending before July 1, 2013, the fall count of ADM;
(2) for previous state fiscal years ending after June 30, 2013, and before July 1, 2014, the average of the fall 2012 adjusted ADM count and the fall 2013 adjusted ADM count; and
(3) for previous state fiscal years ending after June 30, 2014, the average of the previous year's fall and spring adjusted ADM counts.


IC 20-43-1-7.5
"Attending"

Sec. 7.5. "Attending" means physical or virtual presence of a student with the expectation of continued services in the education programs for which the student is registered.

As added by P.L.205-2013, SEC.262.

IC 20-43-1-8
"Basic tuition support"

Sec. 8. "Basic tuition support" means the part of a school corporation's state tuition support for basic programs determined under IC 20-43-6-3.


IC 20-43-1-8.5
"Child find"

Sec. 8.5. (a) "Child find" means activities conducted by the school corporation to locate, identify, and evaluate all students at least three (3) years of age, but less than twenty-two (22) years of age, who are in need of special education and related services, regardless of the severity of their disabilities, including but not limited to students who attend a nonpublic school within the school corporation's boundaries.

(b) Notwithstanding the effective date in HEA 1341-2011, SECTION 1, this section takes effect July 1, 2011 (rather than January 1, 2011).


IC 20-43-1-9
"Complexity index"

Sec. 9. "Complexity index" refers to the complexity index determined under IC 20-43-5-3.

As added by P.L.2-2006, SEC.166.

IC 20-43-1-10
"Current ADM"

Sec. 10. "Current ADM" means:

(1) for distributions made under this article before July 1, 2013, the fall count of ADM for the school year ending in the calendar year; and
(2) for distributions made under this article after June 30, 2013, the:

(A) spring count of ADM for distributions in the months of January through June of the calendar year in which the spring count is taken; and

(B) fall count of ADM for distributions in the months of July through December of the calendar year in which the fall count is taken.

As added by P.L.2-2006, SEC.166. Amended by P.L.144-2012, SEC.3; P.L.205-2013, SEC.263.

IC 20-43-1-11
"Eligible pupil"
Sec. 11. "Eligible pupil" refers to an individual who qualifies as an eligible pupil under IC 20-43-4-1.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-11.5
"Enrolled"
Sec. 11.5. "Enrolled" means to be:

1. registered with a school corporation to attend educational programs offered by or through the school corporation; and

2. attending these educational programs or receiving educational services.
As added by P.L.205-2013, SEC.264.

IC 20-43-1-12
Repealed
(Repealed by P.L.229-2011, SEC.276.)

IC 20-43-1-12.3
"Fall count"
Sec. 12.3. "Fall count" refers to the first count of ADM in a school year under IC 20-43-4-3, as finally adjusted under IC 20-43-4-2.
As added by P.L.144-2012, SEC.4.

IC 20-43-1-13
"Foundation amount"
Sec. 13. "Foundation amount" refers to the amount determined under IC 20-43-5-4.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-14
"Full-time equivalency"
Sec. 14. "Full-time equivalency" refers to the amount determined under IC 20-43-4-6.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-15
Repealed
IC 20-43-1-16
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-1-17
Repealed
(Repealed by P.L.229-2011, SEC.276.)

IC 20-43-1-18
Repealed
(Repealed by P.L.205-2013, SEC.265.)

IC 20-43-1-18.5
"Parentally placed nonpublic school students with disabilities"

Sec. 18.5. (a) "Parentally placed nonpublic school students with disabilities" means students with disabilities who are enrolled by their parents in nonpublic schools or facilities, including religious schools or facilities, that are day schools or residential schools providing elementary or secondary education as determined under Indiana law. For students at least three (3) years of age and less than six (6) years of age, nonpublic schools are schools that meet the definition of an elementary school in 511 IAC 7-32-33.

(b) Notwithstanding the effective date in HEA 1341-2011, SECTION 2, this section takes effect July 1, 2011 (rather than January 1, 2011).


IC 20-43-1-19
"Previous year revenue"

Sec. 19. "Previous year revenue" refers to the amount determined under IC 20-43-3-4.

As added by P.L.2-2006, SEC.166.

IC 20-43-1-20
"Preceding year revenue foundation amount"

Sec. 20. "Previous year revenue foundation amount" refers to the amount determined under IC 20-43-5-5.

As added by P.L.2-2006, SEC.166.

IC 20-43-1-21
Repealed
(Repealed by P.L.205-2013, SEC.266.)

IC 20-43-1-21.5
IC 20-43-1-22
"Primetime program"
Sec. 22. "Primetime program" refers to the program established under IC 20-43-9-1.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-23
"School corporation"
Sec. 23. "School corporation" means the following:
   (1) Any local public school corporation established under Indiana law.
   (2) Except as otherwise indicated in this article, a charter school.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-24
"Special education grant"
Sec. 24. "Special education grant" refers to the amount determined under IC 20-43-7-6.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-24.5
"Spring count"
Sec. 24.5. "Spring count" refers to the second count of ADM in a school year under IC 20-43-4-3, as subsequently adjusted under IC 20-43-4-2.
As added by P.L.144-2012, SEC.5.

IC 20-43-1-25
"State tuition support"
Sec. 25. "State tuition support" means the amount of state funds to be distributed to:
   (1) a school corporation other than a virtual charter school in any state fiscal year under this article for all grants, distributions, and awards described in IC 20-43-2-3; and
   (2) a virtual charter school in any state fiscal year under IC 20-43-6-3.

IC 20-43-1-26
Repealed
(Repealed by P.L.234-2007, SEC.269.)

IC 20-43-1-27
(Repealed by P.L.182-2009(ss), SEC.466.)

IC 20-43-1-28
"Transition to foundation amount"
Sec. 28. "Transition to foundation amount" refers to the amount determined under IC 20-43-5-6.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-29
"Transition to foundation revenue"
Sec. 29. "Transition to foundation revenue" refers to the amount determined under IC 20-43-5-7.
As added by P.L.2-2006, SEC.166.

IC 20-43-1-29.3
Transition to foundation revenue per adjusted ADM
Sec. 29.3. "Transition to foundation revenue per adjusted ADM" refers to the amount determined under IC 20-43-5-9.

IC 20-43-1-30
Career and technical education grant
Sec. 30. "Career and technical education grant" refers to the amount determined under IC 20-43-8-9 as adjusted under IC 20-43-8-10.

IC 20-43-1-31
"Virtual charter school"
Sec. 31. "Virtual charter school" has the meaning set forth in IC 20-24-7-13.
As added by P.L.182-2009(ss), SEC.327.

IC 20-43-1-32
Repealed
(Repealed by P.L.229-2011, SEC.276.)
IC 20-43-2
Chapter 2. Maximum State Distribution

IC 20-43-2-1
Distribution schedule; reversions
Sec. 1. The department shall distribute the amount appropriated by
the general assembly for distribution as state tuition support in
accordance with this article. If the appropriations for distribution as
state tuition support are more than required under this article, any
excess shall revert to the state general fund. The appropriations for
state tuition support shall be made each state fiscal year under a
schedule set by the budget agency and approved by the governor.
However, the schedule must provide:
(1) for at least twelve (12) payments;
(2) that one (1) payment shall be made at least every forty (40)
days; and
(3) the total of the payments in each state fiscal year must equal
the amount required under this article.

As added by P.L.2-2006, SEC.166. Amended by P.L.146-2008,
SEC.481; P.L.205-2013, SEC.268.

IC 20-43-2-2
Maximum state distribution to school corporations
Sec. 2. The maximum state distribution for a state fiscal year for
all school corporations for the purposes described in section 3 of this
chapter is the amount appropriated by the general assembly for those
purposes for that state fiscal year.

