

HOUSE BILL No. 1254

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26; IC 20-33-5; IC 20-40-9-7; IC 20-41; IC 20-42-3-10.

Synopsis: Free curricular materials in K-12 schools. Requires public schools to provide curricular materials to students at no cost to a student. Makes corresponding changes. Repeals superseded provisions.

Effective: July 1, 2014; January 1, 2015.

Arnold L

January 14, 2014, read first time and referred to Committee on Education.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1254



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-5-4, AS AMENDED BY P.L.205-2013,
2 SECTION 240, AND AS AMENDED BY P.L.286-2013, SECTION
3 57, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) In carrying out the school
5 purposes of a school corporation, the governing body acting on the
6 school corporation's behalf has the following specific powers:
7 (1) In the name of the school corporation, to sue and be sued and
8 to enter into contracts in matters permitted by applicable law.
9 However, a governing body may not use funds received from the
10 state to bring or join in an action against the state, unless the
11 governing body is challenging an adverse decision by a state
12 agency, board, or commission.
13 (2) To take charge of, manage, and conduct the educational affairs
14 of the school corporation and to establish, locate, and provide the
15 necessary schools, school libraries, other libraries where
16 permitted by law, other buildings, facilities, property, and



- 1 equipment.
- 2 (3) To appropriate from the school corporation's general fund an
- 3 amount, not to exceed the greater of three thousand dollars
- 4 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
- 5 exceed twelve thousand five hundred dollars (\$12,500), based on
- 6 the school corporation's *ADM of the previous year's ADM, year*
- 7 *(as defined in IC 20-43-1-7)* to promote the best interests of the
- 8 school corporation through:
- 9 (A) the purchase of meals, decorations, memorabilia, or
- 10 awards;
- 11 (B) provision for expenses incurred in interviewing job
- 12 applicants; or
- 13 (C) developing relations with other governmental units.
- 14 (4) **To do the following:**
- 15 (A) Acquire, construct, erect, maintain, hold, and contract for
- 16 construction, erection, or maintenance of real estate, real estate
- 17 improvements, or an interest in real estate or real estate
- 18 improvements, as the governing body considers necessary for
- 19 school purposes, including buildings, parts of buildings,
- 20 additions to buildings, rooms, gymnasiums, auditoriums,
- 21 playgrounds, playing and athletic fields, facilities for physical
- 22 training, buildings for administrative, office, warehouse, repair
- 23 activities, or housing school owned buses, landscaping, walks,
- 24 drives, parking areas, roadways, easements and facilities for
- 25 power, sewer, water, roadway, access, storm and surface
- 26 water, drinking water, gas, electricity, other utilities and
- 27 similar purposes, by purchase, either outright for cash (or
- 28 under conditional sales or purchase money contracts providing
- 29 for a retention of a security interest by the seller until payment
- 30 is made or by notes where the contract, security retention, or
- 31 note is permitted by applicable law), by exchange, by gift, by
- 32 devise, by eminent domain, by lease with or without option to
- 33 purchase, or by lease under IC 20-47-2, IC 20-47-3, or
- 34 IC 20-47-5.
- 35 (B) Repair, remodel, remove, or demolish, or to contract for
- 36 the repair, remodeling, removal, or demolition of the real
- 37 estate, real estate improvements, or interest in the real estate
- 38 or real estate improvements, as the governing body considers
- 39 necessary for school purposes.
- 40 (C) Provide for conservation measures through utility
- 41 efficiency programs or under a guaranteed savings contract as
- 42 described in IC 36-1-12.5.



