



Start-Up Manual

*For Charter Schools Authorized by
the Indiana Charter School Board*

Revised February 2016

For more information, please visit the
Indiana Charter School Board website:

<http://www.in.gov/icsb>

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I. Introduction

Starting a charter school requires a significant investment of time, and organizers are faced with what can seem like an overwhelming list of things to do in a relatively short period of time. The purpose of Indiana Charter School Board (“ICSB”) Start-Up Manual is to provide newly-awarded charter recipients with helpful background information and useful contacts pertinent to a charter school’s pre-opening activities. Our intent is that the resources listed here provide new school operators with relevant and timely guidance.

For questions regarding this manual, or for other charter school start-up related questions, please contact ICSB staff at 317-232-0964.

1) Start-Up Checklist

For easy reference, attached to this manual is a Start-Up Checklist to guide charter operators during the initial days following charter application approval by the ICSB’s voting members.

2) Acknowledgements

In creating this manual, the ICSB consulted with the staff of the Indiana Department of Education (“IDOE”), the Charter Schools Office of the Indianapolis Mayor’s Office, the Indiana State Department of Health (“ISDH”) and the Indiana State Board of Accounts (“SBOA”). The ICSB gratefully acknowledges the assistance and guidance provided by each of these entities.

3) Disclaimer

This manual has been prepared for general information purposes only and is not intended to be comprehensive or exhaustive. School boards and leaders are encouraged to perform their own research and due diligence and develop their own working relationships with applicable state entities, in order to ensure that all necessary start-up issues are properly addressed.

In addition, nothing in this manual constitutes legal advice. Laws and their applications in the school setting are ever-changing through legislation and case law. Charter schools and governing boards should not rely or act upon any information contained in this manual without first seeking the advice of independent legal counsel.

II. Starting a School

A. The Charter Agreement

Immediately following approval of a charter school application, ICSB staff will send a letter to the designated representative of the charter school organizer confirming the ICSB’s decision, along with special provisions (if any) stipulated by the ICSB.

There are several additional actions which must be completed before a Charter Agreement may be executed: 1) performance of background checks for all organizer board members; 2) update of governance documents (if necessary); 3) provision of the operational start date for the charter school; and 4) approval of any contract with an Education Service Provider (“ESP”).

1) Board Member Background Checks

Because a charter school’s governing board is charged with overseeing public dollars, all board members, including members of any subcommittee or board to which the organizer has delegated some authority regarding the charter school, must undergo an expanded background check (as defined by Indiana Code (“IC”) § 20-26-2-1.5).

Any person convicted of the following acts is prohibited from serving on a board, unless such prohibition is expressly waived by the ICSB Executive Director in writing:

- an offense described in IC § 20-26-5-11 (generally serious crimes involving injury or death, but also sex and drug related offenses, and operating a motor vehicle while intoxicated), whether occurring in Indiana or elsewhere; or
- any theft, misappropriation of funds, embezzlement, misrepresentation, or fraud, whether occurring in Indiana or elsewhere.

The ICSB is no longer conducting board member background checks. Instead, the organizer is responsible for conducting the background checks and providing documentation that the checks were completed to the ICSB as part of the Prior Action Checklist. The organizer must conduct expanded background checks for any new member joining the board over the course of the charter term, per Section 3.3 of the charter agreement. The ICSB website provides a [list](#) of background check providers currently used by Indiana charter schools.

2) Other Pre-Execution Items

Following form approval of the charter and the completion of board member background checks, ICSB staff will send a copy of the Charter Agreement to the organizer for review by the organizer’s legal counsel. At this time, ICSB staff will request the following information from the organizer:

- Updated Governing Documents. If the organizer’s governing documents submitted do not reflect the statutory requirement set forth in IC § 20-24-3-3 (regarding the disposition of the charter school’s assets and funds upon dissolution), the organizer must submit an updated version of the appropriate governing document (e.g., articles of incorporation, by-laws) to ICSB staff for review and approval.
- Operational Start Date and Date of Student Enrollment. IC § 20-24-4-1(a)(12) requires that the Charter Agreement include both the date when the charter school will begin its operations, and the date when students will be in attendance at the school. ICSB defines the “operational start date” as the effective date of the letter acknowledging approval of the school’s charter by ICSB. If the date when students will be in attendance at the school was not included in the charter school application, or if there has been a change to this date, the organizer must submit this information to ICSB staff in order to finalize Section 7.1 of the Charter Agreement.
- Education Services Provider (“ESP”) Contracts. Per ICSB policy, and as detailed in the application materials and in the Charter Agreement, ICSB must approve any contract with an ESP prior to execution. Specific details about what is required in the ESP contract are described in Exhibit K of the Charter Agreement. In particular, please note that the length of the service agreement may not exceed the length of the charter (five years) or any subsequent renewal term. The ESP contract must be approved by the ICSB, and then the organizer’s board before it may be executed. ICSB review of the proposed ESP contract will take up to ten (10) business days. Organizers are advised that the ICSB may request revisions to the contract before the organizer’s board may vote to approve its execution.

Once all of the above actions have been completed, the final version of the Charter Agreement will be mailed to the organizer for signature by a duly authorized representative. The signature page should be remitted via US MAIL to ICSB staff. The signature page will then be signed by the ICSB Executive Director, and a copy of the fully executed Charter Agreement will be sent back to the organizer. An original copy of the executed Charter Agreement will be filed at the ICSB offices, and must also be kept on site at the Indiana charter school per Exhibit B of the Charter Agreement.

The Charter Agreement should be executed within 90 days following charter approval, unless a different deadline is provided to the organizer by ICSB staff.

3) Board Governance

A charter school’s governing board is charged with three primary responsibilities: overseeing the use of public funds to educate Indiana students; complying with all applicable federal and state laws; and monitoring the academic performance of the school. It is therefore critical that a school’s board understands its duties and obligations as the charter holder and is qualified to discharge those duties and obligations.

There are many resources available to support good governance practices for non-profit corporations, including charter schools. The ICSB website contains links to several helpful resources, some of which are profiled below.

- [Board on Track](#) provides expertise, training, web-based tools, and a membership community specifically for governing boards of charter schools.
- [The National Charter Schools Institute](#) provides model governance policies, training, we-based tools and other resources geared toward the governing boards of charter schools.
- [Indiana Charter School Handbook](#): In 2011, Indiana law firm Ice Miller, LLP, created a governance handbook geared toward Indiana charter schools.
- [The Network for Quality Education](#) provides expertise, training, web-based tools, and network communications specifically for quality schools, including charter schools.

4) Open Door Law

Indiana’s Public Access Laws, including the Open Door Law, apply to all charter schools. The entire governing board of a charter school should be familiar with Indiana’s Public Access Laws and develop a plan to comply with these laws. Board members are encouraged to pay close attention to Open Door Law requirements, including the obligation to post advance notice of Board meetings, as well as limitations on the use of Executive Sessions.

The ICSB encourages governing boards to thoroughly review the [Indiana Public Access Handbook](#). For questions about Indiana’s Public Access Laws, please contact the Office of the Public Access Counselor at pac@icpr.in.gov or 317-234-0906, or visit the Indiana Public Access Laws [website](#).

5) Electronic Meeting Participation

The governing body of a charter school may permit electronic participation of board members in board meetings. Such members will count toward quorum and may vote at the meeting in full compliance with the Open Door Law. The electronic policy must be adopted prior to use. The parameters of the requirements are discussed on page 8 of the [Indiana Public Access Handbook](#).

B. Staffing/Teacher Licensing

1) Charter School Teaching Staff

At least 90% of the individuals who teach full time in a charter school must either: 1) hold a license to teach in a public school in Indiana under IC § 20-28-5; or 2) be in the process of obtaining a license to teach in a public school in Indiana under the transition to teach program established by IC § 20-28-4-2. All licensed teachers teaching at a charter school must create an account on IDOE’s Licensing Verification and Information System (“LVIS”) [website](#). For specific help with LVIS, please contact Tammi Doss at tdoss@doe.in.gov.

To view the licenses of currently licensed educators, use the Educator License Look-up [link](#). Questions can be emailed to licensinghelp@doe.in.gov or to rregnier@doe.in.gov. The Licensing Help Desk phone number is 317-232-9010.

2) Charter Permit/License

Pursuant to IC § 20-28-5-16, an individual may obtain a license that allows the individual to teach in a charter school if the individual holds at least a bachelor's degree with a grade point average of at least 3.0 on a 4.0 point scale in a content area related to the subject that the individual wishes to teach, or if the “individual holds at least a bachelor's degree and proof that the individual has passed the state approved content area examination in the subject area that the individual intends to teach.”

3) Transition to Teaching

Applicants with a bachelor’s degree in the content area in which they wish to teach may qualify for a teaching license by enrolling in a Transition to Teaching program. A Transition to Teaching program provides an abbreviated pedagogy component to persons who already have a major in their content area. More information on Transition to Teaching programs

can be found [here](#). Demonstration of basic skills and content knowledge may be required through passage of the appropriate Praxis I and II tests prior to acceptance into a program. While the Transition to Teaching program is being completed, the school may approve an application for a three-year non-renewable Transition to Teaching permit in the content area of the applicant's undergrad major and any other content areas added to the permit through testing. More information on the Transition to Teaching permit information may be found [here](#).

4) Emergency Permit

A school may apply for an Emergency Permit in certain circumstances. Emergency Permits are issued for one school year at a time to persons holding at least a bachelor's degree. Emergency Permits may be renewed upon verification that the permit holder is diligently pursuing full licensure. More information concerning Emergency Permits is available [here](#).

5) CTE Licensure

Teachers in Career and Technical Education ("CTE") programs (formerly called vocational education) need either CTE licenses, which require 4-year higher education preparation programs and documented work experience, or Workplace Specialist licenses which are issued on the basis of work experience in skilled trades and/or industry certification. To obtain a Workplace Specialist license, an employee must document the amount of work experience completed in a particular field including the dates and upload it into the licensing application system LVIS. More information on Workplace Specialist license may be found [here](#).

6) Career Specialist Permit

In 2014, the State Board of Education ("SBOE") approved a teaching permit for individuals who have a bachelor's degree and 6,000 hours (approximately 2.5-3 years) of experience working in an area related to the subject that the individual seeks licensure. The experience must have been gained during the preceding five-year period, and the individual must complete pedagogy training by an approved provider during the permit and such training must *begin* by the first month of teaching. More information on the Career Specialist Permits may be found [here](#).

7) Teacher Evaluation

IC § 20-28-11.5 requires teachers in Indiana to receive regular, meaningful feedback on their job performance based on professional practice, as well as student performance and growth. Charter schools are subject only to subsections 4(a) and 4(b) of IC § 20-28-11.5. In practical terms, each charter school needs to develop and implement a plan for annual performance evaluations for each certificated employee. The plan does not need to comply with the other requirements for school corporations outlined in IC § 20-28-11.5.

For more information about teacher evaluation, visit the IDOE evaluation [webpage](#). Schools are welcome to develop or implement other staff evaluation tools. For more information on other talent management systems, please visit The New Teacher Project's [teacher talent toolbox](#).

8) Expanded Background Checks for Staff

IC § 20-26-5-10 and the Charter Agreement require all charter school staff members (including non-teachers), as well as contractors and volunteers with ongoing contact with students, to undergo expanded background checks (as defined by IC § 20-26-2-1.5). Please refer to [Section 8.4](#) of the Charter Agreement. If you have any questions, please contact ICSB at 317-232-0964.

9) Professional Development in Technology

There are many state-level and regional opportunities for faculty and staff to improve the use of technology to boost student outcomes. In Indiana, the following professional associations are important to the eLearning fabric:

- *Hoosier Educational Computer Coordinators*—Focuses on the technical aspects of digital learning environments. This is mainly directed toward school and corporation technologists.

- *Indiana Computer Educators*—Focuses on serving and supporting practitioners in the advance of effective instructional practices utilizing technology. This is mainly geared toward classroom teachers.
- *Indiana CTO Council*—Focuses on developing the skills necessary to provide executive technology leadership in the K-12 setting. This council is primarily for Chief Technology Officers and Chief Information Officers.

