



INDIANA STATE BOARD OF EDUCATION

July 10, 2019

Resolution Regarding Charter Renewals

WHEREAS, P.L. 159-2019 and P.L. 211-2019 amended IC 20-24-2.2-2 and added IC 20-24-2.2-2.5 to read, in relevant part, as follows (**bold** identifies new language):

Sec. 2. (a) The minimum standard for renewal and the standard to avoid closure imposed by authorizers on a charter school is a requirement that the charter school not remain in the lowest category or designation of school improvement, including any alternative accountability category or designation, in the third year after initial placement in the lowest category or designation established under IC 20-31-8-4.

(b) An authorizer of a charter school that does not meet the minimum standard for charter school renewal described in subsection (a) may petition the state board at any time to request permission to renew the charter school's charter notwithstanding the fact that the charter school does not meet the minimum standard. If timely notification is made, the state board shall hold a hearing **under section 2.5 of this chapter** to consider the authorizer's request at the state board's next regularly scheduled board meeting.

Sec. 2.5. (a) If the state board grants a petition request under section 2.2 of this chapter, the state board shall:

(1) hold a hearing; and

(2) implement one (1) or more of the following actions:

(A) Require the implementation of a charter school improvement plan.

(B) Order the reduction of any administrative fee collected under IC 20-24-7-4 or IC 20-24-7-4.5 that is applicable to the charter school. The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

(C) Prohibit or limit the enrollment of new students in the charter school.

(D) Cancel the charter between the authorizer and organizer.

(E) Order the closure of the charter school at the end of the current school year. A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.

(b) In determining which action to implement under subsection (a)(2), the state board shall consider the following:

(1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.

(2) High mobility of the student population resulting from the specific purpose of the charter school.

(3) Annual improvement in the performance of students enrolled in the charter school, as measured by IC 20-31-8-1, compared with the performance of students enrolled in the charter school in the immediately preceding school year

NOW, THEREFORE, BE IT RESOLVED THAT, given the statutory language set forth in IC 20-24-2.2-2 and IC 20-24-2.2-2.5, an authorizer of a charter school that does not meet the “minimum standard” (*i.e.*, charter school placed in the lowest category or designation established under IC 20-31-8-4 during four (4) consecutive years) shall be required to:

1. Petition the Indiana State Board of Education (“Board”) to renew the charter **before** the end of the school year during which the charter school did not meet the statutory “minimum standard” (*i.e.*, petition must be submitted before the end of the school year during which the charter school received its fourth consecutive “F”); or
2. Initiate closure procedures to cease operations of the charter school at the end of the school year during which the charter school failed meet the statutory “minimum standard” (*i.e.*, petition must be submitted before the end of the school year during which the charter school received its fourth consecutive “F”), if the authorizer chooses not to petition the Board and continue sponsoring the charter school.

ADOPTED ON: July 10, 2019