

HOUSE BILL No. 1203

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24-3.

Synopsis: Charter school board hearings. Provides that if a charter school organizer amends a proposal for establishing a charter school and the amendment would change the location of the charter school to a different school corporation, the sponsor, before granting a charter, must conduct a public hearing to provide the governing body of the school corporation in which the charter school would be located under the amended proposal an opportunity to comment. Provides that if an organizer appeals to the charter school review panel (panel) and proposes amending the organizer's proposal to change the location of the charter school to a different school corporation, the panel, before approving the proposal, must conduct a public hearing to provide the governing body of the school corporation in which the charter school would be located under the amended proposal an opportunity to comment.

Effective: July 1, 2013.

GiaQuinta, Leonard, Heuer

January 10, 2013, read first time and referred to Committee on Education.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1203



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 20-24-3-5.5, AS ADDED BY P.L.91-2011,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2013]: Sec. 5.5. (a) This section applies to a sponsor that is
4 not the executive of a consolidated city.
5 (b) Before issuing a charter, the sponsor, **or for purposes of section**
6 **12(h) of this chapter, the panel,** must conduct a public hearing
7 concerning the establishment of the proposed charter school. At the
8 public hearing, the governing body of the school corporation in which
9 the proposed charter school will be located must be given an
10 opportunity to comment on the effect of the proposed charter school on
11 the school corporation, including any foreseen negative impacts on the
12 school corporation. **If an organizer amends a charter school**
13 **proposal under section 11(1) of this chapter and the amended**
14 **proposal provides that the charter school will be located in a school**
15 **corporation other than the school corporation provided in the**
16 **original proposal, the sponsor must conduct a public hearing in the**
17 **manner provided in this section to provide the governing body of**



1 **the school corporation in which the charter school would be**
 2 **located under the amended proposal an opportunity to comment**
 3 **in the manner described in this section.**

4 SECTION 2. IC 20-24-3-12, AS ADDED BY P.L.1-2005,
 5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 12. (a) This section applies if the sponsor rejects
 7 a proposal.

8 (b) The organizer may appeal the decision of the sponsor to the
 9 charter school review panel established by subsection (c).

10 (c) The charter school review panel is established. The members of
 11 the panel are as follows:

- 12 (1) The governor or the governor's designee.
- 13 (2) The state superintendent, who shall chair the panel.
- 14 (3) A member of the state board appointed by the state
 15 superintendent.
- 16 (4) A person with financial management experience appointed by
 17 the governor.
- 18 (5) A community leader with knowledge of charter school issues
 19 appointed jointly by the governor and the state superintendent.

20 A member shall serve a two (2) year term and may be reappointed to
 21 the panel upon expiration of the member's term.

22 (d) All decisions of the panel shall be determined by a majority vote
 23 of the panel's members.

24 (e) Upon the request of an organizer, the panel shall meet to
 25 consider the organizer's proposal and the sponsor's reasons for rejecting
 26 the proposal. The panel must allow the organizer and sponsor to
 27 participate in the meeting.

28 (f) After the panel meets under subsection (e), the panel shall make
 29 one (1) of the following findings and issue the finding to the organizer
 30 and the sponsor:

- 31 (1) A finding that supports the sponsor's rejection of the proposal.
- 32 (2) A finding that:
 - 33 (A) recommends that the organizer amend the proposal; and
 - 34 (B) specifies the changes to be made in the proposal if the
 35 organizer elects to amend the proposal.
- 36 (3) A finding that approves the proposal.

37 The panel shall issue the finding not later than forty-five (45) days after
 38 the panel receives the request for review.

39 (g) If the panel makes a finding described in subsection (f)(1), the
 40 finding is final.

41 (h) If the panel makes a finding described in subsection (f)(2), the
 42 organizer may amend the proposal according to the panel's

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1 recommendations and resubmit the proposal directly to the panel.
2 **However, before the panel can approve an amendment to a**
3 **proposal that would change the proposed location of the charter**
4 **school to a location in a school corporation other than the school**
5 **corporation originally proposed, the panel must conduct a public**
6 **hearing in the manner prescribed under section 5.5 of this chapter**
7 **to allow comment on the amendment.**

8 (i) If the panel makes a finding described in subsection (f)(3), the
9 proposal is considered conditionally approved. The approval shall be
10 considered final upon delivery to the panel of written notice from the
11 organizer and an eligible sponsor that the sponsor has agreed to serve
12 as a sponsor for the proposal approved by the panel.

13 (j) Proposals approved under this section shall not be counted under
14 any numerical limits placed upon a sponsor or set of sponsors.

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