C. Student Admissions and Enrollment

1) Open Enrollment

IC § 20-24-5-1 provides that a charter school must be open to any student who resides in Indiana. IC § 20-24-5-4 further provides that a charter school may not establish admission policies or limit student admissions in any manner in which a public school is not allowed to limit admissions, e.g., on the basis of test scores, socioeconomic status, race or ethnicity, or a variety of other factors.

Accordingly, a charter school must admit and enroll each student who presents her or himself for enrollment unless the number of students seeking to enroll exceeds the number of seats available at the school, in which case the lottery provisions of IC § 20-24-5-5 apply.

2) The Lottery

Pursuant to IC § 20-24-5-5, lotteries must be open to all students who submit a timely application and should give each student in a particular grade level an equal chance to enroll. The only students who may be exempted from the lottery (automatically enrolled even if the number of spaces are exceeded) include:

- A student who attended in a prior year;
- A student who attended a charter school operated by the same organizer in a prior year;
- Siblings of a student who attends a charter school or charter school operated by the same organizer; and
- Preschool students who attend a Level 3 or 4 Paths to Quality program (as defined in IC § 12-17.2-3.8-1) if the charter school and the preschool provider have entered into an agreement to share services or facilities.

A charter school that is at or near capacity may limit new admissions to the above-described students. A charter school may give enrollment preference to children of the charter school's founders, governing body members, and charter school employees as long as the total preference is not given to more than ten percent (10%) of the school's total population. *See* IC 20-24-5-5(e).

3) Planning and Communication of Lottery

Schools should have an established admissions application deadline that is well communicated. On that date, if the number of applicants exceeds the number of spaces, the lottery provisions are triggered. If the number of applicants do not exceed the number of spaces, then all students who have applied may be admitted and enrolled, and the school is required to enroll student on a rolling basis until the school reaches capacity.

Schools are encouraged to carefully plan and communicate the lottery process proceedings prior to the official drawing in order to ensure the process runs smoothly and is as open and fair as possible.

Strategies that schools have used in the past to conduct lotteries to ensure the process is open and fair for all students include:

- Asking a reputable third party or firm to administer, monitor, or oversee the lottery to avoid conflicts of interest;
- Inviting the media and families to attend the lottery to demonstrate the process is fair and open;
- Reviewing the application and lottery procedures with the audience;
- Sending parents their students' lottery numbers prior to the day of the lottery;

- Publicly cross-checking the numbers assigned to student applications with the numbers on the cards to be drawn during the lottery (note: under the Family Educational Rights and Privacy Act (“FERPA”), discussed in more detail in Section III of this manual) , student names should not be used at any time during the public lottery);
- Noting siblings’ lottery numbers on the cards so that siblings may be placed in appropriate grades (providing that spaces are available) as soon as one sibling is selected in the lottery;
- Displaying the results of the lottery as they occur on a board visible to the audience; and
- Taping the lottery proceedings.

4) Admission versus Enrollment

A school should be cognizant that information that may be collected for student admission is more limited than what a school may collect as part of the enrollment process.

The school may require the parent/guardian to complete an admissions form as the first step towards enrollment. This form may require student information such as:

- Name
- Address
- Date of birth
- Phone number
- Gender
- Current school
- Current grade
- An assurance that the applicant has not been expelled or has not withdrawn in order to avoid expulsion in the current school year. This is discussed in more detail below.
- Parent/guardian name
- Parent/guardian signature

This one-page admissions form may not require social security cards of parents/guardians, disciplinary history of student, information related to the student’s Individualized Education Program (“IEP”), academic work/essays, or student ethnicity. Once a student is admitted to the school, the school may require the student to complete a more in-depth enrollment/registration packet that requires information pertaining to a student’s IEP, ethnicity, and so forth. Schools may not decline admission on the materials submitted.

5) Enrollment in a School after Expulsion

IC § 20-33-8-30 addresses students who are expelled from an Indiana school corporation or charter school, who have withdrawn from an Indiana school corporation or charter school in order to avoid expulsion, who have been separated from a public or nonpublic school in another state for disciplinary reasons, or who have withdrawn from an out-of-state public or nonpublic school in order to avoid separation from school for disciplinary reasons. The students described in the preceding sentence may enroll in an Indiana public school corporation or charter school only if:

- 1) the student’s parent informs both the receiving school and the school that the student has left;
- 2) the receiving school corporation or charter school consents; and
- 3) the student agrees to any conditions of enrollment required by the receiving school corporation or charter school.

IC § 20-33-8-30(c) provides that a school corporation or charter *may* withdraw its consent of the student’s enrollment if the student’s parent(s) fails to inform the school of the expulsion or separation or withdrawal to avoid expulsion or separation or if the student fails to comply with the terms and conditions of enrollment under IC § 20-33-8-30(b)(3). Again, the decision to withdraw consent is optional and not required. If the decision is made to withdraw consent, some due process must be provided. *See* IC § 20-33-8-30(d).

For help with questions about Student Enrollment, the Lottery, Suspensions, Expulsions and Due Process, please contact Cathy Danyluk, IDOE State Attendance Officer and Director of Student Services, at cdanyluk@doe.in.gov or 317-232-9185.

6) Suspensions and Expulsions

a) *Definitions and Grounds*

Indiana Code defines suspension (IC § 20-33-8-7) and expulsion (IC § 20-33-8-3), distinguishing these disciplinary forms by whether the student is separated from school attendance for a period of greater or fewer than ten days. Additionally, Indiana Code provides permissive grounds for suspension or expulsion (IC § 20-33-8-14 and IC § 20-33-8-15). It is important to note that, except for situations in which weapons are at issue, expulsion may not extend beyond the current school year unless it is very near the end of the school year. *See also* IC § 20-33-8-16.

b) *Due Process*

Schools must take care to avoid violating students' federal and state due process rights when suspending or expelling students. Courts have held that students have property and liberty interests in an education, and expulsion and suspension deny students access to classroom instruction and potentially their property and liberty rights to an education.

Students' due process rights must be protected both in suspension and expulsion; however, the procedures required for suspension are less formal than those required for expulsion. To be suspended, a student must receive informal due process, which must include an opportunity to respond before an impartial fact finder. For expulsion, a more formal hearing is required in order to protect the student's constitutional rights. Schools must comply with both IC § 20-33-8-19 as well as the requirements deemed necessary under federal law.

Schools must take care to provide appropriate processes when questioning students about facts that may lead to discipline. If a student is questioned in a way that constitutes "interrogation," the student must receive his/her Miranda warnings.

Please note that students with disabilities have additional protections and required procedures. As noted in the subsequent section of this manual, applicable rights-protecting laws include: State Special Education Law, as contained in 511 IAC 7 of the State Board of Education administrative regulations ("Article 7"); the Individuals with Disabilities Education Act of 2004, as amended ("IDEA"), 20 U.S.C.A. §§ 1400–82 (2011); 34 CFR 300; Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504"), 29 U.S.C.A. § 794 (2011); 34 CFR 104; and Title II of the Americans with Disabilities Act ("ADA") of 1990 ("Title II"). The U.S. Department of Education as well as the Indiana Department of Education Office of Special Education offer multiple resources regarding these critical areas of law.

7) Student Scholarships

The Indiana Commission for Higher Education ("CHE") Division of Student Financial Aid strives to make college affordable through need-based financial aid awards and to allow choice by granting awards to those attending public, independent and proprietary colleges. State financial aid attempts to increase college preparation through its 21st Century Scholar program and by giving increased award amounts to those graduating from high school with Academic or Technical Honors Diplomas. Additional information, including resources on financial aid, may be found on CHE's [website](#).

D. Serving Students from Specific Populations

1) Special Education

As public schools, charter schools are required to comply with federal and state laws pertaining to special student populations. That is, as public schools, charter schools must meet the requirements of Article 7, IDEA, Section 504, and Title II and are thus required to make a free appropriate public education ("FAPE") available to all students with disabilities.

a) *Article 7*

IC § 20-35 and [Article 7](#) contain Indiana’s Special Education laws and administrative rules. IC § 20-24-8-5(3) specifically makes these laws and rules applicable to charter schools. These rules have been adopted by SBOE in order to implement the requirements of the IDEA. These laws require “...that each student with a disability between the ages of 3 and 21, enrolled in a public school, be provided with a free appropriate public education.” The six principals of IDEA are: 1) FAPE, 2) appropriate educational evaluation, 3) IEP, 4) Least Restrictive Environment (“LRE”), 5) procedural safeguards (or “Notice of Parent Rights”), and 6) parent participation in decision.

Each charter school must have a written process in place to identify, refer, and serve special needs of all enrolled students. The ICSB recommends that this process be included in any Staff Training or Business Manual maintained by the school. Schools should review the special education laws, rules, and resources on IDOE’s special education [webpage](#), and sign up for the Learning Connection Community “Special Education Administrators.” For questions and more information, please contact the IDOE Office of Special Education, at specialeducation@doe.in.gov or 317-232-0570.

IDOE provides a number of specific resources related to the [laws, rules and interpretations](#) of Indiana’s special education laws, including [Navigating the Course: Finding your way through Indiana’s Special Education Rules](#), an overview and practical resource for parents, advocates and schools.

i. *Reporting*

Schools are required to conduct a special education child count on December 1 of each year. IDOE posts detailed information to the Learning Connection Community “Data Collection and Reporting” in mid-November regarding count procedures, important forms, and submission instructions. Please contact IDOE’s Data Collection and Reporting team for more information at 317-232-0808 or visit the Learning Connection Community “Data Collection and Reporting.”

ii. *Teacher of Record*

Each student with a disability must have a teacher of record (“TOR”) identified and assigned to him/her. The TOR must be appropriately licensed in the area of the student’s disability. For disabilities such as autism spectrum disorder, other health impaired, deaf-blind, and traumatic brain injury for which no state licensure is available, the TOR must be appropriately trained. The TOR has many responsibilities, including but not limited to: providing direct or indirect services to the student according to the student’s IEP; participating in the Case Conference Committee (“CCC”) meeting as the student’s teacher to assist in developing goals, benchmarks, and objectives; monitoring progress, staff, implementation and reporting of the student’s IEP; participating in evaluations of the student; and notifying the CCC of any changes to the IEP if the parents and school make changes without holding a CCC meeting. More information on CCCs and TORs can be found in the resources listed above.

iii. *Child Find*

All charter schools shall establish, maintain, and implement written procedures that ensure the location, identification, and evaluation of all students attending the charter school who are in need of special education and related services, regardless of the severity of their disabilities. They must develop and implement a practical method to determine which students are currently receiving needed special education and related services. More information on child find can be found in [Article 7](#).

iv. *Move-In Students*

Pursuant to 511 IAC 7-42-8, the services identified in an IEP must be provided no later than ten (10) instructional days after parental consent to the student's initial IEP is received. Additionally, if a newly enrolled student received special education from another public agency within the state or in another state, the new school must immediately provide the student with a free appropriate public education, including services comparable to those described in the student's IEP from the previous public agency, until the new school adopts the student's IEP from the previous school, develops and implements a new applicable IEP, or conducts an educational evaluation. Therefore, schools have ten (10) days from the time a new student enrolls in the school to implement an appropriate IEP for the child. Please review this information in [Article 7](#) and contact IDOE's Office of Special Education at specialeducation@doe.in.gov or 317-232-0570 with any questions.

v. *Due Process*

Each student's parent(s) and school personnel work together to make decisions about a student's education. If the parents and school do not agree, the issue can be resolved by a meeting between the parent(s) and a school representative or by having a CCC meeting. If the parents and school cannot resolve the disagreement, a more formal process such as a due process hearing may be necessary. A due process hearing is initiated by a parent, public agency or state educational agency. It occurs when there is a dispute regarding a student's eligibility for special education services, the student's evaluation, the student's current level of services or placement, or any other occurrence that affects the provision of a free and public education to the student. Please visit the [website](#) of IDOE's Office of Legal Affairs for more information.

vi. *Funding for Special Education*

Please see the Charter School Funding section for more information. For questions, please contact Jennifer Thompson, IDOE Part B Grants Supervisor, at jthompson@doe.in.gov or 317-234-1002.

