

SENATE BILL No. 403

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-14-3.7-2; IC 20-24.

Synopsis: Charter school requirements. Provides that: (1) access to financial data for local schools requirements apply to charter schools; and (2) at least one member of the governing board of a charter school must be appointed by the fiscal body of the county in which the charter school is located.

Effective: July 1, 2025.

Taylor G

January 13, 2025, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 403

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 5-14-3.7-2, AS ADDED BY P.L.172-2011,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 2. As used in this chapter, "public school" has the
4 meaning set forth in IC 20-18-2-15. **The term includes a charter
5 school (as defined in IC 20-24-1-4).**

6 SECTION 2. IC 20-24-3-19 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2025]: **Sec. 19. At least one (1) member of the governing board
9 of a charter school must be appointed by the fiscal body (as defined
10 in IC 36-1-2-6) of the county in which the charter school is located.**

11 SECTION 3. IC 20-24-4-1, AS AMENDED BY P.L.150-2024,
12 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2025]: Sec. 1. (a) A charter must meet the following
14 requirements:

- 15 (1) Be a written instrument.
- 16 (2) Be executed by an authorizer and an organizer.
- 17 (3) Confer certain rights, franchises, privileges, and obligations



- 1 on a charter school.
- 2 (4) Confirm the status of a charter school as a public school.
- 3 (5) Subject to subdivision (6)(E), be granted for:
- 4 (A) not less than three (3) years or more than fifteen (15)
- 5 years; and
- 6 (B) a fixed number of years agreed to by the authorizer and the
- 7 organizer.
- 8 (6) Provide for the following:
- 9 (A) A review by the authorizer of the charter school's
- 10 performance, including the progress of the charter school in
- 11 achieving the academic goals set forth in the charter, at least
- 12 one (1) time in each five (5) year period while the charter is in
- 13 effect.
- 14 (B) Renewal, if the authorizer and the organizer agree to renew
- 15 the charter.
- 16 (C) The renewal application must include guidance from the
- 17 authorizer, and the guidance must include the performance
- 18 criteria that will guide the authorizer's renewal decisions.
- 19 (D) The renewal application process must, at a minimum,
- 20 provide an opportunity for the charter school to:
- 21 (i) present additional evidence, beyond the data contained in
- 22 the performance report, supporting its case for charter
- 23 renewal;
- 24 (ii) describe improvements undertaken or planned for the
- 25 charter school; and
- 26 (iii) detail the charter school's plans for the next charter
- 27 term.
- 28 (E) Not later than the end of the calendar year in which the
- 29 charter school seeks renewal of a charter, the governing board
- 30 of a charter school seeking renewal shall submit a renewal
- 31 application to the charter authorizer under the renewal
- 32 application guidance issued by the authorizer. The authorizer
- 33 shall make a final ruling on the renewal application not later
- 34 than April 1 after the filing of the renewal application. A
- 35 renewal granted under this clause is not subject to the three (3)
- 36 year minimum described in subdivision (5). The April 1
- 37 deadline does not apply to any review or appeal of a final
- 38 ruling. After the final ruling is issued, the charter school may
- 39 obtain further review by the authorizer of the authorizer's final
- 40 ruling in accordance with the terms of the charter school's
- 41 charter and the protocols of the authorizer.
- 42 (7) Specify the grounds for the authorizer to:



- 1 (A) revoke the charter before the end of the term for which the
 2 charter is granted; or
 3 (B) not renew a charter.
- 4 (8) Set forth the methods by which the charter school will be held
 5 accountable for achieving the educational mission and goals of
 6 the charter school, including the following:
- 7 (A) Evidence of improvement in:
- 8 (i) assessment measures, including the statewide assessment
 9 program measures;
 10 (ii) attendance rates;
 11 (iii) graduation rates (if appropriate);
 12 (iv) increased numbers of Indiana diplomas with a Core 40
 13 designation or increased numbers of Indiana diploma
 14 designations established under IC 20-19-2-21 and other
 15 college and career ready indicators including advanced
 16 placement participation and passage, dual credit
 17 participation and passage, and International Baccalaureate
 18 participation and passage (if appropriate);
 19 (v) increased numbers of Indiana diplomas with Core 40
 20 with academic honors and technical honors designations (if
 21 appropriate);
 22 (vi) student academic growth;
 23 (vii) financial performance and stability; and
 24 (viii) governing board performance and stewardship,
 25 including compliance with applicable laws, rules and
 26 regulations, and charter terms.
- 27 (B) Evidence of progress toward reaching the educational
 28 goals set by the organizer.
- 29 (9) Describe the method to be used to monitor the charter
 30 school's:
- 31 (A) compliance with applicable law; and
 32 (B) performance in meeting targeted educational performance.
- 33 (10) Specify that the authorizer and the organizer may amend the
 34 charter during the term of the charter by mutual consent and
 35 describe the process for amending the charter.
- 36 (11) Describe specific operating requirements, including all the
 37 matters set forth in the application for the charter.
- 38 (12) Specify a date when the charter school will:
- 39 (A) begin school operations; and
 40 (B) have students attending the charter school.
- 41 (13) Specify that records of a charter school relating to the
 42 school's operation and charter are subject to inspection and



1 copying to the same extent that records of a public school are
2 subject to inspection and copying under IC 5-14-3.

