



January 13, 2014

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## HOUSE BILL No. 1028

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DIGEST OF HB 1028 (Updated January 13, 2014 10:24 am - DI 116)

**Citations Affected:** IC 20-24; IC 20-31.

**Synopsis:** Adult high schools. Adds a definition of an adult high school. Provides that a provision that prohibits the issuance of a charter to adult high schools expires July 1, 2015. Provides that, after June 30, 2015, an adult high school may be authorized by any authorizer. Provides that a provision that limits funding of certain adult high schools to \$6,600 per student expires July 1, 2015. Provides that a requirement for the state board of education to develop alternative benchmarks, performance indicators, and accountability standards to be used in the assessment of adult high schools. Provides that an adult high school is subject to the alternative accountability system developed by the state board of education.

**Effective:** July 1, 2014.

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January 7, 2014, read first time and referred to Committee on Education.  
January 13, 2014, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.

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HB 1028—LS 6541/DI 116





January 13, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1028

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 20-24-1-2.3 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2014]: **Sec. 2.3. "Adult high school" means a charter school that**  
4 **will serve students who:**  
5 **(1) are at least eighteen (18) years of age; and**  
6 **(2) have dropped out of high school before receiving a**  
7 **diploma.**  
8 SECTION 2. IC 20-24-2.1-5, AS ADDED BY P.L.205-2013,  
9 SECTION 228, IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) ~~Except as provided in~~  
11 ~~subsection (b);~~ A charter may not be granted after the effective date of  
12 this section by the charter board or any other sponsor or authorizer for  
13 a charter school that will serve students who:  
14 **(1) are at least twenty (20) years of age; and**  
15 **(2) have dropped out of high school before receiving a diploma.**  
16 **(b) Charters may be granted by the mayor of Indianapolis before**

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1 July 1, 2013, for not more than three (3) Christel House Academies that  
 2 will serve students described in subsection (a): **an adult high school.**

3 **(b) This section expires July 1, 2015.**

4 SECTION 3. IC 20-24-3-18 IS ADDED TO THE INDIANA CODE  
 5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2014]: **Sec. 18. After June 30, 2015, an adult high school may be**  
 7 **authorized by any authorizer.**

8 SECTION 4. IC 20-24-7-13.5, AS ADDED BY P.L.205-2013,  
 9 SECTION 235, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2014]: Sec. 13.5. (a) This section applies to the  
 11 following charter schools:

12 (1) The Excel Centers for Adult Learners that is located in  
 13 Indianapolis, is sponsored or authorized by the mayor of  
 14 Indianapolis, and that is operating as of May 1, 2013.

15 (2) The Anderson Excel Center that is sponsored or authorized by  
 16 the charter board and that is operating as of May 1, 2013.

17 (3) The Christel House Academy DOR center that is located in  
 18 Indianapolis, is sponsored or authorized by the mayor of  
 19 Indianapolis, and that is operating as of May 1, 2013.

20 (4) The Excel Centers for Adult Learners located in Kokomo,  
 21 Lafayette, and Richmond that are sponsored or authorized by the  
 22 charter board and that are scheduled to begin operating not later  
 23 than fall 2013, and the Excel Center for Adult Learners located in  
 24 Indianapolis (Lafayette Square) that is sponsored or authorized by  
 25 the mayor of Indianapolis and that is scheduled to begin operating  
 26 not later than fall 2013.

27 (5) The Gary Middle College charter school that is sponsored or  
 28 authorized by Ball State University, that includes students who  
 29 are twenty-two (22) years of age and older, and that is operating  
 30 as of May 1, 2013.

31 (b) Notwithstanding any other law, for state fiscal years beginning  
 32 after June 30, 2013, a charter school described in subsection (a) is  
 33 entitled to receive funding from the state in an amount equal to the  
 34 product of:

35 (1) the charter school's number of students (expressed as full-time  
 36 equivalents); multiplied by

37 (2) six thousand six hundred dollars (\$6,600).

38 However, in the case of the charter school described in subsection  
 39 (a)(5), the funding under this section applies only for those students  
 40 who are twenty-two (22) years of age and older.

