

SENATE BILL No. 250

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-24; IC 20-24.5-3-5; IC 20-33-1-1; IC 20-51-1-4.7; IC 20-51-4.

Synopsis: Prohibited discrimination. Provides that a choice scholarship school (eligible school) may not discriminate against a staff member based on disability, race, color, gender, gender identity or expression, sexual orientation, marital status, national origin, religion, or ancestry. Provides that if the department of education (department) determines that the eligible school discriminates against a staff member of the school, the department shall send a notice to the eligible school indicating that the eligible school will not be considered an eligible school beginning in the school year immediately following the current school year. Provides that the eligible school has 30 days from the date of the notice to demonstrate to the department that the eligible school does not discriminate against staff members. Provides that an eligible school that does not comply within that time will not be considered an eligible school beginning in the school year immediately following the current school year. Provides that an eligible school may not discriminate against a student on the basis of sexual orientation, gender identity or expression, or marital status.

Effective: Upon passage.

Ford J.D.

January 16, 2020, read first time and referred to Committee on Education and Career Development.



Second Regular Session of the 121st General Assembly (2020)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 250

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 20-24-2-2, AS ADDED BY P.L.1-2005, SECTION
2 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]: Sec. 2. A charter school is subject to all federal and state
4 laws and constitutional provisions that prohibit discrimination on the
5 basis of the following:
6 (1) Disability.
7 (2) Race.
8 (3) Color.
9 (4) Gender.
10 **(5) Gender identity or expression.**
11 **(6) Sexual orientation.**
12 **(7) Marital status.**
13 ~~(8)~~ **(8)** National origin.
14 ~~(9)~~ **(9)** Religion.
15 ~~(10)~~ **(10)** Ancestry.
16 SECTION 2. IC 20-24-4-1, AS AMENDED BY P.L.211-2019,
17 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 UPON PASSAGE]: Sec. 1. (a) A charter must meet the following
 2 requirements:
- 3 (1) Be a written instrument.
 - 4 (2) Be executed by an authorizer and an organizer.
 - 5 (3) Confer certain rights, franchises, privileges, and obligations
 6 on a charter school.
 - 7 (4) Confirm the status of a charter school as a public school.
 - 8 (5) Subject to subdivisions (6)(E) and (17), be granted for:
 - 9 (A) not less than three (3) years or more than seven (7) years;
 10 and
 - 11 (B) a fixed number of years agreed to by the authorizer and the
 12 organizer.
 - 13 (6) Provide for the following:
 - 14 (A) A review by the authorizer of the charter school's
 15 performance, including the progress of the charter school in
 16 achieving the academic goals set forth in the charter, at least
 17 one (1) time in each five (5) year period while the charter is in
 18 effect.
 - 19 (B) Renewal, if the authorizer and the organizer agree to renew
 20 the charter.
 - 21 (C) The renewal application must include guidance from the
 22 authorizer, and the guidance must include the performance
 23 criteria that will guide the authorizer's renewal decisions.
 - 24 (D) The renewal application process must, at a minimum,
 25 provide an opportunity for the charter school to:
 - 26 (i) present additional evidence, beyond the data contained in
 27 the performance report, supporting its case for charter
 28 renewal;
 - 29 (ii) describe improvements undertaken or planned for the
 30 charter school; and
 - 31 (iii) detail the charter school's plans for the next charter
 32 term.
 - 33 (E) Not later than the end of the calendar year in which the
 34 charter school seeks renewal of a charter, the governing board
 35 of a charter school seeking renewal shall submit a renewal
 36 application to the charter authorizer under the renewal
 37 application guidance issued by the authorizer. The authorizer
 38 shall make a final ruling on the renewal application not later
 39 than April 1 after the filing of the renewal application. A
 40 renewal granted under this clause is not subject to the three (3)
 41 year minimum described in subdivision (5). The April 1
 42 deadline does not apply to any review or appeal of a final