- 1 (5) To acquire personal property or an interest in personal
 2 property as the governing body considers necessary for school
 3 purposes, including buses, motor vehicles, equipment, apparatus,
 4 appliances, books, furniture, and supplies, either by cash purchase
 5 or under conditional sales or purchase money contracts providing
 6 for a security interest by the seller until payment is made or by
 7 notes where the contract, security, retention, or note is permitted
 8 by applicable law, by gift, by devise, by loan, or by lease with or
 9 without option to purchase and to repair, remodel, remove,
 10 relocate, and demolish the personal property. All purchases and
 11 contracts specified under the powers authorized under subdivision
 12 (4) and this subdivision are subject solely to applicable law
 13 relating to purchases and contracting by municipal corporations
 14 in general and to the supervisory control of state agencies as
 15 provided in section 6 of this chapter.
- 16 (6) To sell or exchange real or personal property or interest in real
 17 or personal property that, in the opinion of the governing body, is
 18 not necessary for school purposes, in accordance with IC 20-26-7,
 19 to demolish or otherwise dispose of the property if, in the opinion
 20 of the governing body, the property is not necessary for school
 21 purposes and is worthless, and to pay the expenses for the
 22 demolition or disposition.
- 23 (7) To lease any school property, **except curricular materials**,
 24 for a rental that the governing body considers reasonable or to
 25 permit the free use of school property for:
- 26 (A) civic or public purposes; or
 - 27 (B) the operation of a school age child care program for
 - 28 children who are at least five (5) years of age and less than
 - 29 fifteen (15) years of age that operates before or after the school
 - 30 day, or both, and during periods when school is not in session;
- 31 if the property is not needed for school purposes. Under this
 32 subdivision, the governing body may enter into a long term lease
 33 with a nonprofit corporation, community service organization, or
 34 other governmental entity, if the corporation, organization, or
 35 other governmental entity will use the property to be leased for
 36 civic or public purposes or for a school age child care program.
 37 However, if payment for the property subject to a long term lease
 38 is made from money in the school corporation's debt service fund,
 39 all proceeds from the long term lease must be deposited in the
 40 school corporation's debt service fund so long as payment for the
 41 property has not been made. The governing body may, at the
 42 governing body's option, use the procedure specified in



1 IC 36-1-11-10 in leasing property under this subdivision.

2 (8) To **do the following**:

3 (A) Employ, contract for, and discharge superintendents,
 4 supervisors, principals, teachers, librarians, athletic coaches
 5 (whether or not they are otherwise employed by the school
 6 corporation and whether or not they are licensed under
 7 IC 20-28-5), business managers, superintendents of buildings
 8 and grounds, janitors, engineers, architects, physicians,
 9 dentists, nurses, accountants, teacher aides performing
 10 noninstructional duties, educational and other professional
 11 consultants, data processing and computer service for school
 12 purposes, including the making of schedules, the keeping and
 13 analyzing of grades and other student data, the keeping and
 14 preparing of warrants, payroll, and similar data where
 15 approved by the state board of accounts as provided below,
 16 and other personnel or services as the governing body
 17 considers necessary for school purposes.

18 (B) Fix and pay the salaries and compensation of persons and
 19 services described in this subdivision that are consistent with
 20 ~~IC 20-28-9-1~~. IC 20-28-9-1.5.

21 (C) Classify persons or services described in this subdivision
 22 and to adopt schedules of salaries or compensation that are
 23 consistent with ~~IC 20-28-9-1~~. IC 20-28-9-1.5.

24 (D) Determine the number of the persons or the amount of the
 25 services employed or contracted for as provided in this
 26 subdivision.

27 (E) Determine the nature and extent of the duties of the
 28 persons described in this subdivision.

29 The compensation, terms of employment, and discharge of
 30 teachers are, however, subject to and governed by the laws
 31 relating to employment, contracting, compensation, and discharge
 32 of teachers. The compensation, terms of employment, and
 33 discharge of bus drivers are subject to and governed by laws
 34 relating to employment, contracting, compensation, and discharge
 35 of bus drivers. The forms and procedures relating to the use of
 36 computer and data processing equipment in handling the financial
 37 affairs of the school corporation must be submitted to the state
 38 board of accounts for approval so that the services are used by the
 39 school corporation when the governing body determines that it is
 40 in the best interest of the school corporation while at the same
 41 time providing reasonable accountability for the funds expended.

