Notes on Charter School Law in the State of Indiana

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Summary

Charter schools were established in the State of Indiana in 2001. The charter schools are based on one of the latest charter school laws and the parties concerned have had enough time to consider the pros and cons of them. This is one of the reasons why Indiana's Charter School Law ranked high in the report of the Center for Education Reform. By looking at the merits of Indiana's charter schools, I contend that the support of the community is very crucial for successful schools.

Key Words

charter school, good education, public school, support of the community

1. Introduction

First of all, let me briefly mention the history of the Charter School Law of Indiana. The Indiana Charter School Law is one of the latest charter school laws in the United States. “On May 2, 2001, Indiana Governor Frank O'Bannon signed the Indiana Charter School Law, making Indiana the 38th state to permit the creation of Charter Schools. With the passage of the Indiana Charter School Law, focus now turns to the efforts of individuals who are interested in creating a Charter School and to the politics of school sponsorship.” (http://charterschoollaw.com/indianalawarticle.htm/)

I assume that the State of Indiana has had enough time to consider the pros and cons of the charter schools. And all the parties concerned must have been trying their best to make the best charter schools. I believe that is why Indiana's Charter School Law ranked “the 6th strongest of the nation’s 38 charter school laws.” (http://www.edreform.com/ charterschools/laws/csranking01.pdf/)

2. Key Terms to Learn about Indiana Charter Schools

In this section, I would like to introduce key terms for the Charter School Law of Indiana in order to understand them more clearly.

2.1 Board

Board "refers to the Indiana state board of education established by IC 20–1–1–1.” (IC 20–5.5–1–2.)

2.2 Charter

Charter "means a contract between an organizer and a sponsor for the establishment of a charter school.” (IC 20–5.5–1–3.)
2.3 Charter School
Charter School "means a public elementary school or secondary school established under this article that: (1) is nonsectarian and nonreligious; and (2) operates under a charter." (IC 20–5.5–1–4)

2.4 Organizer
Organizer "means a group or an entity that: (1) has been determined by the Internal Revenue Service to be operating under not-for-profit status or has applied for such determination; and (2) enters into a contract under this article to operate a charter school." (IC 20–5.5–1–9)

2.5 Proposal
Proposal "refers to a proposal from an organizer to establish a charter school." (IC 20–5.5–1–11)

2.6 Sponsor
Sponsor "means the following: (1) For a charter school, one(1) of the following: (A) A governing body. (B) A state educational institution (as defined in IC 20–12–0.5–1) that offers a four(4) year baccalaureate degree. (C) The executive (as defined in IC 36–1–2–5) of a consolidated city." (IC 20–5.5–1–15)

3. Outlines and Characteristics of the Indiana Charter School Law
First of all, charter schools are public schools. Therefore, charter schools cannot charge tuition and they are funded mainly by the State. The most crucial difference between traditional public schools and charter schools is the discretionary power. Charter schools are independent public schools. IC 20–5.5–2–1 describes as follows

Sec. 1. A charter school may be established under this article to provide innovative and autonomous programs that do the following:
(1) Serve the different learning styles and needs of public school students.
(2) Offer public school students appropriate and innovative choices.
(3) Afford varied opportunities for professional educators.
(4) Allow public schools freedom and flexibility in exchange for exceptional levels of accountability.
(5) Provide parents, students, community members, and local entities with an expanded opportunity for involvement in the public school system.

As they use public funds, charter schools have to be open to any student who has the right to learn there. According to IC 20–5.5–2–2, "A charter school is subject to all federal and state laws and constitutional provisions that prohibit discrimination on the basis of the following: (1) Disability. (2) Race. (3) Color. (4) Gender. (5) National origin. (6) Religion. (7) Ancestry."
Concerning religion, as I pointed out in the 2.3, it is clearly stated that charter schools should be nonsectarian and nonreligious.

Besides, charter schools should be more accountable than traditional public schools. Scott (2001, p. 2) states that “the Indiana Charter School Law requires that each Charter School undergo periodic performance reviews by the Charter School’s Sponsor. IC 20-5.5-4-1(6)(A).” If a charter school does not meet the educational goals, it is likely to be revoked and closed. As for accountability, I’d like to point out that “the charter schools are schools of choice” (Scott 2001, p. 2), therefore if parents think that their child’s charter school is not achieving its goals, they can move their child to a different school.

Another characteristic of Indiana Charter Schools is that “they must be open to any student who resides in Indiana.” (IC 20-5.5-5-1) This policy is clearly stated in IC 20-5.5-5-3, which says that “a charter school may not establish admission policies or limit student admissions in any manner in which a public school is not permitted to establish admission policies or limit student admissions.” Scott (2001, p. 2) also clearly states that “Charter Schools, regardless of their location, are required to be open to every child that lives in Indiana. This will make every Indiana Charter School one of the most public and open schools in the country.”

4. The Process for Establishing a Charter School in Indiana

The first thing to do in establishing a charter school is to constitute a leading group as the founders of the charter school. Once the founders are gathered, they are supposed to make the Organizer which is defined in 2.4.