- 1 ruling. After the final ruling is issued, the charter school may
 2 obtain further review by the authorizer of the authorizer's final
 3 ruling in accordance with the terms of the charter school's
 4 charter and the protocols of the authorizer.
- 5 (7) Specify the grounds for the authorizer to:
 6 (A) revoke the charter before the end of the term for which the
 7 charter is granted; or
 8 (B) not renew a charter.
- 9 (8) Set forth the methods by which the charter school will be held
 10 accountable for achieving the educational mission and goals of
 11 the charter school, including the following:
 12 (A) Evidence of improvement in:
 13 (i) assessment measures, including the statewide assessment
 14 program measures;
 15 (ii) attendance rates;
 16 (iii) graduation rates (if appropriate);
 17 (iv) increased numbers of Indiana diplomas with a Core 40
 18 designation and other college and career ready indicators
 19 including advanced placement participation and passage,
 20 dual credit participation and passage, and International
 21 Baccalaureate participation and passage (if appropriate);
 22 (v) increased numbers of Indiana diplomas with Core 40
 23 with academic honors and technical honors designations (if
 24 appropriate);
 25 (vi) student academic growth;
 26 (vii) financial performance and stability; and
 27 (viii) governing board performance and stewardship,
 28 including compliance with applicable laws, rules and
 29 regulations, and charter terms.
- 30 (B) Evidence of progress toward reaching the educational
 31 goals set by the organizer.
- 32 (9) Describe the method to be used to monitor the charter
 33 school's:
 34 (A) compliance with applicable law; and
 35 (B) performance in meeting targeted educational performance.
- 36 (10) Specify that the authorizer and the organizer may amend the
 37 charter during the term of the charter by mutual consent and
 38 describe the process for amending the charter.
- 39 (11) Describe specific operating requirements, including all the
 40 matters set forth in the application for the charter.
- 41 (12) Specify a date when the charter school will:
 42 (A) begin school operations; and



- 1 (B) have students attending the charter school.
 2 (13) Specify that records of a charter school relating to the
 3 school's operation and charter are subject to inspection and
 4 copying to the same extent that records of a public school are
 5 subject to inspection and copying under IC 5-14-3.
 6 (14) Specify that records provided by the charter school to the
 7 department or authorizer that relate to compliance by the
 8 organizer with the terms of the charter or applicable state or
 9 federal laws are subject to inspection and copying in accordance
 10 with IC 5-14-3.
 11 (15) Specify that the charter school is subject to the requirements
 12 of IC 5-14-1.5.
 13 (16) This subdivision applies to a charter established or renewed
 14 for an adult high school after June 30, 2014. The charter must
 15 require:
 16 (A) that the school will offer flexible scheduling;
 17 (B) that students will not complete the majority of instruction
 18 of the school's curriculum online or through remote
 19 instruction;
 20 (C) that the school will offer dual credit or industry
 21 certification course work that aligns with career pathways as
 22 recommended by the Indiana career council established by
 23 IC 22-4.5-9-3; and
 24 (D) a plan:
 25 (i) to support successful program completion and to assist
 26 transition of graduates to the workforce or to a
 27 postsecondary education upon receiving a diploma from the
 28 adult high school; and
 29 (ii) to review individual student accomplishments and
 30 success after a student receives a diploma from the adult
 31 high school.
 32 (17) This subdivision applies to a charter between an authorizer
 33 and an organizer of a charter school granted or renewed after June
 34 30, 2019. The charter must require that:
 35 (A) a charter school comply with actions implemented by the
 36 state board under IC 20-24-2.2-2.5; and
 37 (B) if the state board implements closure of the charter school
 38 under IC 20-24-2.2-2.5, the charter is revoked at the time the
 39 charter school closes.
 40 **(18) This subdivision applies to a charter established or**
 41 **renewed after June 30, 2020. The charter must include a**
 42 **provision specifying that the school will not discriminate**



1 **against staff members on the basis of the following:**

- 2 **(A) Disability.**
 3 **(B) Race.**
 4 **(C) Color.**
 5 **(D) Gender.**
 6 **(E) Gender identity or expression.**
 7 **(F) Sexual orientation.**
 8 **(G) Marital status.**
 9 **(H) National origin.**
 10 **(I) Religion.**
 11 **(J) Ancestry.**

12 (b) A charter school shall set annual performance targets in
 13 conjunction with the charter school's authorizer. The annual
 14 performance targets shall be designed to help each school meet
 15 applicable federal, state, and authorizer expectations.