42 (9) Notwithstanding the appropriation limitation in subdivision



- 1 (3), when the governing body by resolution considers a trip by an
2 employee of the school corporation or by a member of the
3 governing body to be in the interest of the school corporation,
4 including attending meetings, conferences, or examining
5 equipment, buildings, and installation in other areas, to permit the
6 employee to be absent in connection with the trip without any loss
7 in pay and to reimburse the employee or the member the
8 employee's or member's reasonable lodging and meal expenses
9 and necessary transportation expenses. To pay teaching personnel
10 for time spent in sponsoring and working with school related trips
11 or activities.
- 12 (10) Subject to IC 20-27-13, to transport children to and from
13 school, when in the opinion of the governing body the
14 transportation is necessary, including considerations for the safety
15 of the children and without regard to the distance the children live
16 from the school. The transportation must be otherwise in
17 accordance with applicable law.
- 18 (11) To provide a lunch program for a part or all of the students
19 attending the schools of the school corporation, including the
20 establishment of kitchens, kitchen facilities, kitchen equipment,
21 lunch rooms, the hiring of the necessary personnel to operate the
22 lunch program, and the purchase of material and supplies for the
23 lunch program, charging students for the operational costs of the
24 lunch program, fixing the price per meal or per food item. To
25 operate the lunch program as an extracurricular activity, subject
26 to the supervision of the governing body. To participate in a
27 surplus commodity or lunch aid program.
- 28 (12) To purchase ~~textbooks~~, *curricular materials*, to furnish
29 ~~textbooks~~ *curricular materials* without cost or to rent ~~textbooks~~
30 *curricular materials* to students, to participate in a ~~textbook~~
31 *curricular materials* aid program, all in accordance with
32 applicable law.
- 33 (13) To accept students transferred from other school corporations
34 and to transfer students to other school corporations in accordance
35 with applicable law.
- 36 (14) To make budgets, to appropriate funds, and to disburse the
37 money of the school corporation in accordance with applicable
38 law. To borrow money against current tax collections and
39 otherwise to borrow money, in accordance with IC 20-48-1.
- 40 (15) To purchase insurance or to establish and maintain a
41 program of self-insurance relating to the liability of the school
42 corporation or the school corporation's employees in connection



1 with motor vehicles or property and for additional coverage to the
2 extent permitted and in accordance with IC 34-13-3-20. To
3 purchase additional insurance or to establish and maintain a
4 program of self-insurance protecting the school corporation and
5 members of the governing body, employees, contractors, or agents
6 of the school corporation from liability, risk, accident, or loss
7 related to school property, school contract, school or school
8 related activity, including the purchase of insurance or the
9 establishment and maintenance of a self-insurance program
10 protecting persons described in this subdivision against false
11 imprisonment, false arrest, libel, or slander for acts committed in
12 the course of the persons' employment, protecting the school
13 corporation for fire and extended coverage and other casualty
14 risks to the extent of replacement cost, loss of use, and other
15 insurable risks relating to property owned, leased, or held by the
16 school corporation. In accordance with IC 20-26-17, to:

17 (A) participate in a state employee health plan under
18 IC 5-10-8-6.6 or IC 5-10-8-6.7;

19 (B) purchase insurance; or

20 (C) establish and maintain a program of self-insurance;
21 to benefit school corporation employees, including accident,
22 sickness, health, or dental coverage, provided that a plan of
23 self-insurance must include an aggregate stop-loss provision.

24 (16) To make all applications, to enter into all contracts, and to
25 sign all documents necessary for the receipt of aid, money, or
26 property from the state, the federal government, or from any other
27 source.

28 (17) To defend a member of the governing body or any employee
29 of the school corporation in any suit arising out of the
30 performance of the member's or employee's duties for or
31 employment with, the school corporation, if the governing body
32 by resolution determined that the action was taken in good faith.
33 To save any member or employee harmless from any liability,
34 cost, or damage in connection with the performance, including the
35 payment of legal fees, except where the liability, cost, or damage
36 is predicated on or arises out of the bad faith of the member or
37 employee, or is a claim or judgment based on the member's or
38 employee's malfeasance in office or employment.