b) *IDEA*

Part B of IDEA provides Federal funds to State Educational Agencies ("SEAs") and through them to Local Educational Agencies ("LEAs"), including charter schools, for the purpose of assisting them in providing FAPE to eligible children with disabilities through the provision of special education and related services. States receiving IDEA funds must ensure that LEAs locate, identify, and evaluate children who are suspected of having disabilities and who need special education and related services. Each eligible child must have a written IEP, developed by an IEP Team that, among other things, includes a statement of the special education and related services that the LEA will provide to the child. LEA's also must ensure that FAPE is provided in the least restrictive environment to all eligible children with disabilities. The Office of Special Education Programs ("OSEP") in the US Department of Education's ("USED") Office of Special Education and Rehabilitative Services administers the IDEA, and OSEP's implementing regulations for Part B are found at 34 CFR 300. More information about IDEA can be found on USED's IDEA [website](#).

c) *Section 504*

Section 504 prohibits disability discrimination against qualified individuals with disabilities by recipients of Federal financial assistance. Because charter schools receive funds from USED, Section 504 applies to all the operations of all charter schools. Under Section 504, a disability is (1) a physical or mental impairment that substantially limits a major life activity; (2) a record of such an impairment; or (3) being regarded as having such an impairment. Public school students with disabilities are covered by Section 504 regardless of their eligibility for special education and related services under the IDEA. The Office for Civil Rights ("OCR") is responsible for issuing regulations implementing Section 504 for recipients of financial assistance from USED, which are found at 34 CFR 104. These regulations require, among other things, that students with disabilities have an equal opportunity to participate in school and that they receive FAPE consisting of regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. OCR enforces Section 504

and its regulations in public elementary and secondary education; this includes enforcing the Section 504 rights of IDEA-eligible students. USED has posted a [FAQ](#) on its website with more information about Section 504.

d) *Title II*

Title II prohibits disability discrimination against qualified individuals with disabilities by all state and local governments, regardless of whether or not those entities receive Federal funds. Title II applies to all programs, activities, and services of all public schools, including public charter schools. Under the ADA (including Title II), as under Section 504, a disability is (1) a physical or mental impairment that substantially limits a major life activity; (2) a record of such an impairment; or (3) being regarded as having such an impairment.

Public school students with disabilities are covered by Title II regardless of their eligibility for special education and related services under the IDEA. The United States Department of Justice (“DOJ”) is responsible for implementing interpretive regulations for Title II, which are found at 28 CFR 35. These regulations require, among other things, that public schools provide students with disabilities an equal opportunity to participate in all school activities and that public schools ensure, through the provision of auxiliary aids and services, that communication with students with disabilities is as effective as communication with students without disabilities. Both DOJ and OCR in USED have responsibility for enforcing Title II and its regulations in public elementary and secondary education; this includes enforcing the Title II rights of IDEA-eligible students. More information about Title II of the ADA can be found [here](#).

2) McKinney-Vento Act

The McKinney–Vento Act is a United States federal law that provides federal money for homeless shelter programs. Subtitle VII-B of the McKinney-Vento Act describes the rights and services to which all homeless children and youth are entitled. The law also specifies the responsibilities of LEAs and schools (including charter schools) to ensure that homeless students can receive a free, appropriate public education and to remove barriers to homeless students’ school access, attendance, and success. More information about the McKinney-Vento Act can be found [here](#).

3) English Language Learners

Under civil rights law, schools are obligated to ensure that English Language Learners have equal access to education. Schools should identify students who need assistance, develop a program, ensure the necessary staff, curricular materials, and facilities are in place, develop appropriate evaluation standards, and assess the success of the program. This must be provided with local or state funds, and these services cannot be paid for with the federal Title III grant. Schools are strongly encouraged to contact Rachel Davidson, English Learner & Migrant Education Coordinator, at rdavidson@doe.in.gov or 317-232-0558 to plan for English Language Learners. The Learning Connection Community Title III and NESP (English Learners) has helpful resources, as well as IDOE’s [English Learning and Migrant Education webpage](#).

Applicable areas of law include Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunity Act, 20 U.S. Code § 1703, (“EEOA”). Along with the above link to the IDOE webpage, the U.S. DOE Office for Civil Rights also offers resources, including:

2015 Dear Colleague Letter

- <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

General Resource Index

- <http://www2.ed.gov/about/offices/list/ocr/eeolep/index.html>

4) High Ability Education

IDOE's [Office of High Ability Education](#) administers grants that support schools in the development of local programs and services for high ability students and provides resources, workshops, and materials suited to the needs of the high ability population.

Charter Schools have the opportunity to apply for high ability grant funds to support schools in the development of local programs and services for high ability students. This grant opportunity is generally announced in the fall of the school year. If the charter school elects to participate in this grant program, the school agrees to comply with the Indiana mandate for high ability education.

The Indiana Code defines a student with high abilities as a student that:

- 1) performs at, or shows the potential for performing at, an outstanding level of accomplishment in at least one domain when compared to other students of the same age, experience, or environment; and:
- 2) is characterized by exceptional gifts, talents, motivation, or interests (IC § 20-36-1-3).

Effective July 1, 2007, Indiana schools shall identify students with high ability in the general intellectual and specific academic domains and provide them with appropriately differentiated curriculum and instruction in core content areas, K-12 (refer to IC- 20-36-2-2). Participating charter schools also agree to the criteria of high ability programs as outlined in IC § 20-36-2-2. For more information, please visit the website or contact Amy Marschand, IDOE High Ability Education Specialist, at 317-232-9107 or marschan@doe.in.gov. Please note, schools who participate in the grant program should take care to keep the Ms. Marschand informed of changes in leadership to facilitate communication regarding the grant program.

5) Career and Technology Education

CTE refers to courses in which rigorous and relevant content is taught with a focus on employability skills and career preparation. In Indiana, CTE is organized into College and Career Pathways that prepare students for high wage and high demand careers. Pathways are an aligned sequence of secondary, dual credit and postsecondary CTE courses that lead to industry-recognized credentials, technical certifications, or associate/baccalaureate degrees at accredited postsecondary institutions. Indiana has 31 Pathways in 11 Career Clusters. For more information about CTE, Pathways, and specific content areas, go to IDOE's [CTE website](#).

CTE content areas include:

- a) *Agriculture*
Agriculture is the applied science of providing food, fiber and natural resource products to consumers. It includes diverse industries necessary for production, manufacturing, processing, marketing and distribution. Pathways include Agribusiness, Horticulture and Landscape Management, and Life Sciences. More information about Agriculture may be found [here](#).
- b) *Business, Marketing and Information Technology*
Business, Marketing and Information Technology focuses on developing academic, practical and technology skills needed to succeed in a variety of business environments. Pathways include Business Administration, Computer Programming, PC Networking and Support, and Web and Digital Communications. More information about Business, marketing and Information Technology may be found [here](#).
- c) *Engineering and Technology*
Engineering and Technology focuses on the knowledge and problem solving skills to understand, design, produce, use, and manage the human-made world in order to contribute and function in a technology society. Pathways include Advanced Manufacturing, Construction Trades, Drafting and Design, Electronics, Engineering, Precision Machine Technology, and Visual Arts. More information about Engineering and Technology may be found [here](#).

d) *Family and Consumer Sciences*

Family and Consumer Sciences provides the bridge needed by all students to deal with major societal issues such as work-and-family, health care, child and elder care, family and community violence and crime, global economics and politics, and technology usage. Pathways include Culinary Arts, Early Childhood, Education, Hospitality Management, and Human and Social Services. More information about Family and Consumer Sciences may be found [here](#).

e) *Health Science*

Health Science integrates academics with medical and health care science and technologies to prepare students for a variety of careers in the health industry. Pathways include Biotechnology, Dental, EMT/Paramedic, Health Care Specialties, and Nursing. More information about Health Science may be found [here](#).

f) *Trade and Industrial*

Trade and industrial courses combine technical knowledge with practical application to prepare students for careers in a variety of trade and technical areas. Pathways include Automotive Collision Repair, Automotive Technology, Aviation, Cosmetology, Criminal Justice, Diesel and Heavy Equipment, Fire and Rescue, Logistics and Supply Chain Management, and Welding. More information on Trade and Industrial may be found [here](#).

Career and Technical Student Organizations (“CTSOs”) are career and technical student organizations based in high schools and career centers that enhance student learning experiences and leadership development. The following CTSOs have Indiana chapters:

- [Business Professionals of America](#)
- [DECA](#) - An Association of Marketing Students
- [Future Business Leaders of America](#)
- [The Indiana Chapter of the National Future Farmers of America Organization](#)
- [Family, Career & Community Leaders of America](#)
- [Health Occupations Students of America](#)
- [Skills USA](#)

CTE Program standards provide guidance for the development of a quality CTE program. More information about Program Standards may be found on Learning Connection’s [Standards webpage](#).

Before a school can offer CTE courses and receive Additional Pupil Count, they must get approval by their local governing board and complete the [CTE Course Inventory Changes Notification form](#).

E. Education Service Centers

Public Law 94 – Acts of 1976 and 511 IAC 4 established nine Education Service Centers (“ESC”) throughout the state. ESCs are designed to enable public school districts to collaborate for greater efficiency and effectiveness. Cost efficiencies are available through collaborative programs and services. As school budgets get tighter, the need for collaboration promoting cost efficiencies is magnified.

Each service center is the partnership unit created by member districts to facilitate shared programs and services that allow schools to function at the lowest possible cost while maintaining the highest possible quality. Programs include a number of collaborative ventures to improve the teaching and learning process, thus moving more resources to learning.

One of the best methods to move resources to learning is to pay the lowest possible price for needed products and services. Cooperative purchasing among member school districts has resulted in lower unit costs. More information on the service centers and contract information may be found [here](#).

K-12Indiana is a partnership between the State of Indiana and ECSs that gives every K-12 public school the purchasing advantage of statewide-negotiated contracts, organized into convenient online catalogs, on one website. K-12Indiana gives schools software and technology to search vendors and the best net price, and to manage and control purchases. Currently, K-12Indiana offers this to schools for the following categories: A.V. supplies and equipment; classroom supplies; information technology hardware and software; janitorial products; maintenance, repair and operations; and office products. For more information on the program, email info@k12indiana.com or contact your regional ESC.

F. Communications

ICSB staff will communicate with its charter schools via email and the ICSB website. IDOE, which is a separate agency from ICSB, communicates with schools through two primary mechanisms: a web-based portal, Learning Connection, and an email distribution list, DOE Dialogue. Charter school organizers are encouraged to sign up for both IDOE communication avenues as soon as a school leader has been hired.

1) Learning Connection

Learning Connection is a statewide portal for educators, parents and students maintained by IDOE. This system provides access to aggregate and student level data and serves as a communication and collaboration hub for Indiana's K-12 schools. With more than 60,000 registered users at the beginning of 2012, Learning Connection provides educators and school leaders with information about IDOE requirements, resources for school staff, and student data. To get started, schools should provide IDOE with a letter from the school leader indicating the individual at the school who will serve as the Learning Connection point of contact (Access the Corporation Admin Letter [here](#)). Schools are welcome to request additional support including customized webinars or phone support by sending an e-mail to lcsupport@doe.in.gov. Learning Connection is the primary tool used by IDOE to communicate with educators through online groups or communities. A full list of current communities in Learning Connection is provided [here](#).

2) DOE Dialogue

IDOE communicates with school leaders via the DOE Dialogue, which includes the following lists: Superintendent Alert and Messaging System ("SAMS") and Principal Alert and Messaging System ("PAMS"). One representative from each charter school may sign up to receive these email news messages. To add staff members to these lists, or to make any changes to the recipients at your school, email IDOE Communications Specialist, Samantha Hart, at hart@doe.in.gov. Samantha can also be reached at 317-232-0536.

G. Federal and State Level Reporting

IDOE requires each charter school to register the school, its staff, and its students in data collection systems maintained by IDOE.

1) School Identification Numbers

IDOE assigns each charter school a corporation ID and a school ID. These numbers are used by IDOE to generate reports and mailings for schools and to update IDOE's student database. Please call the Student Test Number ("STN") support center to set up your school ID number as soon as possible. STN support can be reached at 317-232-0808.

2) Accreditation

All charter schools authorized by a statutorily-approved authorizing entity, as identified in IC § 20-24-1-9, are deemed to be accredited by the State of Indiana. For questions regarding accreditation, please contact George Frampton, IDOE Director of Accreditation, at frampton@doe.in.gov or 317-232-9166.