16 SECTION 3. IC 20-24-5-5, AS AMENDED BY P.L.270-2019,
 17 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 5. (a) Except as provided in subsections (b),
 19 (c), (d), (e), and (f) and section 4.5 of this chapter, a charter school
 20 must enroll any eligible student who submits a timely application for
 21 enrollment.

22 (b) This subsection applies if the number of applications for a
 23 program, class, grade level, or building exceeds the capacity of the
 24 program, class, grade level, or building. If a charter school receives a
 25 greater number of applications than there are spaces for students, each
 26 timely applicant must be given an equal chance of admission. The
 27 organizer must determine which of the applicants will be admitted to
 28 the charter school or the program, class, grade level, or building by
 29 random drawing in a public meeting, with each timely applicant limited
 30 to one (1) entry in the drawing. However, the organizer of a charter
 31 school located in a county with a consolidated city shall determine
 32 which of the applicants will be admitted to the charter school or the
 33 program, class, grade level, or building by using a publicly verifiable
 34 random selection process.

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

- 37 (1) ensure that a student who attends the charter school during a
 38 school year may continue to attend the charter school in
 39 subsequent years;
 40 (2) ensure that a student who attends a charter school during a
 41 school year may continue to attend a different charter school held
 42 by the same organizer in subsequent years;



- 1 (3) allow the siblings of a student alumnus or a current student
 2 who attends a charter school or a charter school held by the same
 3 organizer to attend the same charter school the student is
 4 attending or the student alumnus attended;
- 5 (4) allow preschool students who attend a Level 3 or Level 4
 6 Paths to QUALITY program preschool to attend kindergarten at
 7 a charter school if the charter school and the preschool provider
 8 have entered into an agreement to share services or facilities;
- 9 (5) allow each student who qualifies for free or reduced price
 10 lunch under the national school lunch program to receive
 11 preference for admission to a charter school if the preference is
 12 specifically provided for in the charter school's charter and is
 13 approved by the authorizer; and
- 14 (6) allow each student who attends a charter school that is
 15 co-located with the charter school to receive preference for
 16 admission to the charter school if the preference is specifically
 17 provided for in the charter school's charter and is approved by the
 18 charter school's authorizer.
- 19 (d) This subsection applies to an existing school that converts to a
 20 charter school under IC 20-24-11. During the school year in which the
 21 existing school converts to a charter school, the charter school may
 22 limit admission to:
- 23 (1) those students who were enrolled in the charter school on the
 24 date of the conversion; and
- 25 (2) siblings of students described in subdivision (1).
- 26 (e) A charter school may give enrollment preference to children of
 27 the charter school's founders, governing body members, and charter
 28 school employees, as long as the enrollment preference under this
 29 subsection is not given to more than ten percent (10%) of the charter
 30 school's total population.
- 31 (f) A charter school may not suspend or expel a charter school
 32 student or otherwise request a charter school student to transfer to
 33 another school on the basis of the following:
- 34 (1) Disability.
- 35 (2) Race.
- 36 (3) Color.
- 37 (4) Gender.
- 38 **(5) Gender identity or expression.**
- 39 **(6) Sexual orientation.**
- 40 **(7) Marital status.**
- 41 ~~(5)~~ **(8) National origin.**
- 42 ~~(6)~~ **(9) Religion.**



- 1 (7) **(10)** Ancestry.
 2 A charter school student may be expelled or suspended only in a
 3 manner consistent with discipline rules established under IC 20-24-5.5.
 4 SECTION 4. IC 20-24.5-3-5, AS ADDED BY P.L.2-2007,
 5 SECTION 209, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A student who applies for
 7 admission to the academy must:
 8 (1) be eligible to attend a public school in Indiana;
 9 (2) demonstrate exceptional intellectual ability; and
 10 (3) demonstrate a commitment to scholarship.
 11 (b) A student shall be admitted without regard to sex, **sexual**
 12 **orientation, gender identity or expression, marital status**, race,
 13 religion, creed, national origin, or household income.
 14 SECTION 5. IC 20-33-1-1, AS AMENDED BY P.L.3-2008,
 15 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE UPON PASSAGE]: Sec. 1. The following is the public
 17 policy of the state:
 18 (1) To provide:
 19 (A) equal;
 20 (B) nonsegregated; and
 21 (C) nondiscriminatory;
 22 educational opportunities and facilities for all, regardless of race,
 23 creed, national origin, color, **or sex, sexual orientation, gender**
 24 **identity or expression, or marital status.**
 25 (2) To provide and furnish public schools open equally to all, and
 26 prohibited and denied to none because of race, creed, color, **sex,**
 27 **sexual orientation, gender identity or expression, marital**
 28 **status**, or national origin.
 29 (3) To reaffirm the principles of:
 30 (A) the Bill of Rights;
 31 (B) civil rights; and
 32 (C) the Constitution of the State of Indiana.
 33 (4) To provide a uniform democratic system of public school
 34 education to the state and the citizens of Indiana.
 35 (5) To:
 36 (A) abolish;
 37 (B) eliminate; and
 38 (C) prohibit;
 39 segregated and separate schools or school districts on the basis of
 40 race, creed, or color.
 41 (6) To eliminate and prohibit:
 42 (A) segregation;



