



SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 239 be amended to read as follows:

- 1 Page 4, between lines 12 and 13, begin a new paragraph and insert:
- 2 "SECTION 4. IC 20-24-1-2.5, AS AMENDED BY P.L.81-2019,
- 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2026]: Sec. 2.5. "Authorizer" means, for a charter school, one
- 5 (1) of the following:
- 6 (1) Subject to IC 20-24-2.2-1.2, a governing body.
- 7 (2) ~~A state educational institution that offers a four (4) year~~
- 8 ~~baccalaureate degree.~~
- 9 (3) (2) The executive (as defined in IC 36-1-2-5) of a consolidated
- 10 city.
- 11 (4) (3) The charter board.
- 12 (5) Subject to IC 20-24-2.2-1.2, a governing board of a nonprofit
- 13 college or university that provides a four (4) year educational
- 14 program for which it awards a baccalaureate or more advanced
- 15 degree, including the following:
- 16 Anderson University
- 17 Bethel University
- 18 Butler University
- 19 Calumet College of St. Joseph
- 20 DePauw University
- 21 Earlham College
- 22 Franklin College
- 23 Goshen College
- 24 Grace College
- 25 Hanover College
- 26 Holy Cross College
- 27 Huntington University

1 Indiana Tech
 2 Indiana Wesleyan University
 3 Manchester University
 4 Marian University
 5 Martin University
 6 Oakland City University
 7 Rose-Hulman Institute of Technology
 8 Saint Mary-of-the-Woods College
 9 Saint Mary's College
 10 Taylor University
 11 Trine University
 12 University of Evansville
 13 University of Indianapolis
 14 University of Notre Dame
 15 University of Saint Francis
 16 Valparaiso University
 17 Wabash College.

18 SECTION 5. IC 20-24-2.2-1.2, AS AMENDED BY THE
 19 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 20 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 1.2. (a) This section applies to an authorizer
 22 described in IC 20-24-1-2.5(1) **and** IC 20-24-1-2.5(2) **and**
 23 ~~IC 20-24-1-2.5(5)~~ if the authorizer has not previously issued a charter
 24 for any charter school prior to July 1, 2015.

25 (b) A governing body of a school corporation may register with the
 26 state board for charter authority within the attendance area of the
 27 school corporation. The state board shall post on the state board's
 28 ~~Internet web site~~ **website** an application received from an authorizer to
 29 register with the state board under this section within ten (10) days
 30 after receipt of the application. The state board may not charge an
 31 authorizer a fee to register with the state board under this section.

32 ~~(c) A governing board of a nonprofit college or university described~~
 33 ~~in IC 20-24-1-2.5(5) may apply to the state board for statewide,~~
 34 ~~regional, or local chartering authority.~~

35 ~~(d)~~ **(c)** The state board shall publicize to all governing bodies the
 36 opportunity to register with the state board for chartering authority
 37 within their school corporation. Not later than May 1 of each year, the
 38 state board shall provide information about the opportunity, including
 39 a registration deadline, to all governing bodies. To register as an
 40 authorizer, each interested governing body must submit the following
 41 information in a format prescribed by the state board:

- 42 (1) A written notification of intent to serve as a charter authorizer
- 43 in accordance with this article.
- 44 (2) An explanation of the governing body's strategic vision for
- 45 chartering.
- 46 (3) An explanation of the governing body's budget and personnel

capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.

(4) An explanation of how the governing body will solicit charter school applicants in accordance with IC 20-24-3.

(5) A description or outline of the performance framework the governing body will use to guide the establishment of a charter contract and for the oversight and evaluation of charter schools, consistent with this article.

(6) A draft of the governing body's renewal, revocation, and nonrenewal processes, consistent with this article.

(7) A statement of assurance that the governing body commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the governing body will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

~~(e)~~ **(d)** Within sixty (60) days of receipt of the information described in subsection ~~(d)~~, **(c)**, the state board shall register the governing body as a charter authorizer within the attendance area of the school corporation and shall provide the governing body a letter confirming the governing body's registration as a charter authorizer. A governing body may not engage in any charter authorizing functions without a current registration as a charter authorizer with the state board.

~~(f)~~ The state board shall establish an annual application and approval process, including cycles and deadlines during the state fiscal year, for registering an entity described in IC 20-24-1-2.5(5) for authorizer authority. Not later than May 1 of each year, the state board shall make available information and guidelines for an applicant described in IC 20-24-1-2.5(5) concerning the opportunity to apply for chartering authority under this article. The application process must require each applicant to submit an application that clearly explains or presents the following elements:

~~(1)~~ A written notification of intent to serve as a charter authorizer in accordance with this article.

~~(2)~~ The applicant's strategic vision for chartering.