3) Student Test Numbers

A STN is a unique identifier generated by a school for a student. Every student who attends a public or accredited non-public school in Indiana should have a single STN that remains throughout their educational experience. The STN has no inherent meaning; it is composed of a school number and school year to ensure it is unique. In general, charter schools do not assign STNs to their students. Instead, schools use the STN already assigned by the sending schools. A school should only have to assign an STN if a student has transferred from an out-of-state school, a non-accredited school, or home schooling, or if the student is entering kindergarten or first grade for the first time. In order to minimize inaccurate or duplicate STNs, a school corporation or school must use the student's legal name when assigning the STN to the student. Schools can verify any STN in IDOE's student lookup database. Schools are required to submit a monthly STN look-up report by the 15th of each month to IDOE. The October STN look-up report requires schools to resolve any STN conflicts, e.g., multiple STNs for one student or multiple schools claiming enrollment of one student. Additional information about STNs can be found in the Learning Connection Community "Data Collection and Reporting."

4) Submitting Student Information

All student information requested by IDOE should be created at the school level. The [STN Application Center](#) is the vehicle used to transfer any data files that schools have prepared. IDOE utilizes specific data layouts, and schools must submit reports in an IDOE-approved format. Approved formats typically include comma delimited, positional, or XML. The preferred method for accessing the Application Center is by Secured Socket Layer ("SSL").

Once files are transferred, information regarding the transfer of the file (e.g., error messages, warnings, report totals, etc.) should be viewed and verified. Data submitted to IDOE is considered final, unless the school is otherwise contacted to clear up any unforeseen problems.

For important instructions, updates and additional information, schools should join the Learning Connection Community "Data Collection and Reporting."

5) School Personnel Number

A School Personnel Number ("SPN") is a unique, eight-digit number assigned by IDOE's Center for Information Systems to school personnel. The SPN is used to identify a single school employee throughout their career within the state of Indiana. The SPN is assigned when an administrator or teacher obtains his/her first license in the state of Indiana. Schools are required to use the SPN on the Certified Employee/Certified Position data collection. The SPN will be used by school and district administrators to report personnel data to IDOE. While the STN is assigned by the schools, the SPN is assigned by IDOE.

6) Reporting Requirements

Data collected on students, employees, and schools are used for state and federal reporting. The data are maintained locally by each school or corporation in an electronic format. The majority of schools have invested in a Student Information System ("SIS") to facilitate everyday activities of school business and to minimize data reporting. Data files are generated from an SIS or created in spreadsheets and uploaded to the state database via the [STN Application Center](#).

The STN Application Center is a secure site that requires usernames and passwords. Usernames and passwords are assigned by the local site administrator. The site administrator receives their username and password from IDOE. To review a list of the data collections, descriptions, and dates, please see the "Description of Data Collection and Calendar" document on the Learning Connection Community "Data Collection and Reporting."

Data collected on individual students are protected under FERPA and should be kept confidential at all times. Refer to the [Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools](#) in the Learning Connection community for more information.

The most up-to-date information on IDOE reporting requirements may be found at IDOE's [Data Collection webpage](#) or in the Learning Connection Community "Data Collection and Reporting." With questions, please call the STN Support at 317-232-0808 or stn_support@doe.in.gov.

7) Vendor Information Form

In order to receive basic tuition support and federal or state grant payments from the state, a new charter school must submit a completed Vendor Information Form to IDOE. This form is reviewed and approved by the Auditor of the State of Indiana. To obtain a copy of this form, please contact Jeff Barber, IDOE Assistant Director of Grants and Charter Schools, at jbarber@doe.in.gov or 317-232-9143.

8) DOE Online

DOE Online is another web-based portal for certain data collection requirements, including demographics about the school, the school calendar, certification of instruction days, non-certified employee reports, and IREAD reading plans. These collections are included in the master list of data collections found by visiting the links above. When schools are assigned their school and corporation number, they are also given a personal identification number ("PIN") by IDOE's Office of Data Collection and Reporting. Head administrators must call STN Support at 317-232-0808 to get set up in DOE Online.

9) Up-to-Date Contact Information

IDOE's Office of Accountability maintains the master contact database for each school. Maintaining an up-to-date list of contact information with IDOE ensures that schools receive necessary reports, updates, and instructions in a timely manner. This information can be reported on the master file/school directory found at DOE Online. Schools are asked to update contact information before the start of the school year, but should continue to notify IDOE of any additional staffing changes throughout the year.

Additionally, ICSB recommends that the charter school take the extra step to provide contact information updates to both IDOE's Assistant Director of Grants and Charter Schools (Jeff Barber, IDOE Assistant Director of Grants and Charter Schools, at jbarber@doe.in.gov or 317-232-9143) and also IDOE's Office of School Finance (317-232-0840). This extra step will ensure the charter school is receiving important state reporting, per-pupil funding and grant funding guideline updates in a timely manner.

10) Biannual Financial Report

Schools are required to submit a Biannual Financial Report (also referred to as Form 9) to IDOE thirty (30) days after the close of the reporting period. The State operates on a July 1-June 30 fiscal year ("FY"), and so the reports are due at the end of July (January – June of previous year reporting period) and end of January (July – December of previous year reporting period). Each year the State will notify the schools of the exact submission dates for these reports. In some instances, a school may have no financial activity for a particular reporting period, e.g., new schools may not have activity January – June as they have just been chartered (and reporting is on a cash basis, i.e., schools only report on expenses that have actually been paid and not just accrued). The school is still required to submit a biannual financial report for that period; the school should simply note on the report that no financial activity has occurred and submit it to IDOE. Please visit the Learning Connection Community "IDOE - School Finance" for deadlines and more information on Form 9. For questions, please contact Melissa Ambre, IDOE Director of School Finance, at mambre@doe.in.gov or 317-232-0840.

11) Annual Financial Report

IC § 5-3-1-3 requires each school corporation to publish an Annual Financial Report. The report must be published between August 1 and August 15 of each year. Charter schools authorized by ICSB are required to submit quarterly and other financial

reports to ICSB. For more information about the ICSB financial reporting requirements, please visit the ICSB website at [this link](#) or contact the ICSB at 317-232-9080.

12) Annual Performance Report

IC § 20-24-9-6 requires each charter school organizer to publish the information required under IC § 20-20-8 (the School Corporation Annual Performance Report) in the same manner that a school corporation is required to publish the information. This includes publication of the report on the school's website between March 15 and March 30 of each year, as well as submission to IDOE. Further, the statute requires that every school – including charter schools – publishes specific information about the school in the newspaper within the timeframe indicated above. A complete list of required information can be found in IC § 20-20-8-3.

13) Publication of Charter School's Governing Board

IC § 20-24-9-7 requires organizers to publish the names of the members of the charter school's governing body on the charter school's website, if the organizer maintains a website for the charter school.

14) Strategic and Continuous School Improvement and Achievement Plan

IC § 20-31-5 requires each Indiana school to develop and review a (3) year strategic and continuous school improvement and achievement plan. However, IC § 20-31-5-2 permits charter schools to use their Charter Agreement as the charter school's three (3) year plan.

III. Facilities and Funding

A. Facilities

1) Unused District Facilities for Charter Schools

Pursuant to IC § 20-26-7-1, each school corporation's governing body must inform IDOE whenever a school building that was previously used for classroom instruction is closed, unused, or unoccupied. IDOE is required to post this list on IDOE's website, updating it each year in August.

If a charter school wishes to use a school building included on IDOE's list, the charter school must send a letter of intent to IDOE identifying one facility from the list. IDOE will notify the school corporation of the charter school's intent, and the school corporation that owns the school building may either lease the school building to the charter school for one dollar (\$1) per year or sell the school building to the charter school for one dollar (\$1), at the charter school's choice. The charter school must begin using the building for classroom instruction not later than two years after acquiring the school building, or the building will be placed back on the list.

During the term of a lease, the charter school is responsible for the direct expenses relating to the leased or purchased building, including utilities, insurance, maintenance, repairs, and remodeling. The school corporation is responsible for any debt associated with the building before the charter school either leased or purchased the building. For more information, please contact Jeff Barber, IDOE Assistant Director of Grants and Charter Schools, at jbarber@doe.in.gov or 317-232-9143. The list may be found on IDOE's [Unused School Buildings website](#).

2) Facilities Preparation

New charter schools must coordinate with a number of state agencies in order to ensure the school's physical plant meets state zoning, health, safety and other requirements. Such communication may be handled directly by the charter school organizer or by the organizer's facilities partner (e.g., architect, construction manager), depending upon the agency or facilities preparation task. The specific requirements differ depending upon whether a school constructs a new facility, leases a facility, or purchases and/or renovates an existing facility.

Prior to signing a lease or purchase agreement for a facility or land, the school must first contact the ISDH. Todd Hite is the primary contact and can be reached at 317-233-7166 or thite@isdh.in.gov. More information may be found on [ISDH's charter school facilities website](#).

In addition, the school or its facilities partner must contact the Indiana Department of Homeland Security (“IDHS”). Dave Smith, Building and Fire Code Enforcement Section Chief, is the primary contact and can be reached at 317-232-7648 or dsmith@dhs.in.gov. The IDHS website may be found [here](#). Mr. Hite and Mr. Smith will direct the organizer to any other state agencies as may be appropriate for the school’s geographic location and the physical plant selected by the school.

3) Bidding and Wage Determination

IC § 20-24-7-7 provides that “when a charter school uses public funds for the construction, reconstruction, alteration, or renovation of a public building, bidding and wage determination laws and all other statutes and rules apply.” Before bidding projects, the school should consult with the Department of Local Government Finance (“DLGF”). Courtney Schaafsma, Budget Division Director, can be reached at cschaafsma@dlgf.in.gov, and Dan Jones, Assistant Director, can be reached at djones@dlgf.in.gov or 317-232-0651. The DLGF website may be found [here](#).

B. Funding

This section lists the primary sources of funding for charter schools in Indiana as well as several grant opportunities. Charter schools are encouraged to contact the agencies and entities noted for each funding source to learn more.

1) Basic Grant for Charter Schools

Charter schools, like all public schools in Indiana, receive general tuition support from the State and are funded as their own separate LEA. Per-pupil funding is administered by IDOE and is referred to as the Basic Grant.

Beginning with the 2013-2014 school year (“SY 14”), schools receive their funding on a fiscal year basis, meaning from July 1 through June 30. Starting with FY 16, the General Assembly began funding charter schools at a fixed amount (the “foundation amount”) rather than using the tuition support per Average Daily Membership (“ADM”) from the school corporation of legal settlement. For FY 2016 (the state fiscal year beginning July 1, 2015) the foundation amount is \$4,967. For FY 2017 (the state fiscal year beginning July 1, 2016), the foundation amount is \$5,088. *See* IC § 20-43-5-4.

For each fiscal year, public schools receive state tuition support that is determined from a calculation that utilizes the ADM student counts taken in September and February. The September ADM count determines the Basic Tuition Support amount for July through December. The February ADM count determines the Basic Tuition Support amount for January through June. Due to the lag in data that feeds the calculation for the payments, there is a reconciliation period to adjust for overpayment and underpayment that may occur from using prior ADM and estimates for student counts.

In order to determine the estimated Basic Tuition Support, public schools are required to provide an estimated student enrollment count in May to IDOE’s Office of School Finance. If no count is provided, IDOE will use the ADM count from the immediately preceding February. This count is used to calculate the estimated Basic Grant, remitted in monthly payments, for the period July through October. Adjusted Basic Grant funding will then be calculated using the ADM student count taken in September. IDOE will reconcile the difference between the estimated enrollment count submitted in June and the September ADM count, and school will receive adjusted payments – either higher or lower – for the months of November and December. Basic Grant payments for the months of January through March will continue to be based upon the September ADM count. IDOE will once again reconcile the difference between the September and February ADM count, and the school will receive adjusted payments – either higher or lower – for the months of April through June. The process will repeat itself for each subsequent fiscal year.

In summary, a school with changing student numbers could potentially receive four (4) different amounts of payment during one fiscal year. The first half of the fiscal year is initially calculated using an estimated ADM, which is then reconciled to the

actual September ADM through the November and December payments. The second half of the fiscal year is initially calculated using the September ADM but is then reconciled to the actual February ADM through the April through June payments.

