

## **IC 20-24-8**

### **Chapter 8. Charter School Powers and Exemptions**

#### **IC 20-24-8-1**

##### **Powers of charter schools**

Sec. 1. A charter school may do the following:

- (1) Sue and be sued in its own name.
- (2) For educational purposes, acquire real and personal property or an interest in real and personal property by purchase, gift, grant, devise, or bequest.
- (3) Convey property.
- (4) Enter into contracts in its own name, including contracts for services.

*As added by P.L.1-2005, SEC.8.*

#### **IC 20-24-8-2**

##### **Prohibited acts**

Sec. 2. (a) A charter school may not do the following:

- (1) Operate at a site or for grades other than as specified in the charter.
- (2) Charge tuition to any student residing within the school corporation's geographic boundaries. However, a charter school may charge tuition for:
  - (A) a preschool program, unless charging tuition for the preschool program is barred under federal law; or
  - (B) a latch key program;if the charter school provides those programs.
- (3) Except for a foreign exchange student who is not a United States citizen, enroll a student who is not a resident of Indiana.
- (4) Be located in a private residence.
- (5) Provide solely home based instruction.

(b) A charter school is not prohibited from delivering instructional services:

- (1) through the Internet or another online arrangement; or
- (2) in any manner by computer;

if the instructional services are provided to students enrolled in the charter school in a manner that complies with any procedures adopted by the department concerning online and computer instruction in public schools.

*As added by P.L.1-2005, SEC.8. Amended by P.L.169-2005, SEC.16.*

#### **IC 20-24-8-3**

##### **Compliance with laws, charter, and state constitution**

Sec. 3. For each charter school established under this article, the charter school and the organizer are accountable to the authorizer for ensuring compliance with:

- (1) applicable federal and state laws;
- (2) the charter; and
- (3) the Constitution of the State of Indiana.

*As added by P.L.1-2005, SEC.8. Amended by P.L.280-2013, SEC.45.*

#### **IC 20-24-8-4**

##### **Statutes, rules, and regulations not applicable**

Sec. 4. Except as specifically provided in this article and the statutes listed in section 5 of this chapter, the following do not apply to a charter school:

- (1) An Indiana statute applicable to a governing body or school corporation.
- (2) A rule or guideline adopted by the state board.
- (3) A rule or guideline adopted by the state board concerning teachers, except for those rules that assist a teacher in gaining or renewing a standard or advanced license.
- (4) A local regulation or policy adopted by a school corporation unless specifically incorporated in the charter.

*As added by P.L.1-2005, SEC.8. Amended by P.L.246-2005, SEC.130; P.L.90-2011, SEC.9.*

#### **IC 20-24-8-5**

##### **Applicable statutes, rules, and guidelines**

Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 (criminal history).
- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (7) IC 20-28-10-14 (teacher freedom of association).
- (8) IC 20-28-10-17 (school counselor immunity).
- (9) For conversion charter schools only, IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- (10) IC 20-33-2 (compulsory school attendance).
- (11) IC 20-33-3 (limitations on employment of children).
- (12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (13) IC 20-33-8-16 (firearms and deadly weapons).
- (14) IC 20-34-3 (health and safety measures).
- (15) IC 20-33-9 (reporting of student violations of law).
- (16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- (17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic standards, accreditation, assessment, and remediation).
- (18) IC 20-33-7 (parental access to education records).
- (19) IC 20-31 (accountability for school performance and improvement).
- (20) IC 20-30-5-19 (personal financial responsibility instruction).

*As added by P.L.1-2005, SEC.8. Amended by P.L.2-2006, SEC.111;*

*P.L.121-2009, SEC.5; P.L.154-2009, SEC.1; P.L.90-2011, SEC.10; P.L.160-2012, SEC.47.*

**IC 20-24-8-6**

**Bureau of Apprenticeship and Training apprenticeship programs**

Sec. 6. (a) A charter school may not duplicate a Bureau of Apprenticeship and Training (BAT) approved Building Trades apprenticeship program.

(b) A student in a charter school may not be excluded from participating in a BAT approved Building Trades apprenticeship program that is offered in a noncharter school.

*As added by P.L.1-2005, SEC.8.*

**IC 20-24-8-7**

**Financial reports and audits**

Sec. 7. A charter school may use any money distributed by law to the charter school to prepare financial reports and conduct audits that the charter school determines are necessary for the conduct of the affairs of the charter school. A financial report or an audit under this section does not replace a financial report or an audit required under IC 5-11-1-9.

*As added by P.L.169-2005, SEC.17.*

**IC 20-24-8-8**

**Federal or state aid for students with disabilities**

Sec. 8. The state shall pay directly to a charter school any federal or state aid attributable to a student with a disability attending the charter school.

*As added by P.L.280-2013, SEC.46.*