~~(3)~~ A plan to support the applicant's strategic vision described in subdivision (2), including an explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.

~~(4)~~ A draft or preliminary outline of the request for proposals that the applicant would, if approved by the state board under this section, issue to solicit charter school applicants under IC 20-24-3.

~~(5)~~ A draft of the performance framework that the applicant would, if approved by the state board under this section, use to guide the establishment of a charter contract and for ongoing

oversight and evaluation of charter schools consistent with this article.

(6) A draft of the applicant's renewal, revocation, and nonrenewal processes.

(7) A statement of assurance that the applicant commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article; and that the applicant will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

(g) Not later than July 1 of each year, the state board shall grant or deny chartering authority to an applicant under subsection (f). The state board shall make its decision on the merits of each applicant's proposal and plans submitted under subsection (f).

(h) Within thirty (30) days of the state board's decision under subsection (g), the state board shall execute a renewable authorizing contract with an applicant that the state board has approved for chartering authority. The initial term of each authorizing contract is six (6) years. The authorizing contract must specify each approved applicant's agreement to serve as a charter authorizer in accordance with this article and shall specify additional performance terms based on the applicant's proposal and plan for chartering. An approved applicant may not commence charter authorizing without an authorizing contract in effect.

(i) (e) The state board shall maintain on the state board's Internet web site website the names of each authorizer approved by the state board under this section.

(f) After June 30, 2026, a state educational institution, and the governing board of a nonprofit college or university that provides a four (4) year educational program for which it awards a baccalaureate or more advanced degree may not:

(1) issue a new charter; or

(2) renew an existing charter upon the charter's expiration under IC 20-24-4-1.

SECTION 6. IC 20-24-3-1, AS AMENDED BY P.L.280-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) An authorizer may grant a charter to an organizer to operate a charter school under this article.

(b) After June 30, 2026, an authorizer may not grant a charter to an organizer to establish and operate a charter school located in Indiana. This subsection expires July 1, 2031.

SECTION 7. IC 20-24-3-14, AS AMENDED BY P.L.250-2017, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) This section applies to state educational institutions described in IC 20-24-1-2.5(2). that:

(1) provide a four (4) year educational program for which they award a baccalaureate or more advanced degree; and

(2) have authorized one (1) or more charters before July 1, 2026.

(b) Except as provided in subsection (c), the ultimate responsibility for choosing to authorize a charter school and responsibilities for maintaining authorization rest with the university's board of trustees.

(c) The university's board of trustees shall assign authorization authority and authorization responsibilities to another entity that functions under the direction of the university's board. A decision made under this subsection shall be communicated in writing to the department.

(d) An entity created under subsection (c) is subject to IC 5-14-1.5 and IC 5-14-3.

(e) Before a university may authorize a charter school, the university must conduct a public meeting with public notice in the school corporation where the charter school will be located. If the location of the proposed charter school has not been identified, the public hearing must be held within the county where the proposed charter school would be located.

(f) This section expires June 30, 2041.

SECTION 8. IC 20-24-3-14.1, AS ADDED BY P.L.127-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14.1. (a) This section applies to nonprofit colleges and universities ~~described in IC 20-24-1-2.5(5).~~ **that:**

(1) provide a four (4) year educational program for which they award a baccalaureate or more advanced degree; and
(2) have authorized one (1) or more charters before July 1, 2026.

(b) Except as provided in subsection (c), the ultimate responsibility for choosing to authorize and for maintaining authorization rests with the nonprofit college's or university's board of trustees.

(c) Beginning January 1, 2017, the nonprofit college's or university's board of trustees shall assign authorization authority and authorization responsibilities to a separate legal entity that functions under the direction of the nonprofit college's or university's board. A decision made under this subsection shall be communicated in writing to the department and the state board.

(d) An entity created under subsection (c) is subject to the requirements of IC 5-14-1.5 and IC 5-14-3. Creation of an entity under subsection (c) by a nonprofit college or university described in IC 20-24-1-2.5(5) does not subject the nonprofit college or university itself to the requirements of IC 5-14-1.5 and IC 5-14-3 unless otherwise required by law.

(e) Before an entity created under subsection (c) may authorize a charter school, the entity must conduct a public meeting with public notice in the school corporation where the charter school will be located. If the location of the proposed charter school has not been

identified, the public hearing must be held within the county where the proposed charter school would be located.

(f) This section expires June 30, 2041.

SECTION 10. IC 20-24-7-4, AS AMENDED BY P.L.221-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Services that a school corporation provides to a charter school, including transportation, may be provided at not more than one hundred three percent (103%) of the actual cost of the services.

(b) This subsection applies to an authorizer that is a state educational institution described in ~~IC 20-24-1-2.5(2)~~. **IC 20-24-3-14(a)**. Except as provided in subsection (f), in a state fiscal year, a state educational institution may receive from the organizer of a charter school authorized by the state educational institution an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year from basic tuition support (as defined in IC 20-43-1-8).

