

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 446, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 16 through 17, begin a new paragraph and
2 insert:
- 3 **"(d) A governing body shall make available for lease to any**
4 **charter school (as defined in IC 20-24-1-4) any school building**
5 **owned by the school corporation that:**
- 6 **(1) either:**
- 7 **(A) is not used in whole or in part for classroom**
8 **instruction at the time the charter school seeks to lease the**
9 **building; or**
- 10 **(B) appears on the list compiled by the department under**
11 **subsection (e); and**
- 12 **(2) was previously used for classroom instruction;**
13 **in order for the charter school to conduct classroom instruction.**
- 14 **(e) Each governing body shall inform the department whenever**
15 **a school building that was previously used for classroom**
16 **instruction is closed, unused, or unoccupied. The department shall**
17 **maintain a list of closed, unused, or unoccupied school buildings**
18 **and make the list available on the department's Internet website.**
19 **Each school corporation shall provide a list of closed, unused, or**
20 **unoccupied buildings to the department by the date set by the**
21 **department. The department must update the list each year before**

1 **August 31.**

2 (f) If a charter school wants to use a school building on the list
3 created under subsection (e), the charter school shall send a letter
4 of intent to lease the school building to the department. The
5 department shall notify the school corporation of the charter
6 school's intent, and the school corporation that owns the school
7 building shall lease the school building to the charter school for one
8 dollar (\$1) per year. The school corporation shall enter into a lease
9 with the charter school for a term of at least ten (10) years, and,
10 except as provided in subsection (h), the lease may be extended for
11 additional terms of ten (10) years at the discretion of the charter
12 school, if the charter school is not in default under the lease. If
13 during the term of the lease the charter school closes or ceases
14 using the school building for classroom instruction, the school
15 building returns to the control of the school corporation.

16 (g) During the term of a lease under subsection (f), the charter
17 school is responsible for the direct expenses related to the school
18 building leased, including utilities, insurance, maintenance, repairs,
19 and remodeling. The school corporation is responsible for any debt
20 incurred for or liens that attached to the school building before the
21 charter school leased the school building.

22 (h) If the governing body of a school corporation that leases a
23 school building to a charter school under subsection (f) wishes to
24 reopen the school building for classroom instruction, the school
25 corporation may recover the building at the end of the lease term
26 after the governing body holds at least two (2) public hearings on
27 the recovery, followed by an affirmative vote by the governing
28 body. The governing body shall ensure that a school building
29 recovered under this subsection is used for classroom instruction
30 for at least the ten (10) years next following the recovery.

31 (i) If a school building appears on the department's list under
32 subsection (e) for at least twenty-four (24) months, the school

1 **corporation may sell or otherwise dispose of the school building in**
2 **any manner the governing body considers appropriate."**

3 Delete page 2.
 (Reference is to SB 446 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Kruse, Chairperson