As added by P.L.2-2006, SEC.166. Amended by P.L.162-2006,
SEC.42; P.L.234-2007, SEC.235; P.L.146-2008, SEC.482;
P.L.182-2009(ss), SEC.329; P.L.229-2011, SEC.204; P.L.205-2013,
SEC.269.

IC 20-43-2-3
Reduction in state tuition support
Sec. 3. If the total amount to be distributed:
(1) as basic tuition support;
(2) for honors diploma awards;
(3) for complexity grants;
(4) for special education grants;
(5) for career and technical education grants;
(6) for choice scholarships;
(7) for Mitch Daniels early graduation scholarships; and
(8) for full-day kindergarten grants;
for a particular state fiscal year exceeds the amounts appropriated by
the general assembly for those purposes for the state fiscal year, the
total amount to be distributed for those purposes to each recipient
during the remaining months of the state fiscal year shall be
proportionately reduced so that the total reductions equal the amount
of the excess.

As added by P.L.2-2006, SEC.166. Amended by P.L.162-2006,
IC 20-43-2-4
Calculation of reduction amount
Sec. 4. The amount of the reduction for a particular school corporation under section 3 of this chapter is equal to the total amount of the excess determined under section 3 of this chapter multiplied by a fraction. The numerator of the fraction is the amount of the distribution for state tuition support that the school corporation would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed for state tuition support to all school corporations if a reduction were not made under this section.
As added by P.L.2-2006, SEC.166.

IC 20-43-2-5
Year round school; adjusted distribution
Sec. 5. If a school corporation operates on a twelve (12) month school year program, as approved by the state superintendent, the distribution of state support for the program shall be made under an adjusted formula to be approved by the state superintendent. The adjustment formula shall grant to each school corporation operating an approved twelve (12) month school year an amount of money that must be on the same basis as the distribution for the regular support program, prorated per diem to reflect the extended school term.
As added by P.L.2-2006, SEC.166.

IC 20-43-2-6
Adult education; transfer to fund obligations
Sec. 6. (a) If money appropriated in a fiscal year by the general assembly for adult education is insufficient to fund the state adult education distribution formula provided in the rules adopted by the state board, the budget agency may transfer a sufficient amount of money from any excess in the state appropriation for state tuition support for the fiscal year to fund the state adult education distribution formula.
(b) Before the budget agency makes a transfer under this section, the budget agency shall refer the matter to the budget committee for an advisory recommendation.
As added by P.L.2-2006, SEC.166.

IC 20-43-2-7
Summer school education; transfer to fund obligations
Sec. 7. (a) If the money appropriated in a fiscal year by the general assembly for summer school education is insufficient to fund the state summer school distribution formula provided in the rules adopted by the state board to carry out IC 20-30-7-1, the budget agency may transfer a sufficient amount of money from any excess in the state
appropriation for state tuition support for the fiscal year to fund the state summer school distribution formula.

(b) Before the budget agency makes a transfer under this section, the budget agency shall refer the matter to the budget committee for an advisory recommendation.

As added by P.L.2-2006, SEC.166.

IC 20-43-2-7.5
Augmentation of the appropriation for state tuition support to offset reductions in distributions for basic tuition support; conditions; fund transfers

Sec. 7.5. (a) Before July 1 of each year, the budget agency, with the assistance of the department, shall estimate the amount of the distributions that will be made for choice scholarships for the following state fiscal year.

(b) In the state fiscal year beginning July 1, 2013, the budget agency may transfer money from the state tuition reserve fund to the state general fund if the budget director, after review by the budget committee, makes a determination that the amount of the distribution for that state fiscal year for basic tuition support has been reduced under section 3 of this chapter because the amount of the distributions for the state fiscal year for choice scholarships has exceeded the estimated amount of the distributions for choice scholarships for the state fiscal year, as determined under subsection (a). The maximum amount that may be transferred to the state general fund under this subsection for the state fiscal year may not exceed the lesser of:

(1) the amount of the reduction in basic tuition support distributions described in this subsection; or
(2) twenty-five million dollars ($25,000,000).

Any amounts transferred under this subsection shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to restore the distributions for basic tuition support that are reduced under section 3 of this chapter.

(c) In the state fiscal year beginning July 1, 2014, the budget agency may transfer money from the state tuition reserve fund to the state general fund if the budget director, after review by the budget committee, makes a determination that the amount of the distribution for that state fiscal year for basic tuition support has been reduced under section 3 of this chapter because the amount of the distributions for the state fiscal year for choice scholarships has exceeded the estimated amount of the distributions for choice scholarships for the state fiscal year, as determined under subsection (a). The maximum amount that may be transferred to the state general fund under this subsection for the state fiscal year may not exceed the lesser of:

(1) the amount of the reduction in basic tuition support distributions described in this subsection; or
(2) twenty-five million dollars ($25,000,000).
Any amounts transferred under this subsection shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to restore the distributions for basic tuition support that are reduced under section 3 of this chapter.

(d) Transfers under this section are in addition to any transfers made from the state tuition reserve fund under IC 4-12-1-15.7 or any other law.

(e) This section expires June 30, 2015.

As added by P.L.205-2013, SEC.271.

IC 20-43-2-8
State fiscal year distribution schedule; transition from calendar year schedule

Sec. 8. (a) Beginning July 1, 2013, distributions for basic tuition support, honors diploma awards, complexity grants, special education grants, career and technical education grants, choice scholarships, Mitch Daniels early graduation scholarships, and full-day kindergarten grants shall be made on a state fiscal year basis rather than a calendar year basis.

(b) The following is the intent of the general assembly:

(1) The distributions for basic tuition support, honors diploma awards, special education grants, career and technical education grants, choice scholarships, and Mitch Daniels early graduation scholarships that are provided for under this article (as this article exists on January 1, 2013) for calendar year 2013 shall be made only during the first six (6) months of calendar year 2013.

(2) Except as otherwise provided, the distributions for basic tuition support, honors diploma awards, complexity grants, special education grants, career and technical education grants, choice scholarships, Mitch Daniels early graduation scholarships, and full-day kindergarten grants that are provided for under this article (as this article exists on July 1, 2013) shall be made during the state fiscal year beginning July 1, 2013.

(3) IC 20-43-3-7 applies to the distributions made after June 30, 2013.

(c) The department shall make any adjustments required to carry out the change from distributions made on a calendar year basis to distributions made on a state fiscal year basis.

As added by P.L.205-2013, SEC.272.
IC 20-43-3
Chapter 3. General Computations; Amounts Used in State Tuition Support Calculations

IC 20-43-3-1
Rounding conventions
Sec. 1. If a computation under this article results in a fraction and a rounding rule is not specified, the fraction shall be rounded as follows:

1. All calculations related to the complexity index shall be computed by rounding to the nearest ten thousandth (0.0001).
2. All tuition support distributions shall be computed by rounding the levy or tuition support distribution to the nearest dollar ($1) amount.
3. The fraction calculated in IC 20-43-2-4 shall be computed by rounding to the nearest one millionth (0.000001).
4. If a calculation is not covered by subdivision (1), (2), or (3), the result of the calculation shall be rounded to the nearest one hundredth (0.01).


IC 20-43-3-2
Repealed
(Repealed by P.L.229-2011, SEC.276.)

IC 20-43-3-3
Repealed
(Repealed by P.L.1-2010, SEC.156.)

IC 20-43-3-4
Calculation; previous year revenue
Sec. 4. (a) This subsection applies to the determination of a school corporation's previous year's revenue for purposes of determining distributions under this article before July 1, 2013. A school corporation's previous year revenue equals the amount determined under STEP TWO of the following formula:

STEP ONE: Determine the school corporation's basic tuition support actually received for the year that precedes the current year.