FY 2016 Basic Tuition Support Calculation Process			
1st Half: July 1 through December 31 Based upon September 2015 ADM		2nd Half: January 1 through June 30 Based Upon February 2016 ADM	
June → October	November → December	January → March	April → June
Calculated using the estimated provided by schools in May 2015 window <i>or</i> the February 2015 ADM	Calculated using the September 2015 ADM and adjusted up or down to reconcile between the estimated amounts paid between July and October	Calculated using September 2015 ADM.	Calculated using the February 2016 ADM and adjusted up or down to reconcile between the estimated amounts paid between January and March

2) Age caps on funding

With the exception of schools that serve a majority population of students over 18 (which are classified as Adult High Schools), schools receive funding for students in a regular public education program until the student earns a high school diploma, regardless of the student’s age. The regulations are different, however, for special education funding. While schools continue receiving state Basic Grant support for special education students, state and federal funding specifically earmarked for special education is no longer available after the students reach the age of 22. Other federal and state grants (e.g., Title I funds) also have age caps.

Schools are encouraged to contact IDOE’s Office of School Finance at 317-232-0840 for specific guidance regarding per-pupil funding for charter schools. Schools may also wish to review the 2013-2015 Digest of Public School Finance in Indiana, which can be found by visiting IDOE’s [Office of School Finance webpage](#) or Learning Connection Community.

3) Charter and Innovation Network School Grant Program

In 2015, the Indiana General Assembly created the Charter and Innovation Network School Grant Program (IC § 20-24-13) which was funded at \$10 million per fiscal year for the biennium. This is an annual grant program that is administered by SBOE to provide funding to charter schools, excluding virtual charter schools and adult high schools, for capital projects, technology, and transportation costs. The grant amount is equal to \$500 per pupil counted in the current ADM of the school. Annual grants are automatically made to: 1) charter schools in their first two (2) years of operation; 2) charter schools that receive an A, B, or C category designation; 3) charter schools that did not receive a grade; and 4) charter schools with a majority of students with developmental, intellectual, or behavioral challenges. Charter schools that receive a D or F category designation may apply to SBOE for a grant, which may be awarded if the charter school was placed in the same or better category than the nearest non-charter public school configured to teach the same grades. More information about the Grant Program may be found on the [SBOE’s website](#).

4) Adult High Schools

Pursuant to IC § 20-24-1-2.3, schools that serve a majority of students over the age of 18 are defined as Adult High Schools. Funding for Adult High Schools (the Adult Learner Grant) comes out of a separate appropriation from state tuition support and is addressed under IC § 20-24-7-13.5.

5) Virtual Charter School Funding

Virtual charter schools are also funded differently than traditional charter schools. IC § 20-24-7-13 defines a virtual charter school as any charter school, including a conversion charter school, that provides for the delivery of more than 50% of instruction to students through: 1) virtual distance learning, 2) online technologies, or 3) computer based instruction.

Pursuant to IC § 20-43-6-3(c), the Basic Grant for virtual charter schools is calculated by the virtual charter school's ADM multiplied by 90% of the school's foundation amount as set forth.

Additionally, virtual charter schools are eligible for special education funding, career and technical education grants, honor grants, complexity grants, and the Non-English Speaking Program Grant.

For more information about virtual charter school funding, schools are encouraged to contact IDOE's Office of School Finance at 317-232-0840.

6) Kindergarten Funding

Beginning with the 2015-16 school year, full day kindergarten students will be reported as 1 pupil for ADM, and half day kindergarten students will be reported as ½ pupil for ADM. *See* IC § 20-43-4-5.

7) Textbook/School Fee Reimbursement

For students who meet the financial eligibility for free and reduced priced lunch, a school may not require the parent/guardian to pay fees for curricular materials, supplies, or other required class fees.

The purpose of the Textbook Reimbursement Fund is to provide to school corporations, charter schools, and accredited nonpublic schools reimbursement from IDOE for a portion of the costs incurred during a school year in providing classroom instruction to children who meet the federal free and reduced lunch standards. Eligible materials for reimbursement include but are not limited to textbooks, workbooks, instructional software and accompanying workbooks, and science kit replacement items. Charter schools must submit student level data and textbook costs to IDOE. Per statute, claims must be submitted prior to November 1, and IDOE allows the claims to be filed through the STN Center between October 1 and 31. Funds are distributed in January or February of each year. For questions, please contact IDOE's Office of School Finance at 317-232-0840.

Funds are spread evenly to all schools based on their reports of free and reduced price lunch students served. If the reimbursement received from the state is less than the rental fee assessed, the school may request but cannot require that the parent or emancipated minor pay the balance. *See* IC § 20-33-5-3(a). Schools may not deny textbook assistance to an applicant who meets the federal free or reduced price lunch guidelines or compel them to pay the balance of the textbook rental fees not reimbursed by the state. For more information, please contact IDOE's Office of Legal Affairs at legal@doe.in.gov or 317-232-6676.

8) Technology Funding

The two state-level grant programs expressly focused on technology are those backed by the David C. Ford Fund (IC § 20-20-13) (at approximately \$3,000,000/year) and the School and Library Internet Connection Fund (at \$3,500,000/year). Grant funding from the David C. Ford funds are announced through the Learning Connection Community, "IDOE - Ed Tech Connect." IDOE recommends that at least one school administrator be subscribed to this community to ensure that funding opportunities are not missed. School and Library Internet Connection funds are distributed to schools via a formula. Previously, eligibility for these funds was based on schools purchasing at least a portion of their Internet access from the state contract with Education Networks of America ("ENA"). However, the budget passed in 2015 expressly provides that a portion of the 3.5 million shall also be used for schools and libraries that are not part of the ENA consortium.

Another source of funds for technology and digital curriculum are the funds that have traditionally been called the Textbook Reimbursement funds. Indiana schools have the flexibility to use Textbook Reimbursement dollars to pay for technology content costs within some broad parameters.

For any questions regarding the technology programs, contact David Ryan, IDOE Program Specialist, at dryan@doe.in.gov or 317-232-9119.

9) E-rate Filing

E-rate is a federally funded program that subsidizes internet access for schools and libraries across the nation. The rate of the subsidy for schools is based on the poverty level of the students they serve. Schools serving a student population that is >75% free and reduced price lunch may be eligible for as much as a 90% discount on internet access fees (Priority I funding). Additionally, schools serving the most impoverished populations as indicated by the percentage of students on free and reduced price lunch may be eligible for Priority II services which include support for maintaining internal connections within the school. IDOE works closely with a vendor (“AdTec”) to help schools file for E-rate discounts on Internet access purchased through the state contract with the Internet Service Provider (“ISP”) ENA. IDOE does not necessarily provide all the support that a school would need to sufficiently file for all E-rate eligible services and so each school needs to have some basic capacity and understanding of the E-rate program. More information about the E-rate program may be found [here](#).

10) Revolving Facilities Loan Fund for Charter Schools

In May 2011, House Enrolled Act 1002 established the charter schools facilities assistance fund. The fund, which operates as a revolving loan fund, was established to assist schools in constructing, purchasing, renovating, and maintaining charter school facilities. In May 2012, IDOE awarded a contract to IFF, a nonprofit community development financial institution, to manage this facilities fund. At the time of publication of this manual, it is our understanding that all money in the fund has been allocated. Schools may contact Andrea Poole, Director of Lending, School Services for IFF, at apoole@iff.org or (312) 596-5113, for more information.

11) Indiana Secured School Fund

This Fund provides matching grants to schools to employ school resource officers, conduct a threat assessment, purchase equipment to restrict access to the school, or to expedite the notification of first responders. The matching grant Fund is \$35,000 annually, as long as the grant does not exceed the cost of the program, for school corporations with an ADM less than 1,000. A school may only receive a grant if it is located within a county that has a school safety commission. Coalitions of schools may apply jointly. For more information, please see IC § 10-21 or call 317.234.5917.

12) Non-English Speaking Program Grant

The State funded Non-English Speaking Program was first approved by the Indiana General Assembly in 1999. This program provides supplemental funding to eligible school corporations to serve limited English proficient (“LEP”) students. The grant amount for the biennium is two hundred dollars (\$200) per pupil. More information about the program and the application process can be found [here](#).

13) Charter and Innovation Network School Advance Program

In 2015, the Indiana General Assembly created the Charter and Innovation Network School Advance Program (IC § 20-49-9) as a loan program administered by SBOE to make advances to charter schools, excluding virtual charter schools and adult high schools, equal to not more than \$50 million total over the biennium. Advances may be made at 1% interest with a 10 year maximum term and no more than a \$5m total advance outstanding to any one school. The funds must be used for educational purposes, including to construct or purchase a school facility (the latter requires an adequate security interest as determined by the Indiana Department of Administration (“IDOA”). The program allows automatic qualification for: 1) charter schools in their first two years of operation; 2) charter schools that receive an A, B, or C category designation; 3) charter schools that did not receive a grade; and 4) charter schools with a majority of students with developmental, intellectual, or behavioral challenges. Charter schools that received a D or F qualify if the charter school was placed in the same or better category than the nearest non-charter public school configured to teach the same grades. More information about the Advance Program may be found on the [SBOE’s website](#).

14) The Public Charter Schools Program Grant

The Public Charter Schools Program Grant (“PCSP”) is a federal competitive grant program under the Elementary and Secondary Education Act of 1965, as amended (“ESEA”) that allows a SEA to provide subgrants to charter schools for initial

planning and implementation activities. The purpose of the subgrant program is to increase the number of high quality charter schools across the state by providing financial assistance through funding for planning, program design, and initial implementation of a charter school and to support charter schools in conducting high quality educational programs. In 2010, IDOE received approximately \$31,000,000 over five years for Indiana charter schools. Funds from the initial award were initially available through July 31, 2015 but IDOE is in the process of obtaining an extension to allow it to continue to disburse the encumbered funds past this date.

Note: Indiana was not successful in its summer 2015 application for new PCSP grant funds and, as of November 2015, all of the funds from the 2010 grant award have been allocated. This means that currently there is no PCSP grant money available for charter schools opening in 2016.

However, the PCSP Grant program was included in the 2015 Every Student Succeeds Act (“ESSA”), which reauthorized ESEA, and was funded in the federal budget passed in December 2015. We are hopeful that there will be additional PCSP grant opportunities in summer 2016 that will be made available to states that did not receive PCSP grants in summer 2015. These opportunities will allow entities other than the SEA, e.g. charter organizers and authorizers, to apply for the grant dollars. The ICSB will closely monitor these new grant opportunities and will provide information to schools through email and our website. Assuming Indiana is successful in securing a PCSP grant award in 2016, charter school organizers will be eligible to apply for a sub-grant immediately upon being awarded a charter by their authorizer. Applicants are advised that successful PCSP grant recipients will be awarded a contract backdated to the date when the PCSP funding application was submitted. **PCSP funding is competitive and therefore is not guaranteed. Most applicants do not receive the full amount of funding requested, and applicants with a low application score will not receive any funding. If an application receives a failing score, the organizer loses the right to reapply for PCSP funding in future.**

The current award is administered by IDOE and overseen by IDOE’s Assistant Director of Grants and Charter Schools, Jeff Barber. For more information regarding currently available funding amounts and the grant application, please contact Jeff Barber at jbarber@doe.in.gov or 317-232-9143.

15) 21st Century Community Learning Centers Program

The 21st Century Community Learning Centers (“CCLC”) program is a federally-funded program that provides at-risk students a safe environment during non-school hours. This program may have one or multiple centers/sites which may be located in schools, community facilities, or faith-based facilities. All centers must provide a range of high-quality services to support regular school-day academics and development, including, but not limited to: tutoring and mentoring, academic enrichment (e.g., homework assistance, reading, math, science, and technology programs), service learning, character education, physical education and recreational activities, and dropout prevention. The 21st CCLC program must also engage adult family members in actively participating with students through educational and personal development opportunities. For more information the 21st CCLC program you may visit the [IDOE’s 21st CCLC webpage](#), call 317-234-7033, or email 21CCLCprogram@doe.in.gov.

16) Part B, IDEA

Under the provisions of the Education Department General Administrative Regulations (“EDGAR”), states are required to take steps to ensure that each new charter school receives Part B, IDEA federal funds during its first year of operation. In order to receive these funds, a charter school must provide IDOE with certain information needed to determine the initial grant award.

Federal special education funds allocated to LEAs under Part B, IDEA are based on four factors: the number of students with disabilities, the total number of students (with and without disabilities), base pay amount, and the number of students receiving free and reduced lunches. Each category has an established per child amount calculated each new fiscal year based on the State’s allocation, which will be multiplied by the total number served in that category. These amounts are added together to arrive at the total allocation for each LEA.