- 1 (B) separation; and
 2 (C) discrimination;
 3 on the basis of race, creed, or color in public schools.
 4 SECTION 6. IC 20-51-1-4.7, AS AMENDED BY P.L.242-2017,
 5 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 4.7. "Eligible school" refers to a public or
 7 nonpublic elementary school or high school that:
 8 (1) is located in Indiana;
 9 (2) requires an eligible choice scholarship student to pay tuition
 10 or transfer tuition to attend;
 11 (3) voluntarily agrees to enroll an eligible choice scholarship
 12 student;
 13 (4) is accredited by either the state board or a national or regional
 14 accreditation agency that is recognized by the state board;
 15 (5) administers the statewide assessment program;
 16 (6) is not a charter school or the school corporation in which an
 17 eligible choice scholarship student has legal settlement under
 18 IC 20-26-11; ~~and~~
 19 (7) submits to the department only the student performance data
 20 required for a category designation under IC 20-31-8-3; **and**
 21 **(8) complies with IC 20-51-4-1(h).**
 22 SECTION 7. IC 20-51-4-1, AS AMENDED BY P.L.106-2016,
 23 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 UPON PASSAGE]: Sec. 1. (a) Except as provided under subsections
 25 (b) through ~~(h)~~; **(i)**, it is the intent of the general assembly to honor the
 26 autonomy of nonpublic schools that choose to become eligible schools
 27 under this chapter. A nonpublic eligible school is not an agent of the
 28 state or federal government, and therefore:
 29 (1) the department or any other state agency may not in any way
 30 regulate the educational program of a nonpublic eligible school
 31 that accepts a choice scholarship under this chapter, including the
 32 regulation of curriculum content, religious instruction or
 33 activities, classroom teaching, teacher and staff hiring
 34 requirements **(except as provided in subsection (h))**, and other
 35 activities carried out by the eligible school;
 36 (2) the creation of the choice scholarship program does not
 37 expand the regulatory authority of the state, the state's officers, or
 38 a school corporation to impose additional regulation of nonpublic
 39 schools beyond those necessary to enforce the requirements of the
 40 choice scholarship program in place on July 1, 2011; and
 41 (3) a nonpublic eligible school shall be given the freedom to
 42 provide for the educational needs of students without