STEP TWO: Subtract from the STEP ONE result an amount equal to the reduction in the school corporation's state tuition support under any combination of subsection (d) or IC 20-30-2-4.

(b) This subsection applies to the determination of a school corporation's previous year's revenue for purposes of determining distributions under this article after June 30, 2013, but before July 1, 2014. A school corporation's previous year revenue equals the amount determined under STEP THREE of the following formula:

STEP ONE: Determine the school corporation's basic tuition support...
support actually received for the state fiscal year that precedes the current state fiscal year.

STEP TWO: After making the following calculations, subtract the amount determined under clause (H) from the STEP ONE result:

(A) Subtract one (1) from the school corporation's 2012 complexity index.
(B) Multiply the clause (A) result by the school corporation's 2012 ADM.
(C) Multiply the clause (B) result by four thousand two hundred eighty dollars ($4,280).
(D) Subtract one (1) from the school corporation's 2013 complexity index.
(E) Multiply the clause (D) result by the school corporation's 2013 ADM.
(F) Multiply the clause (E) result by four thousand four hundred five dollars ($4,405).
(G) Determine the sum of the clause (C) and clause (F) results.
(H) Divide the clause (G) result by two (2).

STEP THREE: Subtract from the STEP TWO result an amount equal to the reduction in the school corporation's state tuition support under any combination of subsection (d) or IC 20-30-2-4.

(c) This subsection applies to the determination of a school corporation's previous year's revenue for purposes of determining distributions under this article after June 30, 2014. A school corporation's previous year revenue equals the amount determined under STEP TWO of the following formula:

STEP ONE: Determine the school corporation's basic tuition support actually received for the state fiscal year that immediately precedes the current state fiscal year.
STEP TWO: Subtract from the STEP ONE result an amount equal to the reduction in the school corporation's state tuition support under any combination of subsection (d) or IC 20-30-2-4.

(d) A school corporation's previous year revenue must be reduced if:

(1) the school corporation's state tuition support for special education or career and technical education is reduced as a result of a complaint being filed with the department after December 31, 1988, because the school program overstated the number of children enrolled in special education programs or career and technical education programs; and
(2) the school corporation's previous year revenue has not been reduced under this subsection more than one (1) time because of a given overstatement.

The amount of the reduction equals the amount the school corporation would have received in state tuition support for special education and career and technical education because of the
overstatement.


IC 20-43-3-5
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-3-6
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-3-7
Count adjustments and distribution adjustments

Sec. 7. (a) This section applies to distributions under this article that:

(1) are computed in any part based on a count of students under IC 20-43-4-2; and

(2) are made after June 30, 2013.

(b) If the state board subsequently adjusts under IC 20-43-4-2 a count used for a distribution under this article, the department shall adjust subsequent distributions to the school corporation that are affected by the adjusted count, on the schedule determined by the department, to reflect the differences between the distribution that the school corporation received and the distribution that the school corporation would have received if the adjusted count had been used.

As added by P.L.205-2013, SEC.274.
IC 20-43-4
Chapter 4. Determination of Pupil Enrollment; ADM; Adjusted ADM

IC 20-43-4-1
Determination; eligible pupils
Sec. 1. (a) An individual is an eligible pupil if the individual is a pupil enrolled in a school corporation and:
(1) the school corporation has the responsibility to educate the pupil in its public schools without the payment of tuition;
(2) subject to subdivision (5), the school corporation has the responsibility to pay transfer tuition under IC 20-26-11 because the pupil is:
   (A) transferred for education to another school corporation; or
   (B) placed in an out-of-state institution or facility by or with the consent of the department of child services;
(3) the pupil is enrolled in a school corporation as a transfer student under IC 20-26-11-6 or entitled to be counted for ADM purposes as a resident of the school corporation when attending its schools under any other applicable law or regulation;
(4) the state is responsible for the payment of transfer tuition to the school corporation for the pupil under IC 20-26-11; or
(5) all of the following apply:
   (A) The school corporation is a transferee corporation.
   (B) The pupil does not qualify as a qualified pupil in the transferee corporation under subdivision (3) or (4).
   (C) The transferee corporation's attendance area includes a state licensed private or public health care facility or child care facility where the pupil was placed:
      (i) by or with the consent of the department of child services;
      (ii) by a court order;
      (iii) by a child placing agency licensed by the department of child services;
      (iv) by a parent or guardian under IC 20-26-11-8; or
      (v) by or with the consent of the department under IC 20-35-6-2.

(b) For purposes of a career and technical education grant, an eligible pupil includes a student enrolled in a charter school.

IC 20-43-4-2
Determination of ADM; adjustments; estimates
Sec. 2. (a) A school corporation's ADM is the number of eligible pupils enrolled in:
(1) the school corporation; or
(2) a transferee corporation;
on the days fixed in September and in February by the state board for a count of students under section 3 of this chapter and as subsequently adjusted not later than the date specified under the rules adopted by the state board. The state board may adjust the school's count of eligible pupils if the state board determines that the count is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition the state board to make an adjusted count of students enrolled in the school corporation if the corporation has reason to believe that the count is unrepresentative of the school corporation's enrollment.

(b) Each school corporation shall in June of 2013 and in May of each year thereafter provide to the department an estimate of the school corporation's ADM that will result from the count of eligible pupils in the following September. The department may update and adjust the estimate as determined appropriate by the department.


IC 20-43-4-3
Fixing day to determine ADM

Sec. 3. (a) Subject to subsection (b), the state board shall make an ADM count of the eligible pupils enrolled in each school corporation two (2) times each school year, with one (1) count date occurring in each of the following periods:

(1) The fall count of ADM shall be made on a day during September fixed by the state board.
(2) The spring count of ADM shall be made on a day during February fixed by the state board.

(b) However, if extreme patterns of:

(1) student in-migration;
(2) illness;
(3) natural disaster; or
(4) other unusual conditions in a particular school corporation's enrollment;
on either a count day fixed by the state board or the subsequent adjustment date cause the enrollment to be unrepresentative of the school corporation's enrollment, the state board may designate another day for determining the school corporation's enrollment.


IC 20-43-4-4
Adjusted count; children with disabilities; count for purposes of the special education grant

Sec. 4. (a) The state board shall monitor changes that occur after the fall count of ADM in the number of students enrolled in programs for children with disabilities. The state board shall:

(1) before December 2 of that same year; and
(2) before April 2 of the following calendar year;
make an adjusted count of students enrolled in programs for children
with disabilities. The state superintendent shall certify the December adjusted count to the budget committee before February 5 of the following year and the April adjusted count not later than May 31 immediately after the date of the April adjusted count. The state board may adjust the school's count of students enrolled in programs for children with disabilities if the state board determines that the count is unrepresentative of the school corporation's enrollment.

(b) The department shall distribute special education grants under IC 20-43-7 using only the count specified in IC 20-43-7-1.


IC 20-43-4-4.6
Count for career and technical education grants

Sec. 4.6. IC 20-43-8-1 applies to a count of students for career and technical education grants.

As added by P.L.205-2013, SEC.277.

IC 20-43-4-5
Counting kindergarten pupils

Sec. 5. In determining ADM, each kindergarten pupil shall be counted as one-half (1/2) pupil. If a school corporation commences kindergarten in a school year, the ADM of the current and prior calendar years shall be adjusted to reflect the enrollment of the kindergarten pupils.

As added by P.L.2-2006, SEC.166.

IC 20-43-4-6
Determination; full-time equivalency basis

Sec. 6. (a) In determining ADM, each pupil enrolled in a public school and a nonpublic school is to be counted on a full-time equivalency basis if the pupil:

1) is enrolled in a public school and a nonpublic school;
2) has legal settlement in a school corporation; and
3) receives instructional services from the school corporation.

(b) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:
(A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by
(B) one hundred eighty (180).