3 (14) Specify that records provided by the charter school to the
4 department or authorizer that relate to compliance by the
5 organizer with the terms of the charter or applicable state or
6 federal laws are subject to inspection and copying in accordance
7 with IC 5-14-3.

8 (15) Specify that the charter school is subject to the requirements
9 of IC 5-14-1.5.

10 (16) This subdivision applies to a charter established or renewed
11 for an adult high school after June 30, 2014. The charter must
12 require:

13 (A) that the school will offer flexible scheduling;

14 (B) that students will not complete the majority of instruction
15 of the school's curriculum online or through remote
16 instruction;

17 (C) that the school will offer dual credit or industry
18 certification course work that aligns with career pathways as
19 recommended by the Indiana career council established by
20 IC 22-4.5-9-3 (expired); and

21 (D) a plan:

22 (i) to support successful program completion and to assist
23 transition of graduates to the workforce or to a
24 postsecondary education upon receiving a diploma from the
25 adult high school; and

26 (ii) to review individual student accomplishments and
27 success after a student receives a diploma from the adult
28 high school.

29 **(17) This subdivision applies to a charter established or**
30 **renewed after July 1, 2025. Confirm that at least one (1)**
31 **member of the governing board of the charter school will be**
32 **appointed by the fiscal body (as defined in IC 36-1-2-6) of the**
33 **county in which the charter school is located.**

34 (b) A charter school shall set annual performance targets in
35 conjunction with the charter school's authorizer. The annual
36 performance targets shall be designed to help each school meet
37 applicable federal, state, and authorizer expectations.

38 SECTION 4. IC 20-24-8-5, AS AMENDED BY P.L.5-2024,
39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2025]: Sec. 5. The following statutes and rules and guidelines
41 adopted under the following statutes apply to a charter school:

42 (1) IC 5-11-1-9 (required audits by the state board of accounts).



- 1 **(2) IC 5-14-3.7 (access to financial data for local schools).**
 2 ~~(2)~~ **(3)** IC 20-39-1-1 (unified accounting system).
 3 ~~(3)~~ **(4)** IC 20-35 (special education).
 4 ~~(4)~~ **(5)** IC 20-26-5-10 (criminal history).
 5 ~~(5)~~ **(6)** IC 20-26-5-6 (subject to laws requiring regulation by state
 6 agencies).
 7 ~~(6)~~ **(7)** IC 20-28-10-12 (nondiscrimination for teacher marital
 8 status).
 9 ~~(7)~~ **(8)** IC 20-28-10-14 (teacher freedom of association).
 10 ~~(8)~~ **(9)** IC 20-28-10-17 (school counselor immunity).
 11 ~~(9)~~ **(10)** For conversion charter schools only if the conversion
 12 charter school elects to collectively bargain under
 13 IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8,
 14 IC 20-28-9, and IC 20-28-10.
 15 ~~(10)~~ **(11)** IC 20-33-2 (compulsory school attendance).
 16 ~~(11)~~ **(12)** IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22
 17 (student due process and judicial review).
 18 ~~(12)~~ **(13)** IC 20-33-8-16 (firearms and deadly weapons).
 19 ~~(13)~~ **(14)** IC 20-34-3 (health and safety measures).
 20 ~~(14)~~ **(15)** IC 20-33-9 (reporting of student violations of law).
 21 ~~(15)~~ **(16)** IC 20-30-3-2 and IC 20-30-3-4 (patriotic
 22 commemorative observances).
 23 ~~(16)~~ **(17)** IC 20-31-3, IC 20-32-4, IC 20-32-5 (for a school year
 24 ending before July 1, 2018), IC 20-32-5.1 (for a school year
 25 beginning after June 30, 2018), IC 20-32-8, and IC 20-32-8.5, as
 26 provided in IC 20-32-8.5-2 (academic standards, accreditation,
 27 assessment, and remediation).
 28 ~~(17)~~ **(18)** IC 20-33-7 (parental access to education records).
 29 ~~(18)~~ **(19)** IC 20-31 (accountability for school performance and
 30 improvement).
 31 ~~(19)~~ **(20)** IC 20-30-5-19 (personal financial responsibility
 32 instruction).
 33 ~~(20)~~ **(21)** IC 20-26-5-37.3, before its expiration (career and
 34 technical education reporting).
 35 ~~(21)~~ **(22)** IC 20-35.5 (dyslexia screening and intervention).
 36 ~~(22)~~ IC 22-2-18, before its expiration on June 30, 2021
 37 (limitations on employment of minors).
 38 **(23)** IC 20-26-12-1 (curricular material purchase and provision;
 39 public school students).
 40 **(24)** IC 20-26-12-2 (curricular material purchase and rental).