- 1 governmental control.
- 2 (b) This section applies to the following writings, documents, and
3 records:
- 4 (1) The Constitution of the United States.
- 5 (2) The national motto.
- 6 (3) The national anthem.
- 7 (4) The Pledge of Allegiance.
- 8 (5) The Constitution of the State of Indiana.
- 9 (6) The Declaration of Independence.
- 10 (7) The Mayflower Compact.
- 11 (8) The Federalist Papers.
- 12 (9) "Common Sense" by Thomas Paine.
- 13 (10) The writings, speeches, documents, and proclamations of the
14 founding fathers and presidents of the United States.
- 15 (11) United States Supreme Court decisions.
- 16 (12) Executive orders of the presidents of the United States.
- 17 (13) Frederick Douglass's speech at Rochester, New York, on July
18 5, 1852, entitled "What to the Slave is the Fourth of July?".
- 19 (14) "Appeal" by David Walker.
- 20 (15) Chief Seattle's letter to the United States government in 1852
21 in response to the United States government's inquiry regarding
22 the purchase of tribal lands.
- 23 (c) An eligible school may allow a principal or teacher in the
24 eligible school to read or post in the school building or classroom or at
25 a school event any excerpt or part of a writing, document, or record
26 listed in subsection (b).
- 27 (d) An eligible school may not permit the content based censorship
28 of American history or heritage based on religious references in a
29 writing, document, or record listed in subsection (b).
- 30 (e) A library, a media center, or an equivalent facility that an
31 eligible school maintains for student use must contain in the facility's
32 permanent collection at least one (1) copy of each writing or document
33 listed in subsection (b)(1) through (b)(9).
- 34 (f) An eligible school shall do the following:
- 35 (1) Allow a student to include a reference to a writing, document,
36 or record listed in subsection (b) in a report or other work product.
- 37 (2) May not punish the student in any way, including a reduction
38 in grade, for using the reference.
- 39 (3) Display the United States flag in each classroom.
- 40 (4) Provide a daily opportunity for students to voluntarily recite
41 the Pledge of Allegiance in each classroom or on school grounds.
- 42 A student is exempt from participation in the Pledge of



- 1 Allegiance and may not be required to participate in the Pledge of
 2 Allegiance if:
 3 (A) the student chooses to not participate; or
 4 (B) the student's parent chooses to have the student not
 5 participate.
 6 (5) Provide instruction on the constitutions of:
 7 (A) Indiana; and
 8 (B) the United States.
 9 (6) For an eligible school that enrolls students in grades 6 through
 10 12, provide within the two (2) weeks preceding a general election
 11 five (5) full recitation periods of class discussion concerning:
 12 (A) the system of government in Indiana and in the United
 13 States;
 14 (B) methods of voting;
 15 (C) party structures;
 16 (D) election laws; and
 17 (E) the responsibilities of citizen participation in government
 18 and in elections.
 19 (7) Require that each teacher employed by the eligible school
 20 present instruction with special emphasis on:
 21 (A) honesty;
 22 (B) morality;
 23 (C) courtesy;
 24 (D) obedience to law;
 25 (E) respect for the national flag and the Constitution of the
 26 State of Indiana and the Constitution of the United States;
 27 (F) respect for parents and the home;
 28 (G) the dignity and necessity of honest labor; and
 29 (H) other lessons of a steadying influence that tend to promote
 30 and develop an upright and desirable citizenry.
 31 (8) Provide good citizenship instruction that stresses the nature
 32 and importance of the following:
 33 (A) Being honest and truthful.
 34 (B) Respecting authority.
 35 (C) Respecting the property of others.
 36 (D) Always doing the student's personal best.
 37 (E) Not stealing.
 38 (F) Possessing the skills (including methods of conflict
 39 resolution) necessary to live peaceably in society and not
 40 resorting to violence to settle disputes.
 41 (G) Taking personal responsibility for obligations to family
 42 and community.



- 1 (H) Taking personal responsibility for earning a livelihood.
 2 (I) Treating others the way the student would want to be
 3 treated.
 4 (J) Respecting the national flag, the Constitution of the United
 5 States, and the Constitution of the State of Indiana.
 6 (K) Respecting the student's parents and home.
 7 (L) Respecting the student's self.
 8 (M) Respecting the rights of others to have their own views
 9 and religious beliefs.
- 10 (9) Provide instruction in the following studies:
 11 (A) Language arts, including:
 12 (i) English;
 13 (ii) grammar;
 14 (iii) composition;
 15 (iv) speech; and
 16 (v) second languages.
 17 (B) Mathematics.
 18 (C) Social studies and citizenship, including the:
 19 (i) constitutions;
 20 (ii) governmental systems; and
 21 (iii) histories;
 22 of Indiana and the United States, including a study of the
 23 Holocaust and the role religious extremism played in the
 24 events of September 11, 2001, in each high school United
 25 States history course.
 26 (D) Sciences.
 27 (E) Fine arts, including music and art.
 28 (F) Health education, physical fitness, safety, and the effects
 29 of alcohol, tobacco, drugs, and other substances on the human
 30 body.
- 31 (g) An eligible school shall not teach the violent overthrow of the
 32 government of the United States.
- 33 **(h) An eligible school may not discriminate against a member of**
 34 **the eligible school's staff on the basis of any of the following:**
 35 **(1) Disability.**
 36 **(2) Race.**
 37 **(3) Color.**
 38 **(4) Gender.**
 39 **(5) Gender identity or expression.**
 40 **(6) Sexual orientation.**
 41 **(7) Marital status.**
 42 **(8) National origin.**



1 **(9) Religion.**

2 **(10) Ancestry.**

3 ~~(h)~~ **(i)** Nothing in this section shall be construed to limit the
4 requirements of IC 20-30-5.

