

SENATE BILL No. 390

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24; IC 20-28-5-25.

Synopsis: Education matters. Requires the board of a charter school to consist of at least two members who reside within the geographic boundaries of the school corporation in which the charter school is located. Requires that at least 50% of the public meetings of a charter school be held in the geographic boundaries of the school corporation in which the charter school is located. Requires a charter school and organizer to obtain an independent audit. Provides that, not later than July 1, 2021, and each July 1 thereafter, each charter school and organizer shall submit a report to the department of education (department). Requires the department and each charter school to post a copy of the report on their Internet web sites. Provides that, if the department finds that a charter school or organizer has misrepresented facts or committed fraud, waste, or abuse, the department shall issue findings and may make recommendations to the state board of education to take certain action. Urges the legislative council to assign to an appropriate study committee the task of studying matters regarding whether there: (1) is a need for new charter schools; and (2) should be a moratorium on establishing additional charter schools. Repeals a provision that provides that the professional growth experience points required to renew a practitioner license or an accomplished practitioner license be obtained through the completion of externships or certain other types of professional development.

Effective: Upon passage; July 1, 2020.

Ruckelshaus

January 13, 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. 390

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 20-24-2-3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2020]: **Sec. 3. The board of a charter school must consist of at
4 least two (2) members who reside within the geographic
5 boundaries of the school corporation in which the charter school
6 is located.**

7 SECTION 2. IC 20-24-9-3.5 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2020]: **Sec. 3.5. (a) Not later than December 31, 2020, the
10 department shall establish requirements or criteria to prevent
11 charter school and organizer financial and enrollment fraud,
12 waste, and abuse.**

13 **(b) Notwithstanding IC 5-11-1-9(b), each year, on or before a
14 date established by the department, each charter school and
15 organizer shall obtain in a manner prescribed by the department
16 an independent audit of all public and private funds received.**

17 **(c) An organizer is considered a public agency for purposes of**



1 **IC 5-14-3-2.**

2 (d) Not later than July 1, 2021, and each July 1 thereafter, each
3 charter school and organizer shall submit a report to the
4 department containing the following:

- 5 (1) A copy of the annual audit described in subsection (b).
6 (2) For a charter school, the charter school's most recent
7 enrollment count as determined by the department.
8 (3) For an organizer, a list that contains the salary of each
9 individual employed by the organizer.
10 (4) Any other information the department determines is
11 necessary.

12 (e) The department and each charter school shall post a copy of
13 the report on their respective Internet web sites.

14 (f) If the department finds that a charter school or an organizer
15 has misrepresented facts or committed fraud, waste, or abuse, the
16 department shall send the charter school or organizer, as
17 appropriate, along with the applicable authorizer, a summary of
18 the department's findings. The charter school or organizer must
19 respond to the findings within thirty (30) days. The department
20 shall consider the response and may issue recommendations to the
21 state board to do one (1) or more of the following:

- 22 (1) Require an authorizer to revoke a charter.
23 (2) Withhold distributions and funding to the charter school
24 or organizer.
25 (3) Require the charter school or organizer to take actions
26 specified by the department to remedy the issues contained in
27 the department's findings.

28 (g) Upon receipt of the department's recommendations, the state
29 board shall approve, deny, or modify the department's
30 recommendations and issue an order with the state board's
31 findings to the charter school or organizer and the applicable
32 authorizer.

33 SECTION 3. IC 20-24-9-8 IS ADDED TO THE INDIANA CODE
34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
35 1, 2020]: **Sec. 8. Beginning July 1, 2020, at least fifty percent (50%)**
36 **of the public meetings of a charter school board must be located**
37 **within the geographic boundaries of the school corporation in**
38 **which the charter school is located.**

39 SECTION 4. IC 20-28-5-25 IS REPEALED [EFFECTIVE JULY 1,
40 2020]. **Sec. 25:** (a) This section applies to a professional growth plan
41 that begins after July 1, 2019.

42 (b) Fifteen (15) of the total number of professional growth



1 experience points required to renew a practitioner license or an
 2 accomplished practitioner license must be obtained through the
 3 completion of one (1) or more of the following:

4 (1) An externship with a company.

5 (2) Professional development provided by the state; a local
 6 business; or a community partner that provides opportunities for
 7 schools and employers to partner in promoting career navigation.

8 (3) Professional development provided by the state; a local
 9 business; or a community partner that outlines the:

10 (A) current and future economic needs of the community;
 11 state, nation; and globe; and

12 (B) ways in which the current and future economic needs
 13 described in clause (A) can be disseminated to students.

14 SECTION 5. [EFFECTIVE UPON PASSAGE] (a) The legislative
 15 council is urged to assign to an appropriate interim study
 16 committee the task of studying the following regarding charter
 17 schools:

18 (1) Whether there is a need for additional charter schools
 19 based on the:

20 (A) demographics of Indiana; and

21 (B) projected enrollment in any additional charter schools.

22 (2) Whether there should be a moratorium on establishing
 23 additional charter schools until studies indicate that
 24 additional charter schools are viable and needed.

25 (b) This SECTION expires January 1, 2021.

26 SECTION 6. An emergency is declared for this act.