39 (18) To prepare, make, enforce, amend, or repeal rules,
40 regulations, and procedures:

41 (A) for the government and management of the schools,
42 property, facilities, and activities of the school corporation, the



- 1 school corporation's agents, employees, and pupils and for the
 2 operation of the governing body; and
 3 (B) that may be designated by an appropriate title such as
 4 "policy handbook", "bylaws", or "rules and regulations".
- 5 (19) To ratify and approve any action taken by a member of the
 6 governing body, an officer of the governing body, or an employee
 7 of the school corporation after the action is taken, if the action
 8 could have been approved in advance, and in connection with the
 9 action to pay the expense or compensation permitted under
 10 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and
 11 IC 20-48-1 or any other law.
- 12 (20) To exercise any other power and make any expenditure in
 13 carrying out the governing body's general powers and purposes
 14 provided in this chapter or in carrying out the powers delineated
 15 in this section which is reasonable from a business or educational
 16 standpoint in carrying out school purposes of the school
 17 corporation, including the acquisition of property or the
 18 employment or contracting for services, even though the power or
 19 expenditure is not specifically set out in this chapter. The specific
 20 powers set out in this section do not limit the general grant of
 21 powers provided in this chapter except where a limitation is set
 22 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, **IC 20-26-12-1**,
 23 IC 20-40-12, and IC 20-48-1 by specific language or by reference
 24 to other law.
- 25 *(b) A superintendent hired under subsection (a)(8):*
 26 *(1) is not required to hold a teacher's license under IC 20-28-5;*
 27 *and*
 28 *(2) is required to have obtained at least a master's degree from*
 29 *an accredited postsecondary educational institution.*
- 30 SECTION 2. IC 20-26-11-22, AS AMENDED BY P.L.205-2013,
 31 SECTION 243, AND AS AMENDED BY P.L.286-2013, SECTION
 32 59, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2014]: Sec. 22. (a) The transferee corporation
 34 is entitled to receive from the transferor corporation transfer tuition for
 35 each transferred student for each school year calculated in two (2) parts
 36 **as follows:**
 37 (1) Operating cost. ~~and~~
 38 (2) Capital cost.
 39 These costs must be allocated on a per student basis separately for each
 40 class of school.
 41 (b) The operating cost for each class of school must be based on the
 42 total expenditures of the transferee corporation for the class from its



1 general fund expenditures as set out on the classified budget forms
 2 prescribed by the state board of accounts, excluding from the
 3 calculation capital outlay, debt service, costs of transportation, salaries
 4 of board members, contracted service for legal expenses, and any
 5 expenditure that is made out of the general fund from extracurricular
 6 account receipts, for the school year.

7 (c) The capital cost for each class of school must consist of the
 8 lesser of the following alternatives:

9 (1) The capital cost must be based on an amount equal to five
 10 percent (5%) of the cost of transferee corporation's physical plant,
 11 equipment, and all items connected to the physical plant or
 12 equipment, including:

13 (A) buildings, additions, and remodeling to the buildings,
 14 excluding ordinary maintenance; and

15 (B) on-site and off-site improvements such as walks, sewers,
 16 waterlines, drives, and playgrounds;

17 that have been paid or are obligated to be paid in the future out of
 18 the general fund, capital projects fund, or debt service fund,
 19 including principal and interest, lease rental payments, and funds
 20 that were legal predecessors to these funds. If an item of the
 21 physical plant, equipment, appurtenances, or part of the item is
 22 more than twenty (20) years old at the beginning of the school
 23 year, the capital cost of the item shall be disregarded in making
 24 the capital cost computation.

25 (2) The capital cost must be based on the amount budgeted from
 26 the general fund for capital outlay for physical plant, equipment,
 27 and appurtenances and the amounts levied for the debt service
 28 fund and the capital projects fund for the calendar year in which
 29 the school year ends.

30 (d) If an item of expense or cost cannot be allocated to a class of
 31 school, the item shall be prorated to all classes of schools on the basis
 32 of the ADM of each class in the transferee corporation, *as determined*
 33 *in the fall count of ADM in the school year*, compared to the total
 34 *current ADM therein, as determined in the fall count of ADM in the*
 35 *school year*.