STEP TWO: Determine the result of:
(A) the pupil's public school instructional time (as defined in IC 20-30-2-1); divided by
(B) the actual public school regular instructional day (as defined in IC 20-30-2-2).

STEP THREE: Determine the result of:
(A) the STEP ONE result; multiplied by
(B) the STEP TWO result.
STEP FOUR: Determine the lesser of one (1) or the result of:
(A) the STEP THREE result; multiplied by
(B) one and five hundredths (1.05).
However, the state board may, by rules adopted under IC 4-22-2,
specify an equivalent formula if the state board determines that the
equivalent formula would more accurately reflect the instructional
services provided by a school corporation during a period that a
particular ADM count is in effect for the school corporation.
As added by P.L.2-2006, SEC.166. Amended by P.L.234-2007,
SEC.239; P.L.205-2013, SEC.278.

IC 20-43-4-7
Adjusted ADM; minimum percentage of the February count
Sec. 7. For purposes of this article, a school corporation's
"adjusted ADM" for the current year is the school corporation's
current ADM. However, for purposes of determining the adjusted
ADM for distributions in the state fiscal year beginning July 1, 2013,
and in the state fiscal year beginning July 1, 2014, the school
corporation's February count of ADM may not be less than ninety
percent (90%) of the school corporation's September count of ADM,
regardless of the actual amount of the February count of ADM.
As added by P.L.2-2006, SEC.166. Amended by P.L.234-2007,
SEC.240; P.L.182-2009(ss), SEC.332; P.L.229-2011, SEC.207;
P.L.205-2013, SEC.279.

IC 20-43-4-8
Treatment of postsecondary enrollment opportunity programs
Sec. 8. A student who participates in a postsecondary enrollment
opportunity under IC 21-43-4 is considered a student enrolled in the
school corporation where the student has legal settlement for the
purposes of computing ADM.
As added by P.L.2-2007, SEC.241. Amended by P.L.234-2007,
SEC.63; P.L.125-2013, SEC.2.

IC 20-43-4-9
Calculation of state tuition support distributions based on current
ADM; adjusted ADM counts; payment reconciliation
Sec. 9. (a) This subsection applies to the calculation of state tuition
support distributions that are:
(1) made before July 1, 2013; and
(2) based on the current ADM of a school corporation.
The fall count of ADM for the school year ending June 30, 2013, as
adjusted by the state board under section 2 of this chapter, shall be
used to compute state tuition support distributions.
(b) Subject to subsection (c), this subsection applies to the
calculation of state tuition support distributions that are:
(1) made after June 30, 2013; and
(2) based on the current ADM of a school corporation.
The fall count of ADM, as adjusted by the state board under section
2 of this chapter, shall be used to compute state tuition support
distributions made in the first six (6) months of the current state fiscal year, and the spring count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the second six (6) months of the state fiscal year.

(c) If the state board adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of state tuition support resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency.

As added by P.L.205-2013, SEC.280.
IC 20-43-5
Chapter 5. Determination of Complexity Index and Transition to Foundation Revenue Per ADM

IC 20-43-5-1
Transition to foundation revenue per adjusted ADM
Sec. 1. A school corporation's transition to foundation revenue per adjusted ADM for a state fiscal year is the amount determined under section 9 of this chapter.

IC 20-43-5-2
Components of transition to foundation revenue per adjusted ADM
Sec. 2. The following amounts must be determined under this chapter to calculate a school corporation's transition to foundation revenue per adjusted ADM for a state fiscal year:
(1) The school corporation's complexity index for the state fiscal year under section 3 of this chapter.
(2) The school corporation's foundation amount for the state fiscal year under section 4 of this chapter.
(3) The school corporation's previous year revenue foundation amount for the state fiscal year under section 5 of this chapter.
(4) The school corporation's transition to foundation amount for the state fiscal year under section 6 of this chapter.
(5) The school corporation's transition to foundation revenue for the state fiscal year under section 7 of this chapter.

IC 20-43-5-3
Calculation; complexity index
Sec. 3. A school corporation's complexity index is determined under the following formula:
STEP ONE: Determine the greater of zero (0) or the result of the following:
(1) Determine the percentage of the school corporation's students who were eligible for free or reduced price lunches in the school year ending in the later of:
(A) 2011 for the purposes of determining the complexity index in 2012 and 2013; or
(B) the first year of operation of the school corporation.
(2) Determine the quotient of:
(A) in 2012:
   (i) two thousand one hundred twenty-nine dollars ($2,129); divided by
   (ii) four thousand two hundred eighty dollars ($4,280); and
(B) in 2013:
   (i) two thousand one hundred ninety dollars ($2,190);
divided by
   (ii) four thousand four hundred five dollars ($4,405).

(3) Determine the product of:
   (A) the subdivision (1) amount; multiplied by
   (B) the subdivision (2) amount.

STEP TWO: Determine the result of one (1) plus the STEP ONE result.

STEP THREE: This STEP applies if the STEP TWO result in 2012 is equal to or greater than at least one and twenty-eight hundredths (1.28) and applies if the STEP TWO result in 2013 is at least one and thirty-one hundredths (1.31). Determine the result of the following:
   (1) In 2012, subtract one and twenty-eight hundredths (1.28) and in 2013, subtract one and thirty-one hundredths (1.31) from the STEP TWO result.
   (2) Determine the result of:
       (A) the STEP TWO result; plus
       (B) the subdivision (1) result.

The data to be used in making the calculations under STEP ONE must be the data collected in the annual pupil enrollment count by the department.


IC 20-43-5-4
Calculation; foundation amount

Sec. 4. A school corporation's foundation amount is the STEP ONE amount (for a state fiscal year beginning after June 30, 2013) or the STEP THREE amount (for the first six (6) months of 2013) determined as follows:

   STEP ONE: The STEP ONE amount is as follows:
      (A) In the first six (6) months of 2013, four thousand four hundred five dollars ($4,405).
      (B) In the state fiscal year beginning July 1, 2013, four thousand five hundred sixty-nine dollars ($4,569).
      (C) In the state fiscal year beginning July 1, 2014, four thousand five hundred eighty-seven dollars ($4,587).

   STEP TWO: For the first six (6) months of 2013, multiply the STEP ONE amount by the school corporation's complexity index.

   STEP THREE: For the first six (6) months of 2013, determine the sum of the STEP TWO amount and the following:
      (A) Zero dollars ($0), if the school corporation's current ADM is less than five hundred (500).
      (B) One hundred fifty dollars ($150), if the school corporation's current ADM is at least five hundred (500) and is not more than one thousand (1,000).
      (C) The result of one hundred fifty thousand dollars ($150,000) divided by the school corporation's current ADM,
if the school corporation's current ADM is more than one thousand (1,000).


IC 20-43-5-5
Calculation; previous year foundation amount

Sec. 5. A school corporation's previous year revenue foundation amount for a state fiscal year is equal to the result of:

1) the school corporation's previous year revenue; divided by
2) the school corporation's ADM of the previous year.


IC 20-43-5-6
Calculation; transition to foundation amount

Sec. 6. (a) A school corporation's transition to foundation amount for a state fiscal year is equal to the result determined under STEP TWO of the following formula:

STEP ONE: Determine the difference of:
(A) the school corporation's foundation amount; minus
(B) the school corporation's previous year revenue foundation amount.

