

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 2

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 20-43-1-33 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2020 (RETROACTIVE)]; **Sec. 33. (a) This subsection applies only for the purposes of determining a school corporation's basic tuition support under IC 20-43-6-3 using the 2020 fall count of ADM as described in IC 20-43-4-9(a). "Virtual instruction" means instruction that is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both. However, the term does not include instruction that is provided to a student that meets both of the following requirements:**

- (1) The student was not enrolled in a:
 - (A) virtual education program (as defined in IC 20-19-9-1);
 - (B) dedicated virtual education school; or
 - (C) virtual charter school (as defined in IC 20-24-1-10);on the date fixed in February 2020 by the state board for a count of students under IC 20-43-4-3.
- (2) The student is enrolled in a school corporation in which fewer than one hundred percent (100%) of the students that were enrolled in that school corporation on the date fixed in February 2020 by the state board for a count of students under IC 20-43-4-3 were receiving instruction in an

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interactive learning environment created through technology in which the student for whom the instruction is being provided is separated from a teacher by time or space, or both.

(b) This subsection applies only for the purposes of determining a school corporation's basic tuition support under IC 20-43-6-3 using the 2021 spring count of ADM as described in IC 20-43-4-9(a). "Virtual instruction" means instruction that is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both. However, the term does not include instruction that is provided to a student who meets the following requirements:

(1) The student was not enrolled in a:

- (A) virtual education program (as defined in IC 20-19-9-1);**
- (B) dedicated virtual education school; or**
- (C) virtual charter school;**

on the date fixed in February 2020 by the state board for a count of students under IC 20-43-4-3.

(2) The student was not enrolled in a:

- (A) dedicated virtual education school; or**
- (B) virtual charter school;**

on the date fixed in February 2021 by the state board for a count of students under IC 20-43-4-3.

(c) This section expires July 1, 2021.

SECTION 2. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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