36 (e) The transfer tuition for each student transferred for each school
 37 year shall be calculated by dividing the transferee school corporation's
 38 total operating costs and the total capital costs for the class of school
 39 in which the student is enrolled by the ADM of students therein, *as*
 40 *determined in the fall count of ADM in the school year*. If a transferred
 41 student is enrolled in a transferee corporation for less than the full
 42 school year, the transfer tuition shall be calculated by the proportion of



1 such school year for which the transferred student is enrolled. A school
 2 year for this purpose consists of the number of days school is in session
 3 for student attendance. A student shall be enrolled in a transferee
 4 school, whether or not the student is in attendance, unless the:

- 5 (1) student's residence is outside the area of students transferred
- 6 to the transferee corporation;
- 7 (2) student has been excluded or expelled from school; or
- 8 (3) student has been confirmed as a school dropout.

9 The transferor and transferee corporations may enter into written
 10 agreements concerning the amount of transfer tuition. If an agreement
 11 cannot be reached, the amount shall be determined by the state
 12 superintendent, with costs to be established, where in dispute, by the
 13 state board of accounts.

14 ~~(f) The transferor corporation shall pay the transferee corporation,~~
 15 ~~when billed, the amount of *book curricular material* rental due from~~
 16 ~~transferred students who are unable to pay the *book curricular material*~~
 17 ~~rental amount. The transferor corporation is entitled to collect the~~
 18 ~~amount of the *book curricular material* rental from the appropriate~~
 19 ~~township trustee, from its own funds, or from any other source, in the~~
 20 ~~amounts and manner provided by law.~~

21 SECTION 3. IC 20-26-12-1, AS AMENDED BY P.L.286-2013,
 22 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2014]: Sec. 1. (a) Except as provided in subsections (b) and
 24 (c) and notwithstanding any other law, each governing body shall
 25 purchase from a publisher, either individually or through a purchasing
 26 cooperative of school corporations, the curricular materials selected by
 27 the proper local officials, and shall ~~rent~~ **provide at no cost** the
 28 curricular materials to each student enrolled in a public school that is:

- 29 (1) in compliance with the minimum certification standards of the
- 30 state board; and
- 31 (2) located within the attendance unit served by the governing
- 32 body.

33 (b) This section does not prohibit the purchase of curricular
 34 materials at the option of a student. ~~or the providing of free curricular~~
 35 ~~materials by the governing body under sections 6 through 21 of this~~
 36 ~~chapter.~~

37 (c) This section does not prohibit a governing body from suspending
 38 the operation of this section under a contract entered into under
 39 IC 20-26-15.

40 SECTION 4. IC 20-26-12-2, AS AMENDED BY P.L.286-2013,
 41 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2014]: Sec. 2. (a) A governing body may purchase from a



1 publisher any curricular material selected by the proper local officials.
 2 The governing body may **not charge** rent **for** the curricular materials
 3 to students enrolled in any public or nonpublic school. ~~that is:~~

- 4 (1) ~~in compliance with the minimum certification standards of the~~
 5 ~~state board; and~~
- 6 (2) ~~located within the attendance unit served by the governing~~
 7 ~~body.~~

8 The annual rental rate may not exceed twenty-five percent (25%) of the
 9 retail price of the curricular materials:

10 (b) Notwithstanding subsection (a); the governing body may not
 11 assess a rental fee of more than fifteen percent (15%) of the retail price
 12 of curricular materials that have been:

- 13 (1) ~~extended for usage by students under section 24(e) of this~~
 14 ~~chapter; and~~
- 15 (2) ~~paid for through rental fees previously collected.~~

16 (c) ~~(b)~~ This section does not limit other laws.

17 SECTION 5. IC 20-26-12-15, AS AMENDED BY P.L.286-2013,
 18 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JANUARY 1, 2015]: Sec. 15. (a) A governing body shall purchase the
 20 necessary curricular materials from publishers. The publisher shall ship
 21 the curricular materials to the governing body not more than ninety
 22 (90) days after the requisition. On receipt of the curricular materials,
 23 the governing body's school corporation has custody of the curricular
 24 materials. The governing body shall provide a receipt to the contracting
 25 publisher and reimburse the contracting publisher the amount owed by
 26 the school corporation from the school corporation's general fund.