The second thing to do is to draft a mission statement. Besides, the founders are supposed to “set a series of short-term, mid-term, and long-term goals.” (Scott 2001, p. 5) It is also very important to set a feasible timetable to achieve the goals. (cf. *ibid.*)

The third thing to do is to draft a proposal. According to IC 20-5.5-3-3b, a proposal ought to have at least the following information:

1. Identification of the organizer.
2. A description of the organizer’s organizational structure and governance plan.
3. The following information for the proposed charter school: (A) Name. (B) Purposes. (C) Governance structure. (D) Management structure. (E) Educational mission goals. (F) Curriculum and instructional methods. (G) Methods of pupil assessment. (H) Admission policy and criteria, subject to IC 20-5.5-5. (I) School calendar. (J) Age or grade range of pupils to be enrolled. (K) A description of staff responsibilities. (L) A description and the address of the physical plant. (M) Budget and financial plans. (N) Personnel plan, including methods for selection, retention, and compensation of employees. (O) Transportation plan. (P) Discipline program. (Q) Plan for compliance with any applicable desegregation order. (R) The date when the charter school is expected to: (i) begin school operations; and (ii) have students in attendance at the charter school.
The arrangement for providing teachers and other staff with health insurance, retirement benefits, liability insurance, and other benefits.

The manner in which an annual audit of the program operations of the charter school is to be conducted by the sponsor.

When the proposal is completed, the organizer “may submit to a proposal to establish a charter school.” (IC-20-5.5-3-3b) If a sponsor receives a proposal, the sponsor has to notify the organizer concerning whether or not it is accepted “not later than sixty (60) days after the organizer submits the proposal.” (IC20-5.5-3-8) If the proposal is accepted, the sponsor may grant a charter to the organizer to establish a charter school. If the proposal is rejected by the sponsor, the procedure described in IC20-5.5-3-10 and IC20-5.5-3-11 is to be taken.2)

5. Special Education Programs

Special education programs in the United States started during the early nineteenth century and have been being modified for the better. In the Education for All Handicapped Children Act (EAHCA), there are six tenets. They are “(1) a free appropriate public education, (2) an individualized education program, (3) special education service, (4) related services, (5) due process procedures, and (6) the least-restrictive environment (LRE) in which to learn.” (Alexander and Alexander 2001, p. 445)

Some children’s advocates contend that these tenets are not fulfilled in some charter schools. They “claim that charter schools have gone out of their way to develop an inhospitable environment for kids with serious special needs.” (Vine 1997, p. 223)

Since the charter schools are all new in Indiana, I hope the charter schools there are not developing an inhospitable environment for the challenged. Let me point out one article here on the Indiana website.

Do charter schools serve special population students?
Yes. One in four charter schools is started to serve a special population. In the 1998–99 school year, 97 percent of charter schools offered special education testing, and 95 percent offered special education. During that same year, a majority of charter schools offered non-educational services to their students, such as social and health services, before and after-school care, food service, and transportation. Some fill particular niches for disabled students, such as the Metro Deaf Charter School in Minnesota. (http://www.indygov.org/mayor/charter/faq.htm/)

Now let me take a concrete example in Indiana. It is a case of Options Charter School. This school is geared specifically for the special student populations. There are students who “are finding their more traditional school education does not meet their learning needs.” (http://www.optionsined.org/special.htm/)

In this school, those students will take part in all aspects of the school’s curriculum. “The licensed special education professional will be responsible for developing a program for each special education student that addresses his/her specific needs. Services that
cannot be provided for in–house will be made available through contracts with outside agencies or individuals.” (ibid.)

One more thing I'd like to point out is that this Options Charter School is trying to build a closer relationship with the community and the local universities. The website of Options Charter School (ibid.) says that the school “will work with the community and the local universities to find volunteer tutors to assist second language learners in the classroom.”

I believe this is a great idea to make a better charter school. In order to make a better school, whether it is a charter school or not, the support from the community is very important. By urging people in the community to participate in the operation of the school as a volunteer worker, the public attention will be on the increase. When I say people in the community, the term includes parents. It is natural that parents should play a crucial role in the volunteer activities for their school.

6. 21st Century Charter School

Now let us look at the 21st Century Charter school. The website of this school says “Our children are growing up in a society that is changing every day. They live in a computerized world. To succeed, they need good basic skills – reading, writing, and math – but they also need an ability to use the ever–changing technology to become lifelong learners. The new 21st Century Charter School will prepare students to meet these challenges.” (http://www.21ccharter.org/) Therefore, this charter school focuses on learning the latest technology. This characteristic will clearly differentiate this charter school from others. According to the website of this school, the following are listed in the specification of offering:

- Free public education
- Quality teaching tailored for each child
- Cutting–edge technology
- Little Red schoolhouse model
- Character development
- Learning projects based on child's interests
- Art, music, and physical wellness
- Safe, caring, disciplined
- Parent involvement required!
- Hot breakfast and lunch: Federal Free Lunch Program. (p. 1)

The item I'd like to note here is “Parent involvement required!” It seems that this charter school considers the parental involvement as a prerequisite. This feature is very good in itself, but the bottom line is how the school will have parents involved in the school activities. It is easy to say “Parent involvement required!” but it is very difficult to make it happen effectively. Since this is a new school, every measure for this purpose should be taken.
The students grade 2 and beyond at this school are supposed to have a wireless take-home laptop computer. This means children can learn a lot at home by using this computer. When children use the computer, their parental support is very important. Parents can help their children use the computer at home as well as at school. Parents who are familiar with computers can be volunteer assistants at school. I am of the opinion that volunteer assistants may be one of the good measures for parental involvement.