41 (c) A charter school described in subsection (a) is entitled to receive  
 42 federal **and state** special education funding.



1 (d) **A Christel House Academy that, before July 1, 2013, was**  
 2 **granted a charter by the mayor of Indianapolis to establish an**  
 3 **adult high school is not entitled to state funding if the adult high**  
 4 **school was not in operation on May 1, 2013. A charter school that is**  
 5 **granted a charter as described in IC 20-24-2.1-5(b) is not entitled to**  
 6 **state funding.**

7 (e) The state funding under this section shall be paid each state  
 8 fiscal year under a schedule set by the budget agency and approved by  
 9 the governor. However, the schedule shall provide for at least twelve  
 10 (12) payments, that one (1) payment shall be made at least every forty  
 11 (40) days, and the aggregate of the payments in each state fiscal year  
 12 shall equal the amount required under this section. However, if the  
 13 appropriations for this purpose are insufficient, the distributions to each  
 14 recipient shall be reduced proportionately.

15 **(f) This section expires July 1, 2015.**

16 SECTION 5. IC 20-31-8-4.5, AS ADDED BY P.L.205-2013,  
 17 SECTION 255, IS AMENDED TO READ AS FOLLOWS  
 18 [EFFECTIVE JULY 1, 2014]: Sec. 4.5. **(a) This section does not**  
 19 **apply to an adult high school.**

20 **(b)** In addition to other benchmarks, performance indicators, and  
 21 accountability standards developed under this article, the state board  
 22 shall develop alternative benchmarks, performance indicators, and  
 23 accountability standards to be used in the assessment of schools that  
 24 focus exclusively on providing an academic program for students with  
 25 developmental, intellectual, or behavioral challenges.

26 SECTION 6. IC 20-31-8-5.2, AS ADDED BY SEA 24-2014,  
 27 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2014]: Sec. 5.2. **(a)** The state board shall establish an  
 29 alternative accountability system to assess the performance of **an adult**  
 30 **high school. a charter school that is sponsored by the Indiana charter**  
 31 **school board established by IC 20-24-2.1-1 and designated as a**  
 32 **recovery school or an accelerated learning center.**

33 **(b) An adult high school is subject to the alternative**  
 34 **accountability system developed by the state board under**  
 35 **subsection (a).**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1028, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-24-1-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2.3. "Adult high school" means a charter school that will serve students who:**

**(1) are at least eighteen (18) years of age; and**

**(2) have dropped out of high school before receiving a diploma."**

Page 1, line 3, strike "Except as provided in".

Page 1, line 4, strike "subsection (b)".

Page 1, line 4, delete "a" and insert "A".

Page 1, strike lines 6 through 11.

Page 1, line 11, after "(a)." insert "**an adult high school.**".

Page 1, line 12, delete "(c)" and insert "**(b)**".

Page 1, line 15, delete "a charter school that is" and insert "**an adult high school may be authorized by any authorizer.**".

Page 1, delete line 16.

Page 2, delete lines 1 through 2.

Page 2, line 37, after "federal" insert "**and state**".

Page 2, line 38, after "(d)" insert "**A Christel House Academy that, before July 1, 2013, was granted a charter by the mayor of Indianapolis to establish an adult high school is not entitled to state funding if the adult high school was not in operation on May 1, 2013.**".

Page 2, line 38, strike "A charter school that is granted a charter as described in".

Page 2, strike line 39.

Page 3, line 10, delete "a charter school that:" and insert "**an adult high school.**".

Page 3, delete lines 11 through 13.

Page 3, delete lines 20 through 32, begin a new paragraph and insert:

"SECTION 5. IC 20-31-8-5.2, AS ADDED BY SEA 24-2014, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5.2. (a)** The state board shall establish an



alternative accountability system to assess the performance of **an adult high school**, a charter school that is sponsored by the Indiana charter school board established by IC 20-24-2.1-1 and designated as a recovery school or an accelerated learning center.

**(b) An adult high school is subject to the alternative accountability system developed by the state board under subsection (a)."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1028 as introduced.)

BEHNING, Chair

Committee Vote: yeas 11, nays 0.

