

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	4

MR. SPEAKER:

*Your Committee on Education, to which was referred House Bill 1358, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 2, delete "school" and insert **school, including a**
- 2 **charter school,**".
- 3 Page 3, line 3, after "of the" insert "**charter school or the**".
- 4 Page 3, line 5, delete "An" and insert "**This section does not apply**
- 5 **to a designated school that is a charter school.**
- 6 **(b) An**".
- 7 Page 3, line 8, after "of the" insert "**number of**".
- 8 Page 3, line 10, delete "conversion, which must be completed" and
- 9 insert "**conversion; or**".
- 10 Page 3, delete lines 11 through 12.
- 11 Page 3, line 15, delete "(b)" and insert "**(c)**".
- 12 Page 3, line 15, after "of the" insert "**number of**".
- 13 Page 3, line 18, delete "operated" and insert "**supported**".
- 14 Page 3, line 18, delete "The petition must be".

1 Page 3, delete lines 19 through 20, begin a new paragraph and
2 insert:

3 **"Sec. 3. (a) This section applies to a designated school that is a**
4 **charter school.**

5 **(b) An existing charter school that is a designated school may be**
6 **transferred to the school corporation whose attendance area**
7 **includes the location of the charter school that is a designated**
8 **school. The charter school that is a designated school may be**
9 **transferred to the school corporation if the parents of at least**
10 **fifty-one percent (51%) of the number of students who attend the**
11 **designated school have signed a petition requesting the transfer."**

12 Page 3, line 21, delete "Sec. 3." and insert "Sec. 4."

13 Page 4, line 15, delete "acquired" and insert "**specified in**
14 **IC 20-52-3-2."**

15 Page 4, delete line 16.

16 Page 4, line 18, delete "in the requisite time frame".

17 Page 4, line 19, after "body." insert "**For purposes of determining**
18 **the number of valid signatures required to implement the**
19 **reorganization options under IC 20-52-3, the total number of**
20 **students considered to be enrolled at the school is the number of**
21 **student population on the date on which the petition is submitted**
22 **to the governing body."**

23 Page 4, line 25, after "(a)" insert "**This subsection does not apply**
24 **to the transfer of the operation of charter school that is a**
25 **designated school to a school corporation."**

26 Page 4, between lines 35 and 36, begin a new paragraph and insert:

27 **"(b) This subsection applies to the transfer of the operation of a**
28 **charter school that is a designated school to a school corporation.**
29 **The group circulating the petition must submit the petition to the**
30 **governing body of the charter school that is a designated school.**
31 **The governing body of the charter school shall deliver the petition**
32 **and the roster of students who attend the charter school that is a**
33 **designated school, including the addresses and the names of the**
34 **parents of the students, to the state board. The state board shall**
35 **verify:**

36 **(1) each signature as being that of a parent in a household;**
37 **and**

38 **(2) that the number of times an adult member signed the**

1 petition does not exceed the number of students in the
2 household who attend the charter school that is a designated
3 school."

4 Page 4, line 36, delete "(b)" and insert "(c)".

5 Page 4, line 36, delete "subsection (a)," and insert "**subsections (a)**
6 **and (b),**".

7 Page 4, line 39, delete "(c)" and insert "(d)".

8 Page 4, line 39, delete "subsection (a)," and insert "**subsections (a)**
9 **and (b),**".

10 Page 4, line 41, after "in the" insert "**designated**".

11 Page 5, line 30, after "the" insert "**conversion charter**".

12 Page 6, between lines 10 and 11, begin a new paragraph and insert:
13 "**Chapter 7. Transfer of the Operation of a Charter School**

14 **Sec. 1. (a) After the state board has approved a petition to**
15 **transfer the operation of a charter school that is a designated**
16 **school to the school corporation whose attendance area includes**
17 **the location of the charter school that is a designated school:**

18 **(1) notwithstanding any other law, the charter of the**
19 **designated school is revoked on the date established in section**
20 **2 of this chapter;**

21 **(2) the charter school that is a designated school and the**
22 **governing body of the school corporation shall work together**
23 **to resolve issues relating to the transfer of the operation of the**
24 **school; and**

25 **(3) unless the governing body of the school corporation and**
26 **the charter school otherwise agree, the governing body of the**
27 **school corporation whose attendance area includes the**
28 **location of the charter school must offer to purchase the**
29 **charter school that is a designated school, and the amount of**
30 **the offer must include:**

31 **(A) a debt relating to the charter school that is authorized**
32 **by the state board under IC 20-52-8-1; and**

33 **(B) either:**

34 **(i) for a school building obtained by a charter school**
35 **under IC 20-26-7-1, the costs for improvements made by**
36 **the charter school that is a designated school to the**
37 **school building, determined in the manner prescribed by**
38 **the state board; or**

1 (ii) for a school building that was not obtained by a
 2 charter school under IC 20-26-7-1, the value of the
 3 school building based upon an appraisal of the property.