STEP TWO: A school corporation's STEP TWO amount is the following:
(A) For a charter school located outside Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP TWO amount is the quotient of:
   (i) the school corporation's transition to foundation revenue for the state fiscal year where the charter school is located; divided by
   (ii) the school corporation's current ADM.
(B) For a charter school located in Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP TWO amount is the weighted average of the transition to foundation revenue for the school corporations where the students counted in the current ADM of the charter school have legal settlement, as determined under item (iv) of the following formula:
   (i) Determine the transition to foundation revenue for each school corporation where a student counted in the current ADM of the charter school has legal settlement.
   (ii) For each school corporation identified in item (i), divide the item (i) amount by the school corporation's current ADM.
   (iii) For each school corporation identified in item (i), multiply the item (ii) amount by the number of students counted in the current ADM of the charter school that have legal settlement in the particular school corporation.
(iv) Determine the sum of the item (iii) amounts for the charter school.

(C) The STEP TWO amount for a school corporation that is not a charter school described in clause (A) or (B) is the following:

(i) The school corporation's foundation amount for the state fiscal year if the STEP ONE amount is zero (0) or greater.

(ii) The amount determined under subsection (b), if the school corporation's STEP ONE amount is less than zero (0).

(b) For the purposes of STEP TWO (C)(ii) in subsection (a), determine the result of:

(1) the result determined for the school corporation under STEP ONE (B) of subsection (a); minus

(2) the result of:

(A) the absolute value of the STEP ONE amount; divided by

(B) the following:

(i) Five (5) in the state fiscal year beginning July 1, 2013.

(ii) Four (4) in the state fiscal year beginning July 1, 2014.


IC 20-43-5-7
Calculation; transition to foundation revenue

Sec. 7. A school corporation's transition to foundation revenue for a state fiscal year is equal to the product of:

(1) the school corporation's transition to foundation amount for the state fiscal year; multiplied by

(2) the school corporation's current ADM.


IC 20-43-5-8
Repealed

(Repealed by P.L.234-2007, SEC.269.)

IC 20-43-5-9
Calculation; transition to foundation revenue per adjusted ADM

Sec. 9. A school corporation's transition to foundation revenue per adjusted ADM for a state fiscal year is the quotient of:

(1) the school corporation's transition to foundation revenue for the state fiscal year; divided by

(2) the school corporation's current adjusted ADM.

IC 20-43-6
Chapter 6. Calculation of Basic Tuition Support Distribution

IC 20-43-6-1
Basic tuition support; subject to the amount appropriated
Sec. 1. Subject to the amount appropriated by the general assembly for state tuition support and IC 20-43-2, the amount that a school corporation is entitled to receive in basic tuition support for a state fiscal year is the amount determined in section 3 of this chapter. 

IC 20-43-6-2
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-6-3
Calculation; basic tuition support
Sec. 3. (a) A school corporation's basic tuition support for a state fiscal year is the amount determined under the applicable provision of this section.
(b) The school corporation's basic tuition support for a state fiscal year is equal to the school corporation's transition to foundation revenue for the year.
(c) This subsection applies to students of a virtual charter school. A virtual charter school's basic tuition support for a state fiscal year for those students is the amount determined under IC 20-24-7-13.

IC 20-43-6-4
Repealed
(Repealed by P.L.146-2008, SEC.807.)

IC 20-43-6-5
Repealed
(Repealed by P.L.182-2009(ss), SEC.466.)

IC 20-43-6-6
Repealed
(Repealed by P.L.146-2008, SEC.807.)
IC 20-43-7
Chapter 7. Special Education Grants

IC 20-43-7-0.5
Application; exception
Sec. 0.5. This chapter applies to a virtual charter school.
As added by P.L.229-2011, SEC.213.

IC 20-43-7-1
Special education grants; counts; additional grant distributions; grant reductions
Sec. 1. (a) In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for special education programs for the state fiscal year. Subject to subsections (b) and (c), the amount of the special education grant is based on the count of eligible pupils enrolled in special education programs on December 1 of the preceding state fiscal year in:
(1) the school corporation; or
(2) a transferee corporation.
(b) Before February 1 of each calendar year, the department shall determine the result of:
(1) the total amount of the special education grant that would have been received by the school corporation during the months of July, August, September, October, November, and December of the preceding calendar year and January of the current calendar year if the grant had been based on the count of students with disabilities that was made on the immediately preceding December 1; minus
(2) the total amount of the special education grant received by the school corporation during the months of July, August, September, October, November, and December of the preceding calendar year and January of the current calendar year.
If the result determined under this subsection is positive, the school corporation shall receive an additional special education grant distribution in February equal to the result determined under this subsection. If the result determined under this subsection is negative, the special education grant distributions that otherwise would be received by the school corporation in February, March, April, and May shall be proportionately reduced so that the total reduction is equal to the result determined under this subsection.
(c) The special education grant distributions made in February, March, April, May, and June of a calendar year shall be based on the count of students with disabilities that was made on the immediately preceding December 1.

IC 20-43-7-2
Severe disability categories
Sec. 2. (a) In a school corporation's nonduplicated count of pupils in programs for severe disabilities, the school corporation shall count each pupil served in any one (1) of the following programs:

1. Autism.
2. Dual sensory impairment.
3. Emotional handicap, full time.
4. Hearing impairment.
5. Severe mental handicap.
6. Multiple handicap.
7. Orthopedic impairment.
8. Traumatic brain injury.

(b) A pupil may be counted in only one (1) of the programs in this section even if the pupil is served in more than one (1) program.

(c) A pupil may not be included in the nonduplicated count in this section and in the nonduplicated count of pupils in programs for mild or moderate disabilities in section 3 of this chapter.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-3
Mild and moderate disability program categories
Sec. 3. (a) In a school corporation's nonduplicated count of pupils in programs for mild and moderate disabilities, the school corporation shall count each pupil served in any one (1) of the following programs:

1. Emotional handicap, all other.
2. Learning disability.
3. Mild mental handicap.
4. Moderate mental handicap.
5. Other health impairment.

(b) A pupil may be counted in only one (1) of the programs in this section even if the pupil is served in more than one (1) program.

(c) A pupil may not be included in the nonduplicated count in this section and in the nonduplicated count of pupils in programs for severe disabilities in section 2 of this chapter.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-4
Communication disorder program categories
Sec. 4. In a school corporation's duplicated count of pupils in programs for communication disorders, the school corporation shall count each pupil served, even if the pupil is served in another special education program.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-5
Homebound program category
Sec. 5. (a) In a school corporation's cumulative count of pupils in homebound programs, a school corporation shall count each pupil who received homebound instruction up to and including December
1 of the current year plus each pupil who received homebound instruction after December 1 of the prior school year.

(b) A school corporation may include a pupil in the school corporation's cumulative count of pupils in homebound programs even if the pupil also is included in the school corporation's:
   (1) nonduplicated count of pupils in programs for severe disabilities;
   (2) nonduplicated count of pupils in programs for mild and moderate disabilities; or
   (3) duplicated count of pupils in programs for communication disorders.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-6
Calculation; grant amount

Sec. 6. A school corporation's special education grant for a state fiscal year is equal to the sum of the following:
   (1) The nonduplicated count of pupils in programs for severe disabilities multiplied by eight thousand three hundred fifty dollars ($8,350).
   (2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by two thousand two hundred sixty-five dollars ($2,265).
   (3) The duplicated count of pupils in programs for communication disorders multiplied by five hundred thirty-three dollars ($533).
   (4) The cumulative count of pupils in homebound programs multiplied by five hundred thirty-three dollars ($533).
   (5) The nonduplicated count of pupils in special preschool education programs multiplied by two thousand seven hundred fifty dollars ($2,750).


IC 20-43-7-7
Modification of full-time equivalency requirement

Sec. 7. Participation in a program is not required to the extent of full-time equivalency. The state board shall adopt rules that define the:
   (1) nature and extent of participation; and
   (2) type of program qualifying for approval.
A count may not be made on any program that has not been approved by the state board or to the extent that a pupil is not participating to the extent required by any rule of the state board.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-8
Classification of new programs

Sec. 8. If a new special education program is created by rule of the state board or by the United States Department of Education, the state
board shall determine whether the program shall be included in the list of programs for:
   (1) severe disabilities; or
   (2) mild and moderate disabilities.