7. Christel House Academy

Christel House Academy is going to open for the 2002–2003 school year. This new charter school is to be established by Christel House in collaboration with SABIS®.

In this new school, besides academic rigor, “character development through the inculcation of four core values—Respect, Responsibility, Independence and Integrity” (http://www.christelhouse.org/academy/default.asp/) is valued highly. These are characteristics for this school. The website of this school states that “[t]hrough a number of enrichment programs, it provides a holistic approach to child development, including outreach programs to help parents learn and advance.” (ibid.) Therefore, parents' involvement is also described on the website. I believe that in order to give good education to children, parents' knowledge plays an important part in it. The idea of helping parents learn and advance is beneficial for both the school and parents.

This new charter school's belief is also listed on the website. Let me point out those here. The website says as follows:

- It is our firm belief that based on-
  - The strength of its academic enrichment programs
  - The proven methodology of the SABIS® curriculum
  - The discipline instilled and creativity fostered in its students
  - The financial resources available
  - The extended school year and school day
  - The rewards available for teacher excellence

If these listed here are to function effectively, this charter school will achieve a great success.

8. Porter Parental Involvement Bill

As I said before, almost everyone admits that parental involvement in education is very important, but the point is how to carry it out. I believe there are a lot of schools which cannot get enough parental involvement. For those schools, the following article might be a blessing.

April 10, 2001

Porter parental involvement bill passes House

INDIANAPOLIS—A bill sponsored by State Rep. Greg Porter (D-Indianapolis) that would encourage parental involvement in schools has been approved by the
Indiana House of Representatives.

The House passed Senate Bill 505, authored by State Sen. Billie Breaux (D-Indianapolis), and is now headed for Governor Frank O'Bannon's desk to be signed into law.

The bill states that a school's strategic and continuous improvement and achievement plan must include a reference to increasing parental involvement in the school. The provision that is to be added to the plan should include, but is not limited to, access to learning aids to assist students with homework, information on home study techniques and access to school resources.

"I am committed to providing Hoosier children with quality education that will prepare them for both life's challenges and opportunities," said Porter. "A large part of that quality education should be from their parents. Parents have the ability to encourage and support their children on a daily basis, throughout their life as opposed to one teacher who may only have contact with students for a year. [sic]

"We have to get all who have an interest in education involved in what I believe is our future, which is our children and the schools that teach them skills to make it in today's world," he said.

The bill also requires the Department of Education to develop and make available models of parental involvement plans. Porter noted that it was unfair to make demands on schools without giving them the resources to accomplish their goals. (http://www.in.gov/legislative/hdpr/R9604092000.html/)

This bill was turned into "Act 505 – Parental involvement in education." (http://ideanet doe.state.in.us/legwatch/2001/digestedlaws.html/) This act is "[e]ffective July 1, 2001–[s]igned by the Governor May 11, 2001." (ibid.)

Therefore, schools in Indiana have come to hold legal grounds to ask parents to get involved in the educational field.

This website mentions that this act "[a]llows a school to develop a written compact between the school, the teachers, students, and students' parents setting forth expectations for students, parents, teachers, and the school," and it also "[r]quires each party to the compact to make a reasonable effort to comply with the compact." I am of the opinion that this may be a landmark in the new educational era if we make the best use of it.

9. Conclusion

I believe that the support of the community is one of the crucial factors in any successful school. Therefore, charter schools are no exceptions. Charter schools have more discretionary power than traditional public schools. For example, charter schools can hire teachers who do not have a teaching certificate, which means a lot of residents in the community can contribute to the education in charter schools. Besides that, a lot of volunteer people can help the students and the staff. Therefore, it is important for charter
schools to have a close relationship with the community.

In the United States, there are several kinds of school systems. In addition to the fact that American educational systems are different among states, there are site-based management, charter schools, vouchers for private schools, and so on. However, I hope charter schools will survive and continue to offer good education for children with the support of the community.

Notes
1) As for IC 20-1-1-1, see http://www.ai.org/legislative/ic/code/title20/ar1/ch1.html/. The other articles on the Charter School Law of Indiana are cited from the Official Web Site of the State of Indiana. (http://www.in.gov/)
2) As for IC 20-5.5-3-10 and IC 20-5.5-3-11, see http://www.ai.org/legislative/ic/code/title20/ar5.5/ch3.html/.

References