



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1394 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 20-24-3-4, AS AMENDED BY P.L.221-2015,
- 4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2016]: Sec. 4. (a) An organizer may submit to the authorizer
- 6 a proposal to establish a charter school.
- 7 (b) A proposal must contain at least the following information:
- 8 (1) Identification of the organizer.
- 9 (2) A description of the organizer's organizational structure and
- 10 governance plan.
- 11 (3) The following information for the proposed charter school:
- 12 (A) Name.
- 13 (B) Purposes.
- 14 (C) Governance structure.
- 15 (D) Management structure.
- 16 (E) Educational mission goals.
- 17 (F) Curriculum and instructional methods.
- 18 (G) Methods of pupil assessment.
- 19 (H) Admission policy and criteria, subject to IC 20-24-5.
- 20 (I) School calendar.
- 21 (J) Age or grade range of students to be enrolled.

- 1 (K) A description of staff responsibilities.
- 2 (L) A description of the physical plant.
- 3 (M) Budget and financial plans.
- 4 (N) Personnel plan, including methods for selection, retention,
- 5 and compensation of employees.
- 6 (O) Transportation plan.
- 7 (P) Discipline program, **subject to IC 20-24-5.5.**
- 8 (Q) Plan for compliance with any applicable desegregation
- 9 order.
- 10 (R) The date when the charter school is expected to:
- 11 (i) begin school operations; and
- 12 (ii) have students attending the charter school.
- 13 (S) The arrangement for providing teachers and other staff
- 14 with health insurance, retirement benefits, liability insurance,
- 15 and other benefits.
- 16 (T) Any other applications submitted to an authorizer in the
- 17 previous five (5) years.
- 18 (4) The manner in which the authorizer must conduct an annual
- 19 audit of the program operations of the charter school.
- 20 (c) In the case of a charter school proposal from an applicant that
- 21 currently operates one (1) or more charter schools in any state or
- 22 nation, the request for proposals shall additionally require the applicant
- 23 to provide evidence of past performance and current capacity for
- 24 growth.
- 25 (d) If the proposal described in subsection (a) concerns an existing
- 26 charter school overseen by a different authorizer than the authorizer to
- 27 which the organizer is submitting the proposal, the proposal must
- 28 include written acknowledgement of the proposal from the current
- 29 authorizer. Additionally, the authorizer receiving the proposal shall
- 30 consult with the current authorizer before granting approval of the
- 31 proposal.
- 32 (e) This section does not waive, limit, or modify the provisions of:
- 33 (1) IC 20-29 in a charter school where the teachers have chosen
- 34 to organize under IC 20-29; or
- 35 (2) an existing collective bargaining agreement for noncertificated
- 36 employees (as defined in IC 20-29-2-11).
- 37 SECTION 2. IC 20-24-5-5, AS AMENDED BY P.L.221-2015,
- 38 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2016]: Sec. 5. (a) Except as provided in subsections (b), (c),
- 40 (d), ~~and~~ (e), ~~and~~ (f), a charter school must enroll any eligible student
- 41 who submits a timely application for enrollment.
- 42 (b) This subsection applies if the number of applications for a
- 43 program, class, grade level, or building exceeds the capacity of the
- 44 program, class, grade level, or building. If a charter school receives a
- 45 greater number of applications than there are spaces for students, each
- 46 timely applicant must be given an equal chance of admission. The

organizer must determine which of the applicants will be admitted to the charter school or the program, class, grade level, or building by random drawing in a public meeting, **with each timely applicant limited to one (1) entry in the drawing.**

(c) A charter school may limit new admissions to the charter school to:

- (1) ensure that a student who attends the charter school during a school year may continue to attend the charter school in subsequent years;
- (2) ensure that a student who attends a charter school during a school year may continue to attend a different charter school held by the same organizer in subsequent years;
- (3) allow the siblings of a student who attends a charter school or a charter school held by the same organizer to attend the same charter school the student is attending; and
- (4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program (as defined in IC 12-17.2-3.8-1) preschool to attend kindergarten at a charter school if the charter school and the preschool provider have entered into an agreement to share services or facilities.

(d) This subsection applies to an existing school that converts to a charter school under IC 20-24-11. During the school year in which the existing school converts to a charter school, the charter school may limit admission to:

- (1) those students who were enrolled in the charter school on the date of the conversion; and
- (2) siblings of students described in subdivision (1).

(e) A charter school may give enrollment preference to children of the charter school's founders, governing body members, and charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the charter school's total population.

(f) A charter school may not suspend or expel a charter school student or otherwise request a charter school student to transfer to another school on the basis of the following:

- (1) Disability.**
- (2) Race.**
- (3) Color.**
- (4) Gender.**
- (5) National origin.**
- (6) Religion.**
- (7) Ancestry.**

A charter school student may be expelled or suspended only in a manner consistent with discipline rules established under IC 20-24-5.5.

SECTION 3. IC 20-24-5.5 IS ADDED TO THE INDIANA CODE

1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2016]:

3 **Chapter 5.5. Student Discipline**

4 **Sec. 1. A charter school shall:**

5 (1) establish written discipline rules, which must include a
6 graduated system of discipline and may include:

7 (A) appropriate dress codes; and

8 (B) if applicable, an agreement for court assisted resolution
9 of school suspension and expulsion cases;

10 for the charter school; and

11 (2) publicize the discipline rules within the charter school
12 where the discipline rules apply, which may include:

13 (A) making a copy of the discipline rules available to
14 students or parents, guardians, or custodians of students;
15 or

16 (B) delivering a copy of the discipline rules to students or
17 parents, guardians, or custodians of students.

18 The publicity requirement is satisfied if the charter school makes
19 a good faith effort to disseminate the text or substance of the
20 discipline rules to students or parents, guardians, or custodians of
21 students generally."

22 Renumber all SECTIONS consecutively.

(Reference is to HB 1394 as printed January 26, 2016.)

Representative Smith V