4 (b) If the charter school that is a designated school refuses the
 5 offer to purchase the school building under subsection (a), the
 6 governing body of the school corporation shall provide educational
 7 service to the students of the charter school at a location
 8 determined by the governing body of the school corporation.

9 Sec. 2. Unless the petition specifies otherwise or the state board
 10 specifies a different date, the transfer of the operation of a charter
 11 school that is a designated school to a school corporation becomes
 12 effective on the first day of the school year that begins in the
 13 calendar year immediately following the calendar year in which
 14 the petition was approved.

15 Sec. 3. The charter school that is a designated school shall share
 16 all student records with the school corporation to which the
 17 operation of the school has been transferred.

18 Sec. 4. (a) A conversion charter school shall accept all students
 19 who attended the school before its conversion and who wish to
 20 attend the conversion charter school.

21 (b) Students who attended the conversion charter school before
 22 the school's conversion and who do not wish to attend the
 23 conversion charter school shall be assigned to other schools
 24 operated by the school corporation."

25 Page 6, line 11, delete "Chapter 7," and insert "Chapter 8."

26 Page 6, after line 23, begin a new line block indented and insert:

27 "(6) Requirements for the transfer of the operation of a
 28 charter school that is a designated school to a school
 29 corporation, including the types of debts that a school
 30 corporation must include in an offer to purchase a charter
 31 school building under IC 20-52-7-1.

32 SECTION 5. IC 36-1.5-4-7, AS AMENDED BY P.L.26-2012,
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2013]: Sec. 7. (a) In the year before the year in which the
 35 participating political subdivisions are reorganized under this chapter:

36 (1) subject to subsection (b), the fiscal bodies of the reorganizing
 37 political subdivisions shall, in the manner provided by
 38 IC 6-1.1-17, adopt tax levies, tax rates, and a budget for the

1 reorganized political subdivision either through the adoption of
2 substantially identical resolutions adopted by each of the fiscal
3 bodies or, if authorized in the plan of reorganization, through a
4 joint board established under an agreement of the fiscal bodies on
5 which the members of each of the fiscal bodies are represented;
6 and
7 (2) if the reorganized political subdivision will have elected
8 offices and different election districts than any of the reorganizing
9 political subdivisions, the legislative bodies of the reorganizing
10 political subdivisions shall establish the election districts either
11 through the adoption of substantially identical resolutions adopted
12 by each of the legislative bodies or, if authorized in the plan of
13 reorganization, through a joint board established under an
14 agreement of the legislative bodies on which the members of each
15 of the legislative bodies are represented.

16 (b) This subsection applies to two (2) or more school corporations
17 that participate in a reorganization in which the voters approve a plan
18 of reorganization in a general election and the plan of reorganization
19 provides for the reorganization to become effective for property taxes
20 first due and payable in the immediately following calendar year. The
21 participating school corporations may publish notices, hold public
22 hearings, and take final action for the adoption of property tax levies,
23 property tax rates, and a budget for the reorganized school corporation
24 after the voters approve the plan of reorganization. The alternative
25 schedule must comply with the following:

26 (1) Each participating school corporation shall give notice by
27 publication to taxpayers of:

28 (A) the estimated budget;
29 (B) the estimated maximum permissible levy;
30 (C) the current and proposed tax levies of each fund; and
31 (D) the amounts of excessive levy appeals to be requested;
32 for the ensuing year. The notice must be published twice in
33 accordance with IC 5-3-1 with the first publication at least ten
34 (10) days before the date fixed for the public hearing and with the
35 last publication not later than November 24 of the year the public
36 question is approved by the voters.

37 (2) Each participating school corporation must conduct a public
38 hearing on the proposed tax levies, tax rates, and budget at least

- 1 ten (10) days before the date the participating school corporation
 2 adopts the proposed tax levies, tax rates, and budget.
- 3 (3) The governing body of each participating school corporation
 4 must meet to fix the tax levies, tax rates, and budget for the
 5 ensuing year before December 6 of the year the public question
 6 is approved by the voters.
- 7 (4) The county auditor shall certify the adopted property tax
 8 levies, property tax rates, and budget for the reorganized school
 9 corporation to the department of local government finance before
 10 December 8 in the year in which the public question is approved
 11 by the voters.
- 12 The department of local government finance may adjust any other
 13 applicable time limit specified in IC 6-1.1-17 to be consistent with this
 14 section. However, the department of local government finance is
 15 expressly directed to complete the duties assigned to it under
 16 IC 6-1.1-17-16 with respect to the submitted property tax levies,
 17 property tax rates, and budget not later than February 15 in the ensuing
 18 year.
- 19 (c) If a school is converted into a charter school under ~~IC 20-24-11~~,
 20 **IC 20-52-5**, the charter school must, before December 1 of each year,
 21 publish its estimated annual budget for the ensuing year in accordance
 22 with IC 5-3-1."
- (Reference is to HB 1358 as introduced.)

and when so amended that said bill do pass.

Representative Behning