5 SECTION 8. IC 20-51-4-3, AS AMENDED BY P.L.106-2016,
6 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 UPON PASSAGE]: Sec. 3. (a) An eligible school may not discriminate
8 on the basis of race, color, **sexual orientation, gender identity or**
9 **expression, marital status, disability, ancestry,** or national origin.

10 (b) An eligible school shall abide by the school's written admission
11 policy fairly and without discrimination with regard to students who:

12 (1) apply for; or

13 (2) are awarded;

14 scholarships under this chapter.

15 (c) If the number of applicants for enrollment in an eligible school
16 under a choice scholarship exceeds the number of choice scholarships
17 available to the eligible school, the eligible school must draw at
18 random in a public meeting the applications of applicants who are
19 entitled to a choice scholarship from among the applicants who meet
20 the requirements for admission to the eligible school.

21 (d) The department shall make random visits to at least five percent
22 (5%) of eligible schools during a particular school year to verify that
23 the eligible school complies with the provisions of this chapter and the
24 Constitutions of the State of Indiana and the United States.

25 (e) Each eligible school shall grant the department reasonable
26 access to its premises, including access to the school's grounds,
27 buildings, and property.

28 (f) Each year the principal of each eligible school shall certify under
29 penalties of perjury to the department that the eligible school is
30 complying with the requirements of this chapter. The department shall
31 develop a process for eligible schools to follow to make certifications.

32 **(g) Each eligible school shall annually submit to the department,**
33 **in a manner prescribed by the department, copies of teacher**
34 **contracts or other documentation prescribed by the department to**
35 **demonstrate that the eligible school's employment practices**
36 **comply with section 1(h) of this chapter.**

37 SECTION 9. IC 20-51-4-3.5 IS ADDED TO THE INDIANA CODE
38 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
39 UPON PASSAGE]: **Sec. 3.5. (a) If the department:**

40 **(1) after reviewing documentation submitted under section**
41 **3(g) of this chapter determines that an eligible school does not**
42 **comply with section 1(h) of this chapter;**



- 1 (2) receives copies of findings from a court that an eligible
2 school does not comply with section 1(h) of this chapter; or
3 (3) otherwise determines that an eligible school does not
4 comply with section 1(h) of this chapter;
5 the department shall send notice to the eligible school indicating
6 that the eligible school will not be considered an eligible school
7 under IC 20-51-1-4.7, beginning in the school year immediately
8 following the current school year if the eligible school, within thirty
9 (30) days of the date of the notice, does not demonstrate, in a
10 manner prescribed by the department, that the eligible school
11 complies with section 1(h) of this chapter.
- 12 (b) If an eligible school that receives a notice does not comply
13 with section 1(h) of this chapter in the manner described in
14 subsection (a), the school will not be considered an eligible school
15 beginning in the school year immediately following the current
16 school year. The department may not award a choice scholarship
17 under this chapter to students enrolled in the school beginning in
18 the school year immediately following the current school year until
19 the department subsequently approves the school's application
20 under subsection (d).
- 21 (c) An eligible school described in subsection (b) must notify
22 parents of students currently enrolled in the school that students
23 enrolled in the school beginning in the school year immediately
24 following the current school year will not be eligible to receive a
25 choice scholarship under this chapter if the student is enrolled in
26 the school.
- 27 (d) A school described in subsection (b) may submit an
28 application to the department to become an eligible school not
29 earlier than one (1) year from the date the school is no longer
30 considered an eligible school under this section. The school must
31 submit documentation prescribed by the department to
32 demonstrate that the school is compliant with section 1(h) of this
33 chapter.
- 34 SECTION 10. An emergency is declared for this act.