As added by P.L.2-2006, SEC.166.

IC 20-43-7-9
Special education grants; use for students in nonpublic schools

   Revisor's Note: IC 20-43-7-9(f), as amended by P.L.229-2011, SEC.214, states that IC 20-43-7-9 takes effect July 1, 2011 (rather than January 1, 2011.)

Sec. 9. (a) This section does not apply to a charter school.
   (b) Each calendar year, a school corporation shall expend part of the school corporation's state special education grant on the provision of special education and related services to parentally placed nonpublic school students with disabilities. The school corporation shall, at a minimum, expend an amount from the state special education grant equal to the amount attributable to the number of parentally placed nonpublic school students with disabilities included in the school corporation's count conducted under section 1 of this chapter.
   (c) In determining compliance with this section, a school corporation may include state special education grant expenditures on the following:
      (1) Activities and services for which the school corporation may expend federal grants under Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).
      (2) Child find activities, including the cost of initial educational evaluations and reevaluations.
   (d) A school corporation shall maintain sufficient and accurate records to demonstrate compliance with this section.
   (e) The state board shall adopt rules to implement this section, including, but not limited to, annual reporting requirements, monitoring, and consequences for noncompliance. The consequences may include requiring expenditure of additional state funds in a subsequent year if the school fails to expend the requisite amount in a prior year that occurs after June 30, 2011.
   (f) Notwithstanding the effective date in HEA 1341-2011, SECTION 3, this section takes effect July 1, 2011 (rather than January 1, 2011).

IC 20-43-8
Chapter 8. Career and Technical Education Grants

IC 20-43-8-0.5
Repealed
(Repealed by P.L.205-2013, SEC.292.)

IC 20-43-8-1
Date for determination of enrollment
Sec. 1. Pupil enrollment under this chapter shall be determined at the same time that a school corporation's fall count of ADM is determined.
As added by P.L.2-2006, SEC.166. Amended by P.L.205-2013, SEC.293.

IC 20-43-8-2
Labor market demand report; average wage level report; department of workforce development
Sec. 2. (a) Before December 1 of each year, the department of workforce development shall provide the department with a report, to be used to determine career and technical education grant amounts in the state fiscal year beginning after the year in which the report is provided, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department of workforce development shall categorize each of the career and technical education programs using the following four (4) categories:
(1) Programs that address employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals.
(2) Programs that address employment demand for individuals in labor market categories that are projected to need a moderate number of individuals.
(3) Programs that address employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals.
(4) All programs not covered by the employment demand categories of subdivisions (1) through (3).
(b) Before December 1 of each year, the department of workforce development shall provide the department with a report, to be used to determine grant amounts that will be distributed under this chapter in the state fiscal year beginning after the year in which the report is provided, listing whether the average wage level for each generally recognized labor category for which career and technical education programs are offered is a high wage, a moderate wage, or a less than moderate wage.
(c) In preparing the labor market demand report under subsection (a) and the average wage level report under subsection (b), the department of workforce development shall, if possible, list the labor market demand and the average wage level for specific regions,
counties, and municipalities.

(d) If a new career and technical education program is created by rule of the state board, the department of workforce development shall determine the category in which the program should be included.


IC 20-43-8-3
Modification of full-time equivalency requirement

Sec. 3. (a) Participation in a program is not required to the extent of full-time equivalency.

(b) The state board shall adopt rules that further define the nature and extent of participation and the type of program qualifying for approval.

(c) A count may not be made on any program that has not been approved by the state board or to the extent that a pupil is not participating to the extent required by any rule of the state board.

As added by P.L.2-2006, SEC.166.

IC 20-43-8-4
Eligibility; additional grant

Sec. 4. In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for career and technical education programs.


IC 20-43-8-5
Enrollment count; programs addressing greater than moderate labor demand

Sec. 5. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals, the school corporation shall count each pupil enrolled in each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is moderate or less than moderate.

As added by P.L.2-2006, SEC.166.

IC 20-43-8-6
Enrollment count; programs addressing moderate labor demand

Sec. 6. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need a moderate number of individuals, the school corporation shall count each pupil enrolled in
each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is more than or less than moderate.

As added by P.L.2-2006, SEC.166.

IC 20-43-8-7

Enrollment count; programs addressing less than moderate labor demand

Sec. 7. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals, the school corporation shall count each pupil enrolled in each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is more than moderate or moderate.

As added by P.L.2-2006, SEC.166.

IC 20-43-8-8

Count; apprenticeship; cooperative education; other programs

Sec. 8. (a) A school corporation shall count each pupil enrolled in:

1. each apprenticeship program;
2. each cooperative education program; and
3. any program not covered by sections 5 through 7 of this chapter.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is more than moderate, moderate, or less than moderate.

As added by P.L.2-2006, SEC.166.

IC 20-43-8-9

Calculation; grant amount

Sec. 9. A school corporation's career and technical education grant for a state fiscal year is the sum of the following amounts:

STEP ONE: For each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (either one (1) credit, two (2) credits, or three (3) credits); multiplied by
(B) the number of students enrolled in the program;
multiplied by
(C) the following applicable amount:
(i) Four hundred fifty dollars ($450), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a high wage.
(ii) Three hundred seventy-five dollars ($375), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a moderate wage.
(iii) Three hundred dollars ($300), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a less than moderate wage.
(iv) Three hundred seventy-five dollars ($375), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a high wage.
(v) Three hundred dollars ($300), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a moderate wage.
(vi) Two hundred twenty-five dollars ($225), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a less than moderate wage.
(vii) Three hundred dollars ($300), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a high wage.
(viii) Two hundred twenty-five dollars ($225), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a moderate wage.
(ix) One hundred fifty dollars ($150), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level determined under section 2(b) of this chapter is a less than moderate wage.

STEP TWO: The number of pupils described in section 8 of this chapter (all other programs) multiplied by two hundred fifty dollars ($250).
STEP THREE: The number of pupils participating in a career
and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).


IC 20-43-8-10
Appeal; classification of regional labor demand

Sec. 10. If a school corporation determines that the categories of career and technical education programs issued by the department of workforce development under section 2 of this chapter are not representative of the employment demand in the region surrounding the school corporation, the school corporation may petition the department of workforce development to recategorize for the school corporation the career and technical education programs offered by the school corporation according to the employment demand in the region surrounding the school corporation. The petition must include information supporting the school corporation's determination that the categories of career and technical education programs by the department of workforce development under section 2 of this chapter are not representative of the employment demand in the region surrounding the school corporation.

IC 20-43-9
Chapter 9. Primetime Program

IC 20-43-9-0.3
Status of rules relating to primetime program adopted before January 1, 1994
Sec. 0.3. A rule adopted by the state board before January 1, 1994, concerning the primetime program under IC 21-1-29 (before its repeal by P.L.278-1993(ss), SECTION 16), after December 31, 1993, is valid, effective, and considered to be a rule of the state board concerning the primetime program under IC 21-1-30 (as added by P.L.38-1994 and before its repeal, now codified at IC 20-43-9), until the state board adopts a rule under IC 4-22-2 that:
(1) supersedes in whole or in part the rule adopted under IC 21-1-29; or
(2) repeals the rule adopted under IC 21-1-29.
As added by P.L.220-2011, SEC.338.

IC 20-43-9-0.5
Application; exception
Sec. 0.5. This chapter does not apply to a virtual charter school.
As added by P.L.229-2011, SEC.216.