A base payment is the amount the agency would have received for FY 1997 after the State distributed 75% of its allocated funds to the LEAs. In Indiana, the base pay amount is \$519.40 per child that was counted for the 1997 December 1 count. For new charters, \$519.40 would be multiplied by the number of students with disabilities reported on the December 1 count in the first year the school is in operation. The new charter will then use this number as the base pay total until federal regulations change.

New schools that wish to receive their funding beginning in September must submit estimated total enrollment, estimated free and reduced-price lunch count, and the estimated special education child count to IDOE's Office of Special Education in August. IDOE will then generate the total allocation for the new school based on the formula described above. Once the new school receives the allocated amount, an application for that fiscal year must be completed and submitted to IDOE's Office of Special Education for review and approval. When the new school receives approval for the application, reimbursement forms may be submitted to IDOE's Office of Finance. If the new school has estimates that need to be adjusted after the December 1 count is submitted, the adjustments should be reported to IDOE's Office of Special Education, so that the allocation amount may be altered. Please contact Jennifer Thompson, IDOE Part B Grants Supervisor, at jthompson@doe.in.gov or 317-234-1002 to discuss this process and to learn more information. Templates for the application can be found in the Learning Connection Community "IDOE – Special Education Administrators."

17) Title I Funding

Title I, Part A of ESEA ("Title I") provides supplemental federal funding for low achieving students in high-poverty schools. Funds are used to implement programs and services that provide extra academic support and learning opportunities for children who are failing to meet, or are most at risk of failing to meet, state and local standards.

Title I funds should not be used in place of general tuition support dollars. The funds must supplement (not supplant) the school's regular instructional program. Learning opportunities must be academic in nature. Examples may include, but are not limited to: after-, before-, and summer school programs; specialized teachers (e.g., reading teachers); instructional interventionists; and instructional coaches (e.g., job-embedded professional development).

Funds may be used for research-based professional development opportunities for teachers and paraprofessional who provide instructional support to Title I students. Funds can also be used to provide opportunities and activities that increase meaningful parental involvement.

Title I allocations to school corporations are based on census poverty data. Charter schools do not have their own census poverty count because students are drawn from across census boundaries. Therefore, IDOE applies a multi-step formula to determine the school's equivalent of census poverty. This count determines eligibility and generates allocations.

Eligibility is determined by the number of "formula children" in the charter school (i.e., the number of students eligible for free or reduced-price lunch in relation to the school's overall census poverty data). To be eligible for a Title I basic grant, a charter school must have at a minimum at least ten "formula children" and the number of "formula children" must make up more than 2% of the student population (ages 5-17). Additional grants and funding may be generated, depending upon the total percentage of poverty for the charter school.

Importantly, the federal regulations require that "hold harmless" provisions be applied to all LEAs – both traditional public schools and charter public schools. "Hold harmless" provisions require that no LEA receive less than 85%, 90%, or 95% of the Title I funding that it received the previous year. Which of the three levels, 85, 90, or 95, is determined by the percentage of "formula children" served by the school (30% or more; 15% or more but less than 30%, or less than 15%). If the state does not have sufficient funding to apply the hold harmless provisions to all schools, then the state must ratably reduce across all public schools while keeping the distributions as close to the hold harmless levels as possible. *See* 34 CFR § 200.73.

Once eligibility is determined, the charter school will draw Title I funds from each district in which “formula children” reside, and will receive the same amount per “formula child” as that particular district receives. The aggregate of the per-pupil amounts will generate the charter school’s allocation.

Once IDOE determines the charter school’s allocation, it will provide guidance to the school on how to complete the Title I application (including helping to identify uses for the funds). Several resources, including federal guidance, sample documents, and technical assistance materials are available on [IDOE’s Title I, Part A webpage](#) or on IDOE’s Learning Connection website in the “IDOE-Title I” learning community. For questions, please contact Cindy Hurst, IDOE Title I Coordinator, at churst@doe.in.gov.

18) Title II Funding

The purpose of Title II, Part A of ESEA (“Title II, Part A”) is to increase the academic achievement of all students by 1) helping schools and districts improve teacher and principal quality and 2) ensuring that all teachers are highly qualified. SEAs, LEAs and State Agencies for Higher Education (“SAHE”) receive funds on a formula basis. In addition, eligible partnerships consisting of high-need LEAs and Institutions of Higher Education (“IHE”) receive funds that are competitively awarded by the SAHE. Title II, Part A funds are available to all public school and charter school LEAs.

Consistent with LEA planning requirements and needs assessment, the Title II, Part A program offers an LEA the flexibility to design and implement a wide variety of activities that can promote a teaching staff that is highly qualified and able to help all students – regardless of individual learning needs – achieve challenging State content and academic achievement standards. Funds can also be used to provide school principals with the knowledge and skills necessary to lead their schools’ efforts in increasing student academic achievement. For example, the statute specifically authorizes the following types of activities:

- 1) Developing and implementing mechanisms to assist schools in effectively recruiting and retaining highly qualified teachers, principals, and specialists in core academic areas (and other pupil services personnel in special circumstances).
- 2) Providing professional development activities that improve the content knowledge and classroom practices of teachers and principals and, in appropriate cases, paraprofessionals.
- 3) Providing professional development activities that should involve collaborative groups of teachers and administrators; address the needs of students with different learning styles; and provide training in improving student behavior, involving parents, and using data and assessments.
- 4) Developing and implementing initiatives to promote retention of highly qualified teachers and principals, particularly in schools with a high percentage of low-achieving students.
- 5) Carrying out programs and activities that are designed to improve the quality of the teaching force, such as innovative professional development programs that focus on technology literacy, tenure reform, testing teachers in the academic subject in which they teach, and merit pay programs.
- 6) Hiring highly qualified teachers, including teachers who become highly qualified through State and local alternate routes to certification, and special education teachers.
- 7) Carrying out teacher advancement initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a mentor teacher, career teacher, or exemplary teacher) and pay differentiation.

In exchange, agencies that receive funds are held accountable to the public for improvements in academic achievement.

Title II, Part A, like most ESEA formula programs, is “forward funded.” Funds remain available for a period of 27 months after July 1. This 27-month period includes an initial 15-month period of availability and an automatic 12-month extension permitted under the “Tydings Amendment.” For example, funds appropriated for Federal FY 2011 first become available on July 1, 2011, and remain available for obligation through September 30, 2013.

Title II, Part A grant applications and several resources including federal guidance, sample documents, and technical assistance materials are available on [IDOE's Title II, Part A webpage](#) or IDOE's Learning Connection Community "IDOE – Title II A and Highly Qualified Teacher Status."

19) Title III Funding

Title III: Language Instruction for Limited English Proficient and Immigrant Students of ESEA ("Title III") funding aims to help ensure that children who are LEP attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards. Schools must use approaches and methodologies based on scientifically based research on teaching limited English proficient children and immigrant children. To review funded activities and grant requirements, please visit [IDOE's Title III webpage](#) or the Learning Connection Community "IDOE - Title III and NESP," or contact Rachel Davidson, IDOE English Learner & Migrant Education Coordinator, at rdavidson@doe.in.gov or 317-232-0558.

20) Medicaid Reimbursement

Charter schools are eligible to receive Medicaid reimbursement from the state for certain healthcare services provided to enrolled students, through two different pathways as described below.

A child with a disability may require health-related services at school in order to access and benefit from a free and appropriate public education. Schools, including charter schools, must provide health-related services to meet the educational needs of a child with a disability, as required by the child's IEP. Medicaid reimbursement is available for covered health-related services required by the IEP of a Medicaid-enrolled student. IC § 12-15-1-16 requires Indiana school corporations to enroll as Indiana Medicaid providers, but participation in billing is optional.

In Fall 2011, Indiana implemented a statewide school-based Medicaid Administrative Claiming program to allow participating public school corporations and charter schools to recover federal matching funds for up to 50-75% of their costs for administrative activities that staff routinely perform, such as informing potentially eligible students and families about health coverage benefits and helping them apply for or access medical, dental and behavioral health coverage benefits; working with community partners to arrange school-based or school-linked health care services; other program planning or coordination to help meet students' unmet health care needs.

For more information about Medicaid in Education, please visit [IDOE's School-Based Medicaid webpage](#) and join the Learning Connection Community "Medicaid in Schools." Please contact IDOE's School-based Medicaid Specialist, Tracy Brunner, at tbrunner@doe.in.gov or 317-232-6988 for additional assistance.

21) Competitive Private Funds

a) Walton Family Foundation Funding

The Walton Family Foundation provides a competitive grant opportunity for charter schools based in Indianapolis that seek to serve students in the Indianapolis Public Schools ("IPS") district. The application materials are available through the [Walton Family Foundation website](#).

b) The Mind Trust Charter School Incubator

The Mind Trust, an Indianapolis non-profit organization dedicated to dramatically improving public education for underserved students, provides [several competitive grant opportunities](#) for charter schools located in Indianapolis.

c) Charter School Growth Fund

The [Charter School Growth Fund](#) is a non-profit venture capital fund that invests philanthropic venture capital in high performing charter school operators to dramatically expand their impact on low-income and minority students. The Fund provides financing, business planning support, coaching and other resources that portfolio members

require to build networks of high-performing schools. For more information, please email info@chartergrowthfund.org or call 303-217-8090.

d) *Other Grant Opportunities*

Below you will find two lists. The first list are organizations with resources for grant seekers. The second list are organizations which provide grant funding opportunities to educational institutions. Neither of these lists are comprehensive, and each charter school operator is encouraged to perform its own due diligence regarding availability of funds, grant application timelines and procedures, as well as research other potential grant opportunities.

The following is a list of organizations that provide general resources for organizations seeking grants:

- [National Charter School Resource Center](#)
- [US Department of Education](#)
- [Grants.gov](#)
- [Indiana Philanthropy Alliance](#)
- [Indiana Afterschool Network](#)
- [Central Indiana Community Foundation](#)
- [Serve Indiana](#)

The following is a list of organizations that provide grant funding opportunities specifically to educational institutions:

- [American Institute of Aeronautics and Astronautics](#) – with a focus on engineering.
- [Air Force Association](#) – with a focus on engineering and aerospace.
- [American Honda Foundation](#) – with a focus on STEM.
- [Bristol-Myers Squibb](#) – with a focus on health, science, and technology.
- [The Calvin K. Kazanjian Economics Foundation, Inc.](#) – with a focus on economic literacy.
- [College Board](#) – with a focus on innovative arts.
- [Encana Corporation](#) – with a focus on energy and the environment.
- [SeaWorld and Busch Gardens Conservation Funds](#) – with a focus on conservation.
- [Saint-Gobain Corporation Foundation](#) – with a focus on STEM.
- [Constellation Energy Resources, LLC](#) – STEM, with a focus on energy.
- [Initial Teaching Alphabet Foundation](#) – with a focus on literacy.
- [Ethics and Excellence in Journalism Foundation](#) – with a focus on journalism.
- [Toyota USA Foundation](#) – with a focus on STEM.
- [The Charles Lafitte Foundation](#) – general education.
- [KLA-Tencor Foundation](#) – general education.
- [BMW Group of North America](#) – with a focus on intercultural learning.
- [PACCAR Foundation](#) – with a focus on arts and economics.
- [Cruise Industry Charitable Foundation](#) – general education.
- [Entertainment Software Association Foundation](#) – general education.
- [Ray Charles Foundation](#) – general education.
- [Toshiba Corporation, Toshiba America Group, Toshiba America Foundation](#) – with a focus on STEM.
- [Halliburton Foundation](#) – general education.
- [The Fender Music Foundation](#) – with a focus on music.
- [Andrew Family Foundation](#) – general education.
- [Toshiba America Foundation](#) – with a focus on science and math.
- [Kinder Morgan Foundation](#) – with a focus on STEAM.

- [National Art Education Foundation](#) – with a focus on art.
- [Discover](#) – with a focus on finance.
- [The Roads to Reading Initiative](#) – with a focus on literacy.
- [Saxena Family Foundation, Inc.](#) – with a focus on STEM.
- [Sony Corporation of America](#) – with a focus on the environment.
- [Siemens and SME Education Foundation](#) – with a focus on STEM.
- [Lockheed Martin](#) – with a focus on STEM.
- [The Center for Innovation in Education](#) – using assessments as learning tools.

