

SENATE BILL No. 18

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24-5-4; IC 20-33-8-30.

Synopsis: Virtual charter school enrollment. Provides that a virtual charter school may not deny enrollment to a student who has been expelled from a public school, including a charter school, if the student meets the enrollment requirements that are required under law. Makes a conforming change to a provision that requires consent by a charter school under certain circumstances before a student may enroll in the charter school during the student's actual or proposed expulsion or separation from a school corporation or another charter school.

Effective: July 1, 2020.

Bohacek

January 6, 2020, read first time and referred to Committee on Education and Career Development.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 18



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 20-24-5-4, AS AMENDED BY P.L.280-2013,
2 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. (a) Except as provided in this chapter, a charter
4 school may not establish admission policies or limit student admissions
5 in any manner in which a public school is not permitted to establish
6 admission policies or limit student admissions.
7 (b) Notwithstanding subsection (a), a charter school may operate as
8 a single gender school if approved to do so by the authorizer. A single
9 gender charter school must be open to any student of the gender the
10 school serves who resides in Indiana.
11 (c) **Except as otherwise provided under law, a virtual charter**
12 **school may not deny enrollment to a student who has been expelled**
13 **from a public school, including a charter school, if the student**
14 **meets the enrollment requirements for the virtual charter school**
15 **that are required under law. This subsection may not be construed**
16 **to prohibit a virtual charter school from:**
17 (1) **withdrawing a student described in this subsection from**



1 **the virtual charter school; or**
 2 **(2) denying reenrollment in the virtual charter school to a**
 3 **student described in this subsection;**
 4 **if the student fails or failed to participate in courses or meet other**
 5 **requirements for continued enrollment in the virtual charter**
 6 **school that are established in the policies of the virtual charter**
 7 **school or by law.**

8 SECTION 2. IC 20-33-8-30, AS AMENDED BY P.L.233-2015,
 9 SECTION 263, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2020]: Sec. 30. (a) This section applies to the
 11 following:

12 (1) A student who:

13 (A) is expelled from a school corporation or charter school
 14 under this chapter; or

15 (B) withdraws from a school corporation or charter school to
 16 avoid expulsion.

17 (2) A student who:

18 (A) is required to separate for disciplinary reasons from a
 19 nonpublic school or a school in a state other than Indiana by
 20 the administrative authority of the school; or

21 (B) withdraws from a nonpublic school or a school in a state
 22 other than Indiana in order to avoid being required to separate
 23 from the school for disciplinary reasons by the administrative
 24 authority of the school.

25 (b) The student referred to in subsection (a) may enroll in another
 26 school corporation or charter school during the period of the actual or
 27 proposed expulsion or separation if **the following conditions are met:**

28 (1) The student's parent informs the school corporation in which
 29 the student seeks to enroll and also:

30 (A) in the case of a student withdrawing from a charter school
 31 that is not a conversion charter school to avoid expulsion, the
 32 conversion charter school; or

33 (B) in the case of a student withdrawing from a conversion
 34 charter school to avoid expulsion:

35 (i) the conversion charter school; and

36 (ii) the school corporation that sponsored the conversion
 37 charter school;

38 of the student's expulsion, separation, or withdrawal to avoid
 39 expulsion or separation.

40 (2) **If applicable, the following are met:**

41 (A) **If a student seeks to enroll in a school corporation, the**
 42 school corporation (and, **except as provided in clause (B), in**



- 1 the case of a student withdrawal described in subdivision
 2 (1)(A) or (1)(B), the charter school) consents to the student's
 3 enrollment. ~~and~~
 4 **(B) If the student seeks to enroll in a virtual charter school,**
 5 **the student meets the enrollment requirements established**
 6 **under law.**
 7 (3) The student agrees to the terms and conditions of enrollment
 8 established by the school corporation (or, in the case of a student
 9 withdrawal described in subdivision (1)(A) or (1)(B), the charter
 10 school or conversion charter school).
 11 (c) If:
 12 (1) a student's parent fails to inform the school corporation of the
 13 expulsion or separation or withdrawal to avoid expulsion or
 14 separation; or
 15 (2) a student fails to follow the terms and conditions of enrollment
 16 under subsection (b)(3);
 17 the school corporation or charter school may withdraw consent and
 18 prohibit the student's enrollment during the period of the actual or
 19 proposed expulsion or separation.
 20 (d) This section does not apply to a student who is expelled under
 21 section 17 of this chapter.

