

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1438

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-24-3-18.5, AS ADDED BY P.L.47-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18.5. (a) Notwithstanding IC 20-24-1-2.5 and except as provided in subsection (b), an adult high school as defined in IC 20-24-1-2.3 may only be authorized by the charter board **or the executive of a consolidated city.**

(b) This section does not prohibit ~~the mayor of Indianapolis~~ **an authorizer** from renewing a charter of an adult high school that was initially authorized by ~~the mayor of Indianapolis~~ **the authorizer** prior to July 1, 2014.

(c) An authorizer may not authorize an adult high school under this section unless the general assembly makes an appropriation for the adult high school under IC 20-24-7-13.5.

SECTION 2. IC 20-24-7-1, AS AMENDED BY P.L.35-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The organizer is the fiscal agent for the charter school.

(b) The organizer has exclusive control of:

- (1) funds received by the charter school; and
- (2) financial matters of the charter school.

(c) The organizer shall maintain accounts of all funds received and

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disbursed by the organizer. The organizer shall maintain separate accountings of all funds received and disbursed by each charter school it holds.

(d) Notwithstanding IC 20-43, an organizer that operates more than one (1) charter school may file, before ~~July 1, 2014~~, **July 1 of each year**, a notice with the department that the organizer desires to receive the tuition support distributions, **and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools, for the state fiscal year beginning July 1, 2014**, for all the charter schools the organizer operates. After the organizer's authorizer or authorizers verify to the department that the organizer operates the charter schools, the department shall distribute the tuition support, **and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools**, for the verified charter schools to the organizer. The organizer may distribute the tuition support distribution it receives to each charter school it operates in the amounts determined by the organizer. However, an organizer that receives money from the state under this subsection may not use any of the money received for expenses incurred outside Indiana that are not directly related to the charter school the organizer operates in Indiana.

(e) Organizers receiving tuition support under this section may submit a consolidated audit in accordance with guidelines established by the state examiner and submit any required financial reporting to the department in a manner prescribed by the state examiner. The state examiner shall establish guidelines and prescribe reporting requirements for organizers under this section that are consistent with generally accepted accounting principles (GAAP) and the needs of the department.

SECTION 3. IC 20-24-7-2, AS AMENDED BY P.L.205-2013, SECTION 229, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Not later than each of the dates established by the department for determining ADM under IC 20-43-4-3, the organizer shall submit to the department the following information on a form prescribed by the department:

- (1) The number of students enrolled in the charter school.
- (2) The name and address of each student.
- (3) The name of the school corporation in which the student has legal settlement.
- (4) The name of the school corporation, if any, that the student attended during the immediately preceding school year.
- (5) The grade level in which the student will enroll in the charter



school.

The department shall verify the accuracy of the information reported.

(b) The department shall distribute state tuition support distributions, **and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools**, to the organizer. The department shall make a distribution under this subsection at the same time and in the same manner as the department makes a distribution of state tuition support under IC 20-43-2 to other school corporations.

SECTION 4. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