IV. State and Federal Compliance

This section of the manual provides a general overview of a selection of federal and state laws that are applicable to charter schools, other than the laws governing special education, which are discussed in Section II.D of this document, and the laws governing federal funding, which are discussed in Section III.B of this document. This is not an exhaustive list. Laws and their applications in the school setting continually evolve. Charter schools and governing boards should not rely or act upon any information contained in this manual without first seeking the advice of independent legal counsel.

Note that [Exhibit E](#) through [Exhibit J](#) of the Charter Agreement provide a detailed overview of certain federal and state laws with which a charter school must comply. The charter organizer is encouraged to review these Exhibits carefully with independent legal counsel prior to charter agreement execution.

A. Federal Compliance Matters

Note: This list is provided in addition to the various laws already mentioned throughout the start-up manual, e.g. Article 7, McKinney-Vento. The ICSB does not represent that the federal laws and regulations mentioned in the start-up manual are a comprehensive list. Each charter school should have counsel to advise and ensure compliance with all applicable federal regulations.

1) Family Educational Rights and Privacy Act

FERPA is a federal law protecting the privacy of student education records. The law states that parents or eligible students (aged 18 years or older) have the right to inspect and review student education records maintained by the school, parents and eligible students have the right to request that a school correct records they believe to be incorrect, and schools must have written consent in order to release any information from a student’s educational record. Please visit [USED’s FERPA webpage](#) for more information.

2) Title VI

Title VI of the Civil Rights Act of 1964 is a federal civil rights law that prohibits discrimination on the basis of race, color, or national origin.

3) Title IX

Title IX of the Education Amendments of 1972 (“Title IX”) is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Specifically, pursuant to 34 Code of Federal Regulations (“CFR”) §§ 106.8 and 106.9, schools must disseminate a nondiscrimination policy, designate a Title IX Coordinator, and adopt and publish formal grievance procedures. Areas that are covered under Title IX include peer-on-peer sexual harassment and violence, teacher-on-student sexual harassment and violence, pregnant and parenting students, curricular offerings, and extra-curricular offerings. Additional information on Title IX may be found [here](#) and [here](#).

B. State Compliance Matters

Note: This list is provided in addition to the various laws already mentioned throughout the start-up manual. The ICSB does not represent that the state laws and regulations mentioned in the start-up manual are a comprehensive list. Each charter school should have counsel to advise and ensure compliance with all applicable state regulations.

1) Duty to Report

Pursuant to IC § 31-33-5-1, anyone working at the school has a duty to report to the Department of Child Services if they believe a child is a victim of child abuse or neglect. Please visit [IDOE's Law and Rule webpage](#) for more information. For questions, please contact Cathy Danyluk, IDOE State Attendance Officer and Assistant Director of Student Services, at cdanyluk@doe.in.gov or 317-232-9185.

2) Prohibition on Smoking and Signage

Pursuant to IC § 7.1-5-12 generally (and more specifically, IC § 7.1-5-12-7), all public places, including public schools, must post conspicuous signs at each public entrance that read "State Law prohibits smoking within 8 feet of this entrance."

3) Restraint & Seclusion

Public Law 122-2013 created the Commission on Seclusion and Restraint in Schools to draft rules regarding the limited use of either seclusion or restraint by public, charter and accredited nonpublic schools and to create a model plan to aid schools in the creation of school specific plans. After July 1, 2014, each public, charter or accredited nonpublic school must adopt a restraint and seclusion plan. Any plan that a public, charter or accredited nonpublic school adopts must contain, at a minimum, the elements listed in [IC § 20-20-40-13\(a\)\(2\)](#).

In addition, in its annual report to the ICSB, each school must attach a report detailing the number of instances in which either seclusion or restraint is used in the school for the most recently completed school year using the definitions of "seclusion" and "restraint" that are found in [513 IAC 1](#).

4) Accounting and Audits

a) *Unified Accounting System*

Charter schools are required to comply with accounting and audit standards as set forth by the Indiana State Board of Accounts ("SBOA"). All public schools, including charter schools, are required to adopt and implement a unified accounting system established by the SBOA. This system is geared toward the cash basis method of accounting (i.e., fund accounting).

Effective July 1, 2013, IC § 20-39-1-4 requires charter school organizers to adopt and implement an accounting system customized for charter schools that enables organizers to adopt the accrual basis method of accounting. Once the revised accounting system has been adopted, the SBOA will issue new guidance for charter schools. In the meantime, charter school organizers may refer to the [Charter Schools Manual](#) posted on the SBOA website.

b) *Audits*

Charter schools are required by state law to conduct an annual financial and compliance audit and, if applicable, a Federal Single Audit. All audits must comply with the guidelines for charter schools published by the SBOA. For more information about SBOA requirements for charter school audits, please refer to the [Guidelines for Audits of Charter Schools Performed by Private Examiners](#) posted on the SBOA website.

Audit reports are kept on file by the SBOA and posted on their [website](#).

For questions, please contact SBOA's State Examiner Paul Joyce at pjoyce@sboa.in.gov or 317-232-2514. Charter schools authorized by the ICSB should also refer to the [Financial Reporting Guidelines](#) posted on the ICSB website.

5) School Health Plans and Personnel

Pursuant to 511 IAC 4-1.5-6, charter schools must have provisions in place for the day-to-day health needs of students as well as for medical emergencies. Specifically, all public schools, including charter schools, are required to employ a nurse to coordinate health services. The regulation does not specify what that employment looks like- for example, it seems reasonable to interpret the language to allow part-time employment or through a cooperative agreement with other charter or traditional public schools. The regulation specifies that the nurse must hold a B.S. in nursing unless the nurse has been continuously employed by the corporation since 2000. Health services include: prevention, assessment, intervention, and referral. The School Health Services page on IDOE’s website contains information on statutes and resources for school nurses, student medication possession and administration, health care, safety measures, care for students with diabetes, immunizations, and the ADA Amendments Act of 2008. The ICSB recommends that each charter school have its counsel review procedures and statutes independent of the information provided within this manual and [IDOE’s Health webpage](#). For questions or additional information, please contact Jolene Bracale, IDOE Program Coordinator for Student Health Services, at jbracale@doe.in.gov or 317-232-0541.

6) Immunizations

In accordance with IC § 20-34-4-5, schools are required to maintain immunization records for each student. Please visit the [ISDH School Immunization Requirements webpage](#) for information on immunization requirements, timelines, enrollment provisions, and reporting forms. Alternatively, schools may contact David McCormick, Director of Immunization, at dmccormick@isdh.in.gov or 317-233-7010.

7) Safety

Per the charter agreement, all charter schools authorized by the ICSB must develop and implement a school safety plan prior to the school opening. The school safety plan must include emergency preparedness plans for natural disasters and manmade crises for all staff and students, including students whose disabilities require special evacuation procedures. [IDOE’s School Building Physical Security and Safety webpage](#) contains resources on safety procedures and references applicable laws.

Many schools opt to participate in the Indiana School Safety Specialist Academy in order to receive training and ongoing information on national and state safety best practices. While not mandatory for charter schools, the specialists are provided helpful resources that can also be found on IDOE’s School Building Physical Security and Safety webpage.

To aid in creating the school safety plan required in the Prior Action Checklist, charter schools are encouraged to contact the first responders in emergencies (e.g., local police, fire departments). In addition, IDOE’s website contains [school emergency preparedness resources](#) for schools.

For guidance and questions, please contact Ryan Stewart, IDOE School Safety Academy Specialist, at 317-234-1362 or rstewart@doe.in.gov, or David Woodward, IDOE Safety Program Coordinator, at 317-232-6975 or dwoodwar@doe.in.gov.

8) Transportation

Indiana charter schools are not required to provide transportation for their students, except as required under the federal The McKinney–Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat. 482, 42 U.S.C. § 11301 et seq.) (“McKinney-Vento Act”) and IDEA (both of which are discussed in more detail below) and 511 IAC 7-43-1(u), if applicable. If charter schools wish to provide transportation, they may operate their own transportation program, contract with a third-party provider, or contract with the district for transportation services. Under IC § 20-24-7-4, services that the school corporation provides to a charter school, including transportation, may be provided at no more than 103% of the actual cost of the services. More information may be found [here](#).

a) *Provision of Transportation for Some Students who attend Rural Charter Schools*

As modified in 2015, IC § 20-27-11-1 includes a requirement that rural school corporations must provide transportation for charter school students that reside along the district’s bus routes in the same manner that school

districts have previously been required to provide transportation for non-public school students under the same statute.

b) *Field Trips*

Before planning field trips and other out-of-school trips, please contact Michael LaRocco, IDOE Director of School Transportation, to discuss the rules and regulations surrounding transporting students. He can be reached at mlarocco@doe.in.gov or 317-232-0891.

c) *Planning Traffic Flow*

Crosswalks, speed zone signs, and school speed zone monitoring are handled by the local districts or municipalities. Eric Jackson, the Indianapolis Department of Public Works Traffic Signs Supervisor, may be reached at 317-327-2933. Schools should consider potential safety concerns related to student drop off and pick up and plan the traffic flow as part of their school transportation plan.

9) Technology Plans

IDOE requires all schools to submit a technology plan each year. This plan has four main components:

- 1) An annual technology trends survey
- 2) A corporation/district level plan with a minimum of three measurable goals
- 3) A three-year projected budget
- 4) School level plans for each building/location in the school corporation.

Depending on its percentage of Free and Reduced Price Lunch students, a school may be eligible for Priority II discounts through the E-rate program (see the E-rate section for more information about eligibility and enrollment). To receive Priority II discounts, schools must have a building level technology plan approved by IDOE's eLearning Team. In addition, the technology plan exists to ensure that schools are regularly considering their progress on matters of eLearning. Technology plans are [publicly available](#) and the annual technology trends report is widely shared as well. The Learning Connection Community "IDOE – Online Technology Plans" is devoted to supporting the technology plan process. The tech plan site is open to schools for plan submission from November through March. For questions, please contact David Ryan, IDOE Program Specialist, at dryan@doe.in.gov or 317-232-9119.

10) School Food and Nutrition

IDOE's Office of School and Community Nutrition provides a list of several USDA Child Nutrition Programs for schools, including breakfast, lunch, milk, after-school snacks, and summer food. New schools that wish to participate in this program will be required to attend a mandatory training, fill out the necessary paperwork, and follow USDA and State rules and regulations of the Child Nutrition Programs to receive reimbursement for meals, milk, or snacks served to students. For more information, go to [IDOE's School Nutrition Programs website](#).

Charter schools must contact IDOE's Office of School and Community Nutrition before entering into a contract with a food service provider. There are a number of required procedures for schools that wish to qualify for federally-funded school food programs, and the contracting process takes several months. Therefore, schools should begin the process approximately five months prior to the first date of student enrollment.

For more information, please contact Sarah Kenworthy, IDOE School Nutrition Programs Coordinator, at skenworthy@doe.in.gov or 317-232-0850.

V. Indiana State Assessments and Accountability

A. Assessments

All public schools, including charter schools, are required to administer state assessments for enrolled students. Below is an overview of important assessment information and deadlines.

1) Assessment/Testing Coordinator

All schools must identify an assessment coordinator. Identifying an assessment coordinator (typically, a charter school's school leader or chief operating officer) at the school will help ensure smooth testing and efficient communication with both IDOE and relevant test providers. Coordinators are legally responsible for the security of tests. Designated staff members will be placed on testing email lists to receive up-to-date information. Please contact IDOE's Office of Assessment at inassessments@doe.in.gov or 317-232-9050. New assessment coordinators should join the Learning Connection Community "Test Coordinator Corner."

2) Testing Windows

Testing windows for the 2015-16 school year are available [here](#).

3) College Entrance Examination Board Code

New schools that intend to administer College Board or ACT assessments (AP, ReadStep, PSAT, SAT, ASPIRE or ACT) must apply for a level II school (College Entrance Examination Board Code ("CEEB") or Attending Institution ("AI")) code via ETS Code Control, using the form provided by CEEB. The process of receiving a code can take up to two weeks, and schools should apply for this code no later than September. To contact ETS Code Control, please call 609-771-7091 or email codecontrol@ets.org.