(c) This subsection applies to the executive of a consolidated city that authorizes a charter school. Except as provided in subsection (f), in a state fiscal year, the executive may collect from the organizer of a charter school authorized by the executive an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(d) This subsection applies to an authorizer that is a nonprofit college or university that is approved by the state board of education **before July 1, 2026**. Except as provided in IC 20-24-2.2-1.5 and subsection (f), in a state fiscal year, a private college or university may collect from the organizer of a charter school authorized by the private college or university an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(e) This subsection applies to the charter board. Except as provided in subsection (f), in a state fiscal year, the charter school board may collect from the organizer of a charter school authorized by the charter board an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(f) This subsection applies to an adult high school. An authorizer described in subsections (b) through (e) may collect an administrative fee equal to not more than three percent (3%) of the total state appropriation to the adult high school for a state fiscal year under section 13.5 of this chapter.

(g) An authorizer's administrative fee may not include any costs incurred in delivering services that a charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling

1 authorizing obligations.

2 (h) Except for oversight services, a charter school may not be
3 required to purchase services from its authorizer as a condition of
4 charter approval or of executing a charter contract, nor may any such
5 condition be implied.

6 (i) A charter school may choose to purchase services from its
7 authorizer. In that event, the charter school and authorizer shall execute
8 an annual service contract, separate from the charter contract, stating
9 the parties' mutual agreement concerning the services to be provided
10 by the authorizer and any service fees to be charged to the charter
11 school. An authorizer may not charge more than market rates for
12 services provided to a charter school.

13 (j) Not later than ninety (90) days after the end of each fiscal year,
14 each authorizer shall provide to each charter school it authorizes an
15 itemized accounting of the actual costs of services purchased by the
16 charter school from the authorizer. Any difference between the amount
17 initially charged to the charter school and the actual cost shall be
18 reconciled and paid to the owed party. If either party disputes the
19 itemized accounting, any charges included in the accounting, or
20 charges to either party, either party may request a review by the
21 department. The requesting party shall pay the costs of the review.

22 SECTION 9. IC 20-24-7-13, AS AMENDED BY P.L.214-2025,
23 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2026]: Sec. 13. (a) A virtual charter school may only apply for
25 authorization with any statewide authorizer in accordance with the
26 authorizer's guidelines. A virtual charter school may renew a charter
27 only with a statewide authorizer. An authorizer described in
28 ~~IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3)~~ **IC 20-24-1-2.5(2)** is not
29 considered a statewide authorizer.

30 (b) For each state fiscal year, a virtual charter school is entitled to
31 receive funding in a month from the state in an amount equal to:

- 32 (1) the quotient of:
33 (A) the school's basic tuition support determined under
34 IC 20-43-6-3; divided by
35 (B) twelve (12); plus
36 (2) the total of any:
37 (A) special education grants under IC 20-43-7;
38 (B) career and technical education grants under IC 20-43-8;
39 (C) non-English speaking program grants under
40 IC 20-43-10-4; and
41 (D) academic performance grants under IC 20-43-10.5;
42 to which the virtual charter school is entitled for the month.

43 For each state fiscal year, a virtual charter school's special education
44 grants under IC 20-43-7 shall be calculated in the same manner as
45 special education grants are calculated for other school corporations.

46 (c) The state board shall adopt rules under IC 4-22-2 to govern the

operation of virtual charter schools.

(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual charter schools authorized by the authorizer that include the following:

(1) Minimum requirements for the mandatory annual onboarding process and orientation required under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:

(A) the student engagement and attendance requirements or policies of the virtual charter school; and

(B) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4.

(2) Requirements relating to tracking and monitoring student participation and attendance.

(3) Ongoing student engagement and counseling policy requirements.

(4) Employee policy requirements, including professional development requirements.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of student-teacher meetings conducted in person or by video conference.

(4) Any other information determined by the department.

The department shall provide this information annually to the state board and the legislative council in an electronic format under IC 5-14-6.

(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent

1 to demonstrate that failure to participate in the course is due to an
2 event that would be considered an excused absence under
3 IC 20-33-2.

4 (i) A student who is withdrawn from enrollment for failure to
5 participate in courses pursuant to the school's student engagement
6 policy may not reenroll in that same virtual charter school for the
7 school year in which the student is withdrawn.

8 (j) An authorizer shall review and monitor whether a virtual charter
9 school that is authorized by the authorizer complies with the
10 requirements described in subsections (h) and (i).".

11 Renumber all SECTIONS consecutively.
(Reference is to SB 239 as printed January 23, 2026.)

Senator QADDOURA