IC 20-43-9-1
Purpose
Sec. 1. The primetime program is established to provide money to encourage school corporations to lower the pupil/teacher ratio in kindergarten through grade 3.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-2
Restriction of use of grant
Sec. 2. The amount received under this chapter shall be devoted to reducing class size in kindergarten through grade 3.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-3
Administration
Sec. 3. The primetime program shall be administered by the state board.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-4
Staff cost; guaranteed primetime amount; count; licensed teachers; instructional aides
Sec. 4. For purposes of computation under this chapter, the following shall be used:
(1) The staff cost amount for a school corporation is seventy-four thousand five hundred dollars ($74,500).
(2) The guaranteed primetime amount for a school corporation
is the primetime allocation, before any penalty is assessed under this chapter, that the school corporation would have received under this chapter for the 1999 calendar year or the first year of participation in the program, whichever is later.

3) The following apply to determine whether amounts received under this chapter have been devoted to reducing class size in kindergarten through grade 3 as required by section 2 of this chapter:

   (A) Except as permitted under section 8 of this chapter, only a licensed teacher who is an actual classroom teacher in a regular instructional program is counted as a teacher.

   (B) If a school corporation is granted approval under section 8 of this chapter, the school corporation may include as one-third (1/3) of a teacher each classroom instructional aide who meets qualifications and performs duties prescribed by the state board.


IC 20-43-9-5
Eligibility; implementation of primetime program
Sec. 5. In order to receive a distribution under this chapter, a school corporation must implement the primetime program in the following order:

   (1) Grade 1.

   (2) Grade 2.

   (3) Grade 3 or kindergarten.

   (4) The grade not chosen under subdivision (3).

As added by P.L.2-2006, SEC.166.

IC 20-43-9-6
Repealed
(Repealed by P.L.205-2013, SEC.296.)

IC 20-43-9-7
Repealed
(Repealed by P.L.286-2013, SEC.127.)

IC 20-43-9-8
Conditions; counting instructional aides
Sec. 8. (a) The state board shall approve the counting of classroom instructional aides as teachers under this chapter if the school corporation can substantiate each year that providing adequate classroom space for the attainment of the school corporation's target pupil/teacher ratio creates an unreasonable hardship for that school corporation.

   (b) If a school corporation qualifies under subsection (a) for classroom instructional aides, the school corporation shall present to the state board a plan concerning that school corporation's instructional aides program.
IC 20-43-9-9
Application
Sec. 9. School corporations shall apply for money under this chapter:
   (1) on a form prescribed; and
   (2) on or before the date designated;
by the state board.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-10
Evaluation of program
Sec. 10. The state board shall evaluate the effectiveness of the primetime program and shall monitor compliance by school corporations with this chapter.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-11
Rules
Sec. 11. The state board shall adopt rules under IC 4-22-2 to implement this chapter.
As added by P.L.2-2006, SEC.166.

IC 20-43-9-12
Repealed
(Repealed by P.L.205-2013, SEC.297.)
IC 20-43-10
Chapter 10. Other Tuition Support Grants

IC 20-43-10-0.5
Repealed
(Repealed by P.L.205-2013, SEC.298.)

IC 20-43-10-1
Additional grants
Sec. 1. In addition to a basic tuition support distribution, a school corporation is eligible for the grants provided under this chapter.
As added by P.L.2-2006, SEC.166.

IC 20-43-10-2
Determination of honors diploma award
Sec. 2. (a) A school corporation's honors diploma award for a state fiscal year is the amount determined under STEP FOUR of the following formula:

STEP ONE: Determine the number of the school corporation's eligible pupils who successfully completed an academic honors diploma program in the school year ending in the previous state fiscal year.

STEP TWO: Determine the result of:
(A) the number of the school corporation's eligible pupils who successfully completed a Core 40 diploma with technical honors program in the school year ending in the previous state fiscal year; minus
(B) the number of eligible pupils who would otherwise be double counted under both clause (A) and STEP ONE.

STEP THREE: Determine the sum of the number of eligible students determined under STEP ONE and the number of eligible students determined under STEP TWO.

STEP FOUR: Multiply the STEP THREE amount by one thousand dollars ($1,000).

(b) An amount received by a school corporation as an honors diploma award may be used only for:

(1) any:
(A) staff training;
(B) program development;
(C) equipment and supply expenditures; or
(D) other expenses;
directly related to the school corporation's honors diploma program; and

(2) the school corporation's program for high ability students.

(c) A governing body that does not comply with this section for a school year is not eligible to receive an honors diploma award for the following school year.
IC 20-43-10-3
Determination of annual performance grant

Sec. 3. (a) As used in this section, "achievement test" means a:
   (1) test required by the ISTEP program; or
   (2) Core 40 end of course assessment for the following:
      (A) Algebra I.
      (B) English 10.
      (C) Biology I.

   (b) As used in this section, "graduation rate" means the percentage graduation rate for a high school in a school corporation as determined under IC 20-26-13-10 but adjusted to reflect the pupils who meet the requirements of graduation under subsection (d).

   (c) As used in this section, "test" means either:
      (1) a test required by the ISTEP program; or
      (2) a Core 40 end of course assessment;

   in the school year ending in the immediately preceding state fiscal year or, for purposes of a school year to school year comparison, in the school year immediately preceding that school year.

   (d) A pupil meets the requirements of graduation for purposes of this section if the pupil successfully completed:
      (1) a sufficient number of academic credits, or the equivalent of academic credits; and
      (2) the graduation examination required under IC 20-32-3 through IC 20-32-6;

   that resulted in the awarding of a high school diploma or an academic honors diploma to the pupil for the school year ending in the immediately preceding state fiscal year.

   (e) Determinations for a school for a state fiscal year must be made using:
      (1) the count of tests passed compared to the count of tests taken throughout the school;
      (2) the graduation rate in the high school; and
      (3) the count of pupils graduating in the high school.

   (f) In determining grants under this section, a school corporation may qualify for the following each year:
      (1) One (1) grant under subsection (h), (i), or (j).
      (2) One (1) grant under subsection (k), (l), or (m).

   (g) The sum of the grant amounts determined for a school corporation under this section constitutes an annual performance grant that is in addition to state tuition support. The annual performance grant for a state fiscal year shall be distributed to the school corporation before December 5 of that state fiscal year. The performance grant received by a school corporation may be used only to pay cash awards to teachers who are rated as effective or as highly effective.

   (h) A school qualifies for a grant under this subsection if the school has more than seventy-two and five-tenths percent (72.5%) but less than ninety percent (90%) of the tests taken in the school year ending in the immediately preceding state fiscal year that receive passing scores. The grant amount for the state fiscal year is:
(1) the count of the school's passing scores on tests in the school year ending in the immediately preceding state fiscal year; multiplied by  
(2) twenty-three dollars and fifty cents ($23.50).

(i) A school qualifies for a grant under this subsection if the school has at least ninety percent (90%) of the tests taken in the school year ending in the immediately preceding state fiscal year that receive passing scores. The grant amount for the state fiscal year is:  
(1) the count of the school's passing scores on tests in the school year ending in the immediately preceding state fiscal year; multiplied by  
(2) forty-seven dollars ($47).

(j) This subsection does not apply to a school corporation in its first year of operation. A school qualifies for a grant under this subsection if the school's school year over school year percentage growth rate of achievement tests receiving passing scores was at least five percent (5%), comparing the school year ending in the immediately preceding state fiscal year to the school year immediately preceding that school year. The grant amount for the state fiscal year is:  
(1) the count of the school corporation's pupils who had a passing score on their achievement test in the school year ending in the immediately preceding state fiscal year; multiplied by  
(2) forty-seven dollars ($47).

(k) A school qualifies for a grant under this subsection if the school had a graduation rate of ninety percent (90%) or more for the school year ending in the immediately preceding state fiscal year. The grant amount for the state fiscal year is:  
(1) the count of the school corporation's pupils who met the requirements for graduation for the school year ending in the immediately preceding state fiscal year; multiplied by  
(2) one hundred seventy-six dollars ($176).