4) WIDA ACCESS 2.0

The WIDA ACCESS 2.0 determines a student's level of English proficiency. The placement test is administered upon the student's enrollment in an Indiana school corporation to inform the student's Individualized Learning Plan ("ILP"). The annual assessment, administered in January and February, is used to determine the student's current level of English proficiency and is used for accountability purposes. For more information, please visit [IDOE's English Language Proficiency Assessments webpage](#).

5) ISTEP+

The Indiana Statewide Testing for Educational Progress ("ISTEP+") measures student achievement in English/Language Arts, mathematics, science, and social studies. The ISTEP+ test assessing student achievement is administered every year in the spring and consists of two parts that are administered in separate windows.

[IDOE's Assessments webpage](#) contains guidance, manuals, rubrics, school and corporation results, and other resources for schools. Before the ISTEP+ each year, a packet of manuals and instructions, and a separate packet of student testing materials will be sent to the assessment coordinator. For questions, please call 317-232-9050 for IDOE's Office of Student Assessment.

Schools may accommodate eligible students with disabilities by providing an alternate assessment, Indiana Standards Tools for Alternate Reporting ("ISTAR"), in place of the ISTEP+, pursuant to the student's IEP. More information on ISTAR can be found [here](#). For questions, please contact Karen Stein, IDOE Special Programs Assessment Specialist, at kstein@doe.in.gov or 317-232-9050.

6) End of Course Assessments for High School Students

The ISTEP+ End of Course Assessments ("ECAs") are criterion-referenced assessments developed specifically for students completing their instruction in Algebra I, Biology I, or English 10. Algebra I and English 10 scores are a component of both

the Indiana statewide A-F Accountability system and the ICSB accountability system. Freshmen and sophomores must take all ECAs after the corresponding ECA course is taken. Students who might be taking advanced classes, i.e. who have taken Algebra I in junior high school, must still take the ECA unless they have already taken and passed it. ECAs will only apply for students in the 2016, 2017, and 2018 cohorts. The ECA will serve as these students' graduation qualifying exam but it will not feed into the A-F accountability system.

For more information on the ECAs, including depth-of-knowledge resources, cut scores and results, please visit [IDOE's ECA webpage](#), join Learning Connection Communities "IDOE - Test Coordinator Corner" or contact Adam Mastrucci, IDOE End-of-Course Assessment Specialist at 317-234-4231.

7) Graduation Qualifying Exam

Starting with the 2019 cohort (freshmen in the 2015-2016 school year), students must pass the 10th Grade ISTEP+, which serves as the Indiana graduation qualifying exam. The test will first be administered during the 2015-2016 school year to students in grade 10, but will count for accountability purposes only and will not determine whether a student is qualified to graduate.

8) IREAD

The Indiana Reading Evaluation and Determination ("IREAD-3") assessment measures foundational reading standards through grade three. Based on the Indiana Academic Standards, IREAD-3 is a summative assessment that was developed in accordance with Public Law 109 which "requires the evaluation of reading skills for students who are in grade three . . . to ensure that all students can read proficiently before moving on to grade four."

Students who do not pass IREAD-3 in the spring have an opportunity to retest in the summer after school-provided remediation. Students who do not pass the spring or summer administrations of IREAD-3 will continue to receive instruction in third grade reading, will be officially reported as a third grader, and will fully participate in the Grade 3 ISTEP+ assessment. Retention is not required for students who are eligible for a "good cause" exemption. The exemptions, sample IREAD-3 questions, and other resources, may be found on [IDOE's IREAD webpage](#).

Charter schools must administer the IREAD-3 to all students unless a student is exempted under 511 IAC 6.2-3.1 (if they have a medical necessity as approved by IDOE or they are ISTAR students based upon their IEP assessment placement. This must be documented in the DOE-TL and DOE-IR collections). In addition, some reporting and compliance requirements for charter schools differ from requirements for district schools. For example, charter schools are not required to submit Reading Plans to IDOE.

9) Indiana Formative/Interim Assessment

In 2015, the Indiana General Assembly did not fund the state-designed, aligned, and voluntary interim assessment Acuity and instead created a grant for which schools may apply to help fund "formative" assessments. Note: While the grant is referred to as "formative assessment grant," interim assessments are also eligible and meet the grant criteria (technically, formative assessments and interim assessments are designed differently but both serve the purpose identified by the Indiana General Assembly in HEA 1001-2015 of identifying students in need of remediation.).

[IDOE's Formative Assessment webpage](#) provides a list of the "formative" assessments that were approved for 2015-2016 as well as information about the grant. For questions about formative and interim assessments, please contact: Cynthia Roach, SBOE Chief Assessment and Accountability Officer, at croach@sboe.in.gov or 317-232-8532; or Dr. Michelle Walker, IDOE Director of Assessment of, at mwalker@doe.in.gov or 317.232. 9050.

B. Accountability

1) Indiana's A-F Accountability Model

All K-12 public schools in Indiana, including charter schools, are assessed according to Indiana's A-F Accountability Model ("A-F Model") under Indiana statute.

The A-F Model is designed to raise the bar for school accountability to drive student academic success. As such, the A-F Model holds schools to higher standards and provides a more accurate picture of school performance by incorporating student academic growth, graduation rates, as well as college and career readiness variables as measures of school success.

To learn more about the A-F Model, please visit [IDOE's Accountability webpage](#).

Indiana is currently in the process of transitioning to new metrics that will determine the A-F accountability grades. The metrics used to determine A-F grades will differ for the 2015-16 school year from what was used in prior years. For questions about the A-F Model, please contact Cynthia Roach, SBOE Chief Assessment and Accountability Officer, at croach@sboe.in.gov or 317-232-8532.

2) A-F Accountability for Adult High Schools

As described above, "Adult High Schools" are defined under Indiana statute as charter schools that serve a majority population of students who are either over the age of 18 or who belong to a cohort that has already graduated. Cohort is determined by the year a student enters his or her freshmen year.

As the traditional A-F Accountability model utilizes cohort calculations for several components of the high school model, SBOE established [a different A-F metric](#) that applies to adult high schools. For questions about the Adult High School A-F metrics, please contact Cynthia Roach, SBOE Chief Assessment and Accountability Officer, at croach@sboe.in.gov or 317-232-8532.

VI. Charter School Start-Up Checklist

A. Immediate Tasks Upon Being Awarded a Charter by the ICSB

Task	Contact	Email	Phone	Website
Complete required expanded background checks for all charter school holder Board members.	Amy Osborne, ICSB	aosborne@icsb.in.gov	317-232-0964	www.in.gov/icsb
Execute charter agreement with the ICSB.	Michelle McKeown, ICSB	mmckeown@icsb.in.gov	317-232-7585	www.in.gov/icsb
Ensure all charter holder Board members have read and understood Indiana's Public Access Laws, including the Open Door Law. We recommend the Public Access Handbook for this purpose.	Luke Britt, Indiana's Public Access Counselor	N/A	317-233-9435	http://www.in.gov/pac/files/pac_handbook.pdf
Register for the Learning Connection, where all IDOE departments share important news and documents.	N/A	N/A	N/A	https://learningconnection.doe.in.gov/Registration/RegistrationInit.aspx
Sign up for the DOE Dialogue email distribution list through IDOE's Communications Office.	Samantha Hart IDOE Communications Specialist	hart@doe.in.gov	317-232-0536	N/A
Call the STN Support Center to receive a School Identification Number. You may also work through the Assistant Director of Grants and Charter Schools to obtain the School Identification Number.	Jeff Barber, IDOE Assistant Director of Grants and Charter Schools or STN Support Center	jbarber@doe.in.gov	317-232-9143 or 317-232-0808	http://www.doe.in.gov/improvement/accountability/data-center

Task	Contact	Email	Phone	Website
<p>Call IDOE’s Department of Data Collection and Reporting to be set up in the STN Application Center for data reporting. You may also work through the Assistant Director of Grants and Charter Schools to set up the STN.</p>	<p>James Rodman, IDOE Accountability Specialist</p>	<p>jrodman@doe.in.gov</p>	<p>317-232-0809</p>	<p>http://www.doe.in.gov/accountability</p>
<p>Call IDOE’s Assistant Director of Grants and Charter Schools to request application materials for the PCSP planning and implementation grant. [*Note as of November 2015, 2010 PCSP dollars have been encumbered, and IDOE did not receive the 2015 grant. A new grant opportunity is expected in summer 2016.] Also request information about the charter school facilities assistance grant and the Vendor Information Form.</p>	<p>Jeff Barber, IDOE Assistant Director of Grants and Charter Schools</p>	<p>jbarber@doe.in.gov</p>	<p>317-232-9143</p>	<p>http://www.doe.in.gov/title/charter-school-program</p>
<p>Call IDOE’s Office of School Finance to request information about Per-Pupil funding (“Basic Grant”), and other state grants (e.g., Full-Day Kindergarten Grant), and the schedule for providing estimated student enrollment information for purposes of calculating the Basic Grant.</p>	<p>Melissa Ambre, IDOE Director of School Finance</p>	<p>mambre@doe.in.gov</p>	<p>317-232-0841</p>	<p>http://www.doe.in.gov/idoefinance</p>

Task	Contact	Email	Phone	Website
Contact IDHS, who as of March 2014, is responsible for enforcement of the Sanitary Schoolhouse rule. Charter recipients must contact the IDHS <u>prior</u> to purchasing, leasing, or constructing a facility.	Dean M. Illingworth, State Building Law Compliance Officer, IDHS	dillingworth@dhs.in.gov	317-232-1400	http://www.in.gov/isdh/21959.htm & http://www.in.gov/dhs/3545.htm
Call IDOE's Office of School Nutrition to learn about required IDOE procedures for selecting food service providers, assuming the charter school will apply for the federal school lunch program.	Sarah Kenworthy, IDOE School Nutrition Programs Coordinator	skenworthy@doe.in.gov	317-232-0857	http://doe.in.gov/student-services/nutrition/school-nutrition-programs
Review and understand SBOA audit requirements. Call the SBOA with questions about these requirements.	Paul Joyce, State Examiner	Pjoyce@sboa.in.gov	317-232-2514	http://www.in.gov/sboa/3872.htm

B. Other Important Pre-Opening Tasks

Task	Contact	Email	Phone	Applicable Websites
Contact IDOE's School Health Services Department to discuss requirements for setting up a Health Services Plan for your school.	Jolene Bracale, IDOE School Health Services Director	jbracale@doe.in.gov	317-232-0541	http://www.doe.in.gov/student-services/health
Contact IDOE's School Safety Department to discuss an Emergency Preparedness plan for your school.	Ryan Stewart, IDOE School Safety Support Specialist	rstewart@doe.in.gov	317-234-1362	http://www.doe.in.gov/student-services/safety
Contact IDOE's School Transportation Department to discuss transportation requirements and student traffic plans, should the school provide transportation for	Michael LaRocco, IDOE Director of School Transportation	mlarocco@doe.in.gov	317-232-0891	http://www.doe.in.gov/student-services/transportation

Task	Contact	Email	Phone	Applicable Websites
students (for regular school hours, field trips and/or internships).				
Contact IDOE's College and Career Readiness Department to discuss registration/school code requirements for high school assessments (e.g., PSAT).	Michelle Walker, IDOE Director of Student Assessment	mwalker@doe.in.gov	317-232-9050	http://www.doe.in.gov/achievement/assessment
Review Article 7, FERPA, and IDEA. Contact IDOE's Special Education Department to ensure your school has a process in place to identify, refer, and serve the special needs of all enrolled students. Please note that a <u>written process</u> to guide staff actions and activities when serving Special Education students must be in place for each school.	Pam Wright, IDOE Director of Special Education Dana Long, Attorney & Due Process Coordinator	pwright@doe.in.gov dalong@doe.in.gov	Pam Wright: 317-232-6622 <u>or</u> Dana Long: 317-232-6675	http://www.doe.in.gov/achievement/individualized-learning/special-education <u>and</u> http://www.doe.in.gov/sites/default/files/individualized-learning/navigatingthecourse.pdf
Contact IDOE's English Language Learner Department to ensure the school is ready to implement programs for English Language Learners.	Rachel Davidson, English Learner & Migrant Education Coordinator	rdavidson@doe.in.gov	317-233-0558	http://www.doe.in.gov/achievement/english-learners