

IC 20-24-7-13 Virtual charter schools; funding; reporting

Note: This version of section amended by P.L.217-2017, SEC.97. See also following version of this section amended by P.L.250-2017, SEC.21.

Sec. 13. (a) As used in this section, "virtual charter school" means any charter school, including a conversion charter school, that provides for the delivery of more than fifty percent (50%) of instruction to students through:

- (1) virtual distance learning;
- (2) online technologies; or
- (3) computer based instruction.

(b) A virtual charter school may apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines.

(c) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to the sum of:

- (1) the product of:
 - (A) the number of students included in the virtual charter school's current ADM; multiplied by
 - (B) the result of:
 - (i) ninety percent (90%) of the school's foundation amount determined under IC 20-43-3-8; divided by
 - (ii) twelve (12); plus

(2) the total of any:

- (A) special education grants under IC 20-43-7;
 - (B) career and technical education grants under IC 20-43-8;
 - (C) honor grants under IC 20-43-10; and
 - (D) complexity grants under IC 20-43-13;
- to which the virtual charter school is entitled for the month.

For each state fiscal year, a virtual charter school is entitled to receive special education grants under IC 20-43-7 calculated in the same manner as special education grants are calculated for other school corporations.

(d) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

- (1) Classroom size.
- (2) The ratio of teachers per classroom.
- (3) The number of student-teacher meetings conducted in person or by video conference.
- (4) Any other information determined by the department.

The department shall provide this information annually to the state board of education and the legislative council in an electronic format under IC 5-14-6.

As added by P.L.182-2009(ss), SEC.315. Amended by P.L.1-2010, SEC.78; P.L.91-2011, SEC.20; P.L.229-2011, SEC.171; P.L.205-2013, SEC.234; P.L.5-2015, SEC.44; P.L.213-2015, SEC.160; P.L.217-2017, SEC.97.

IC 20-24-7-13 Virtual charter schools; funding

Note: This version of section amended by P.L.250-2017, SEC.21. See also preceding version of this section amended by P.L.217-2017, SEC.97.

Sec. 13. (a) As used in this section, "virtual charter school" means any charter school, including a conversion charter school, in which more than fifty percent (50%) of instruction is provided in an interactive learning environment created through technology in which students are separated from their teacher by time or space, or both.

(b) A virtual charter school may apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines.

(c) For state fiscal years beginning after June 30, 2013, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to the sum of:

(1) the product of:

(A) the number of students included in the virtual charter school's current ADM; multiplied by

(B) the result of:

(i) ninety percent (90%) of the school's foundation amount determined under IC 20-43-5-4; divided by

(ii) twelve (12); plus

(2) the total of any:

(A) special education grants under IC 20-43-7;

(B) career and technical education grants under IC 20-43-8;

(C) honor grants under IC 20-43-10; and

(D) complexity grants under IC 20-43-13;

to which the virtual charter school is entitled for the month.

For state fiscal years beginning after June 30, 2013, a virtual charter school is entitled to receive special education grants under IC 20-43-7 calculated in the same manner as special education grants are calculated for other school corporations.

(d) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(h) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsection (g).

As added by P.L.182-2009(ss), SEC.315. Amended by P.L.1-2010, SEC.78; P.L.91-2011, SEC.20; P.L.229-2011, SEC.171; P.L.205-2013, SEC.234; P.L.5-2015, SEC.44; P.L.213-2015, SEC.160; P.L.250-2017, SEC.21.

SECTION 8. IC 20-24-7-13, AS AMENDED BY P.L.217-2017, SECTION 97, AND AS AMENDED BY P.L.250-2017, SECTION 21, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

<< IN ST 20-24-7-13 >>

Sec. 13. (a) As used in this section, "virtual charter school" means any charter school, including a conversion charter school, in which more than fifty percent (50%) of instruction is provided in an interactive learning environment created through technology in which students are separated from their teacher by time or space, or both.

(b) A virtual charter school may apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines.

(c) For *each* state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to the sum of:

(1) the product of:

(A) the number of students included in the virtual charter school's current ADM; multiplied by

(B) the result of:

(i) ninety percent (90%) of the school's foundation amount determined under *IC 20-43-3-8*; divided by

(ii) twelve (12); plus

(2) the total of any:

(A) special education grants under *IC 20-43-7*;

(B) career and technical education grants under *IC 20-43-8*;

(C) honor grants under *IC 20-43-10*; and

(D) complexity grants under *IC 20-43-13*;

to which the virtual charter school is entitled for the month.

For *each* state fiscal year, a virtual charter school is entitled to receive special education grants under *IC 20-43-7* calculated in the same manner as special education grants are calculated for other school corporations.

(d) The state board shall adopt rules under *IC 4-22-2* to govern the operation of virtual charter schools.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of student-teacher meetings conducted in person or by video conference.

(4) Any other information determined by the department.

The department shall provide this information annually to the state board of education and the legislative council in an electronic format under *IC 5-14-6*.

(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the school's student engagement policy may not reenroll in that same virtual charter school for the school year in which the student is withdrawn.

(j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsection (h) or (i).

EDUCATION, 2018 Ind. Legis. Serv. P.L. 191-2018 (H.E.A. 1420) (WEST)