(l) A school qualifies for a grant under this subsection if the school had a graduation rate greater than seventy-five percent (75%) but less than ninety percent (90%) for the school year ending in the immediately preceding state fiscal year. The grant amount for the state fiscal year is:  
(1) the count of the school corporation's pupils who met the requirements for graduation for the school year ending in the immediately preceding state fiscal year; multiplied by  
(2) eighty-eight dollars ($88).

(m) This subsection does not apply to a school in its first year of operation. A school qualifies for a grant under this subsection if the school's school year over school year percentage growth in its graduation rate is at least five percent (5%), comparing the graduation rate for the school year ending in the immediately preceding state fiscal year to the graduation rate for the school year immediately preceding that school year. The grant amount for the state fiscal year is:
(1) the count of the school corporation's pupils who met the requirements for graduation in
the school year ending in the immediately preceding state fiscal year; multiplied by
(2) one hundred seventy-six dollars ($176).

(n) This section expires June 30, 2015.

*As added by P.L.205-2013, SEC.300.*
IC 20-43-11.5
Repealed
(Repealed by P.L.182-2009(ss), SEC.464.)
IC 20-43-12
Repealed
(Repealed by P.L.229-2011, SEC.276.)
IC 20-43-12.2
Repealed
(Repealed by P.L.229-2011, SEC.276.)
IC 20-43-13
Chapter 13. Complexity Grants

IC 20-43-13-1
Applicability
Sec. 1. This chapter applies to all school corporations, including virtual charter schools.
As added by P.L.205-2013, SEC.301.

IC 20-43-13-2
Determination of grant amount for 2013-2014
Sec. 2. The total amount to be distributed under this chapter to a school corporation or charter school for the state fiscal year beginning July 1, 2013, is the amount determined in STEP FOUR or STEP SIX (whichever is applicable) of the following formula:

STEP ONE: Determine the greater of zero (0) or the result determined under clause (B) after making the following determinations:
(A) Determine the percentage of the school corporation's students who were eligible for free or reduced price lunches in the school year ending in the later of:
   (i) 2013; or
   (ii) the first year of operation of the school corporation.
   For a conversion charter school, the percentage determined under this clause is the percentage of the sponsor school corporation.
(B) Determine the quotient of:
   (i) the percentage determined under clause (A); divided by
   (ii) two (2).

STEP TWO: This STEP applies if the result determined under clause (B) of STEP ONE is greater than thirty-three hundredths (0.33). Determine the result of the following:
(A) Subtract thirty-three hundredths (0.33) from the result determined under clause (B) of STEP ONE.
(B) Determine the sum of:
   (i) the result determined under clause (B) of STEP ONE; plus
   (ii) the clause (A) result.

STEP THREE: This STEP applies if STEP TWO applies. Determine the product of:
(A) the STEP TWO result; multiplied by
(B) the school corporation's foundation amount for the state fiscal year.

STEP FOUR: This STEP applies if STEP TWO applies. Determine the product of:
(A) the STEP THREE result; multiplied by
(B) the school corporation's current ADM.

STEP FIVE: This STEP applies if the result determined under clause (B) of STEP ONE is less than or equal to thirty-three hundredths (0.33). Determine the product of:
(A) the result determined under clause (B) of STEP ONE; multiplied by
(B) the school corporation's foundation amount for the state fiscal year.

STEP SIX: This STEP applies if STEP FIVE applies. Determine the product of:
(A) the STEP FIVE result; multiplied by
(B) the school corporation's current ADM.

As added by P.L.205-2013, SEC.301.

IC 20-43-13-3
Determination of grant amount for 2014-2015

Sec. 3. The total amount to be distributed under this chapter to a school corporation or charter school for the state fiscal year beginning July 1, 2014, is the amount determined in STEP FOUR or STEP SIX (whichever is applicable) of the following formula:

STEP ONE: Determine the greater of zero (0) or the result determined under clause (B) after making the following determinations:
(A) Determine the percentage of the school corporation's students who were receiving financial assistance under IC 20-33-5 (or, in the case of a school corporation described in IC 20-33-5-7.5(a), the percentage of the school corporation's students who were eligible to receive financial assistance under IC 20-33-5, as estimated and reported under IC 20-33-5-7.5(a)) in the school year ending in the later of:
(i) 2014; or
(ii) the first year of operation of the school corporation.
For a conversion charter school, the percentage determined under this clause is the percentage of the sponsor school corporation.
(B) Determine the quotient of:
(i) the percentage determined under clause (A); divided by
(ii) two (2).

STEP TWO: This STEP applies if the result determined under clause (B) of STEP ONE is greater than thirty-five hundredths (0.35). Determine the result of the following:
(A) Subtract thirty-five hundredths (0.35) from the result determined under clause (B) of STEP ONE.
(B) Determine the sum of:
(i) the result determined under clause (B) of STEP ONE; plus
(ii) the clause (A) result.

STEP THREE: This STEP applies if STEP TWO applies. Determine the product of:
(A) the STEP TWO result; multiplied by
(B) the school corporation's foundation amount for the state fiscal year.

STEP FOUR: This STEP applies if STEP TWO applies. Determine the product of:
(A) the STEP THREE result; multiplied by
(B) the school corporation's current ADM.

STEP FIVE: This STEP applies if the result determined under clause (B) of STEP ONE is less than or equal to thirty-five hundredths (0.35). Determine the product of:
(A) the result determined under clause (B) of STEP ONE; multiplied by
(B) the school corporation's foundation amount for the state fiscal year.

STEP SIX: This STEP applies if STEP FIVE applies. Determine the product of:
(A) the STEP FIVE result; multiplied by
(B) the school corporation's current ADM.


IC 20-43-13-4
Determination of complexity index

Sec. 4. The complexity index is:
(1) the result determined under clause (B) of STEP ONE in section 2 of this chapter for the state fiscal year beginning July 1, 2013; and
(2) the result determined under clause (B) of STEP ONE in section 3 of this chapter for the state fiscal year beginning July 1, 2014.

As added by P.L.205-2013, SEC.301.
IC 20-43-14
Chapter 14. Full-Day Kindergarten Grants

IC 20-43-14-1
Applicability
Sec. 1. This chapter applies to all school corporations, including virtual charter schools.
As added by P.L.205-2013, SEC.302.

IC 20-43-14-2
Determination of grant amount for 2013-2014
Sec. 2. The total amount to be distributed under this chapter to a school corporation or charter school for the state fiscal year beginning July 1, 2013, equals the result of:
(1) two thousand four hundred forty-eight dollars ($2,448); multiplied by
(2) the number of eligible pupils who are:
(A) counted in the current ADM of the school; and
(B) enrolled in and attending full-day kindergarten on the count date on which the current ADM is determined.
As added by P.L.205-2013, SEC.302.

IC 20-43-14-3
Determination of grant amount for 2014-2015
Sec. 3. The total amount to be distributed under this chapter to a school corporation or charter school for the state fiscal year beginning July 1, 2014, equals the result of:
(1) two thousand four hundred seventy-two dollars ($2,472); multiplied by
(2) the number of eligible pupils who are:
(A) counted in the current ADM of the school; and
(B) enrolled in and attending full-day kindergarten on the count date on which the current ADM is determined.
As added by P.L.205-2013, SEC.302.

IC 20-43-14-4
Full-day kindergarten fees prohibited for grant recipients
Sec. 4. A school corporation or charter school that receives a distribution under this chapter may not charge a fee for enrolling in or attending full-day kindergarten in a school year:
(1) beginning July 1, 2013, and ending June 30, 2014; or
(2) beginning July 1, 2014, and ending June 30, 2015.
As added by P.L.205-2013, SEC.302.