

SENATE BILL No. 472

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-5.5; IC 31-37-19.

Synopsis: Juvenile or probate court charter schools. Provides that a juvenile court or the St. Joseph probate court may sponsor a charter school. Provides that only students over whom a juvenile court or the St. Joseph probate court has jurisdiction may attend a charter school sponsored by the juvenile or probate court.

Effective: July 1, 2003.

Broden

January 21, 2003, read first time and referred to Committee on Education and Career Development.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 472



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 20-5.5-1-15, AS ADDED BY P.L.100-2001,
2 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 15. "Sponsor" means the following:

4 (1) For a charter school, one (1) of the following:

5 (A) A governing body.

6 (B) A state educational institution (as defined in
7 IC 20-12-0.5-1) that offers a four (4) year baccalaureate
8 degree.

9 (C) The executive (as defined in IC 36-1-2-5) of a
10 consolidated city.

11 **(D) A juvenile court.**

12 **(E) The St. Joseph probate court.**

13 SECTION 2. IC 20-5.5-5-4, AS ADDED BY P.L.100-2001,
14 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2003]: Sec. 4. (a) Except as provided in subsections (b), (c),
16 **and (d), (e), and (f)**, a charter school must enroll any eligible student
17 who submits a timely application for enrollment.



1 (b) This subsection applies if the number of applications for a
 2 program, class, grade level, or building exceeds the capacity of the
 3 program, class, grade level, or building. If a charter school receives a
 4 greater number of applications than there are spaces for students, each
 5 timely applicant must be given an equal chance of admission.

6 (c) A charter school may limit new admissions to the charter school
 7 to:

8 (1) ensure that a student who attends the charter school during a
 9 school year may continue to attend the charter school in
 10 subsequent years; and

11 (2) allow the siblings of a student who attends a charter school to
 12 attend the charter school.

13 (d) This subsection applies to an existing school that converts to a
 14 charter school under IC 20-5.5-11. During the school year in which the
 15 existing school converts to a charter school, the charter school may
 16 limit admission to:

17 (1) those students who were enrolled in the charter school on the
 18 date of the conversion; and

19 (2) siblings of students described in subdivision (1).

20 **(e) This subsection applies to a charter school sponsored by a**
 21 **juvenile court. The charter school shall limit admission to students**
 22 **over whom the juvenile court has jurisdiction under IC 31-30.**

23 **(f) This subsection applies to a charter school sponsored by the**
 24 **St. Joseph probate court. The charter school shall limit admission**
 25 **to students over whom the St. Joseph probate court has juvenile**
 26 **jurisdiction under IC 33-8-2-10.**

27 SECTION 3. IC 20-5.5-8-2, AS ADDED BY P.L.100-2001,
 28 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2003]: Sec. 2. A charter school may not do the following:

30 (1) Operate at a site or for grades other than as specified in the
 31 charter.

32 (2) Charge tuition to any student residing within the school
 33 corporation's geographic boundaries. However, a charter school
 34 may charge tuition for:

35 (A) a preschool program, unless charging tuition for the
 36 preschool program is barred under federal law; or

37 (B) a latch key program;

38 if the charter school provides those programs.

39 (3) Except for:

40 (A) a foreign exchange student who is not a United States
 41 citizen; or

42 (B) a pupil who is under the jurisdiction of the juvenile or

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1 **probate court that sponsors the charter school;**

2 enroll a pupil who is not a resident of Indiana.

3 (4) Be located in a private residence.

4 (5) Provide home based instruction.

5 SECTION 4. IC 31-37-19-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. If a child is a
7 delinquent child under IC 31-37-2, the juvenile court may enter one (1)
8 or more of the following dispositional decrees:

9 (1) Order supervision of the child by the probation department or
10 the county office of family and children.

11 (2) Order the child to receive outpatient treatment:

12 (A) at a social service agency or a psychological, a psychiatric,
13 a medical, or an educational facility; or

14 (B) from an individual practitioner.

15 (3) Remove the child from the child's home and place the child in
16 another home or shelter care facility. Placement under this
17 subdivision includes authorization to control and discipline the
18 child.

19 (4) Award wardship to a person or shelter care facility. Wardship
20 under this subdivision does not include the right to consent to the
21 child's adoption.

22 (5) Partially or completely emancipate the child under section 27
23 of this chapter.

24 (6) Order:

25 (A) the child; or

26 (B) the child's parent, guardian, or custodian;
27 to receive family services.

28 (7) Order a person who is a party to refrain from direct or indirect
29 contact with the child.

30 **(8) Order the child to attend the charter school sponsored by
31 the juvenile court.**

32 SECTION 5. IC 31-37-19-5, AS AMENDED BY P.L.116-2002,
33 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2003]: Sec. 5. (a) This section applies if a child is a delinquent
35 child under IC 31-37-1.

36 (b) The juvenile court may, in addition to an order under section 6
37 of this chapter, enter at least one (1) of the following dispositional
38 decrees:

39 (1) Order supervision of the child by:

40 (A) the probation department; or

41 (B) the county office of family and children.

42 As a condition of probation under this subdivision, the juvenile

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- 1 court shall after a determination under IC 5-2-12-4 require a child
- 2 who is adjudicated a delinquent child for an act that would be an
- 3 offense described in IC 5-2-12-4 if committed by an adult to
- 4 register with the sheriff (or the police chief of a consolidated city)
- 5 under IC 5-2-12.
- 6 (2) Order the child to receive outpatient treatment:
- 7 (A) at a social service agency or a psychological, a psychiatric,
- 8 a medical, or an educational facility; or
- 9 (B) from an individual practitioner.
- 10 (3) Order the child to surrender the child's driver's license to the
- 11 court for a specified period of time.
- 12 (4) Order the child to pay restitution if the victim provides
- 13 reasonable evidence of the victim's loss, which the child may
- 14 challenge at the dispositional hearing.
- 15 (5) Partially or completely emancipate the child under section 27
- 16 of this chapter.
- 17 (6) Order the child to attend an alcohol and drug services program
- 18 established under IC 12-23-14.
- 19 (7) Order the child to perform community restitution or service
- 20 for a specified period of time.
- 21 (8) Order wardship of the child as provided in section 9 of this
- 22 chapter.
- 23 **(9) Order the child to attend the charter school sponsored by**
- 24 **the juvenile court.**

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