27 (b) A governing body shall purchase curricular materials:

- 28 (1) from a resident student who presents the curricular materials
 29 for sale on or before the beginning of the school term in which the
 30 curricular materials are to be used;
- 31 (2) with money from the school corporation's general fund; and
- 32 (3) at a price based on the original price to the school corporation
 33 minus a reasonable reduction for damage from usage.

34 SECTION 6. IC 20-26-12-17, AS AMENDED BY P.L.286-2013,
 35 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2014]: Sec. 17. (a) If a student transfers to a school
 37 corporation other than the one in which the student resides under
 38 IC 20-26-11, the governing body of the school corporation to which the
 39 student transfers shall purchase a sufficient supply of curricular
 40 materials for the transferred student.

41 (b) In the annual settlement between the school corporations for
 42 tuition of transferred students; the amounts must include rental of the



1 curricular materials furnished to the transferred students. The state
 2 board shall determine the rental rate:

3 SECTION 7. IC 20-26-12-18 IS REPEALED [EFFECTIVE JULY
 4 1, 2014]. Sec. 18. A governing body may provide a sufficient amount
 5 of curricular materials for sale to resident students at the price
 6 stipulated in the contracts under which the curricular materials are
 7 supplied to the governing body's school corporation. Proceeds from
 8 sales under this section must be paid into the school corporation's
 9 general fund.

10 SECTION 8. IC 20-26-12-22, AS AMENDED BY P.L.286-2013,
 11 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2014]: Sec. 22. If a school corporation purchases curricular
 13 materials on a time basis,

14 ~~(1) the schedule for payments shall coincide with student~~
 15 ~~payments to the school corporation for curricular material rental;~~
 16 ~~and~~

17 ~~(2) the schedule must not require the school corporation to~~
 18 ~~assume a greater burden than payment of twenty-five percent~~
 19 ~~(25%) within thirty (30) days after the beginning of the school~~
 20 ~~year immediately following delivery by the contracting publisher~~
 21 ~~with the school corporation's promissory note evidencing the~~
 22 ~~unpaid balance.~~

23 SECTION 9. IC 20-26-12-26, AS AMENDED BY P.L.286-2013,
 24 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2014]: Sec. 26. If a family moves during the school term from
 26 one (1) school corporation to another within the state, the corporation
 27 from which they move shall

28 ~~(1) evaluate the affected children's curricular materials. and~~
 29 ~~(2) offer to purchase the curricular materials at a reasonable price~~
 30 ~~for resale to any family that moves into that corporation during a~~
 31 ~~school term.~~

32 SECTION 10. IC 20-26-15-5, AS AMENDED BY P.L.286-2013,
 33 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2014]: Sec. 5. Notwithstanding any other law, the operation
 35 of the following is suspended for a freeway school corporation or a
 36 freeway school if the governing body of the school corporation elects
 37 to have the specific statute or rule suspended in the contract:

- 38 (1) The following statutes and rules concerning curriculum and
 39 instructional time:
 40 IC 20-30-2-7
 41 IC 20-30-5-8
 42 IC 20-30-5-9



- 1 IC 20-30-5-11
 2 511 IAC 6-7-6
 3 511 IAC 6.1-5-0.5
 4 511 IAC 6.1-5-1
 5 511 IAC 6.1-5-2.5
 6 511 IAC 6.1-5-3.5
 7 511 IAC 6.1-5-4.
 8 (2) The following rule concerning pupil/teacher ratios:
 9 511 IAC 6.1-4-1.
 10 (3) The following statutes and rules concerning curricular
 11 materials:
 12 IC 20-26-12-24
 13 IC 20-26-12-26
 14 IC 20-26-12-1, **except for the provision of curricular**
 15 **materials at no cost to a student**
 16 IC 20-26-12-2
 17 511 IAC 6.1-5-5.
 18 (4) 511 IAC 6-7, concerning graduation requirements.
 19 (5) IC 20-31-4, concerning the performance based accreditation
 20 system.
 21 (6) IC 20-32-5, concerning the ISTEP program established under
 22 IC 20-32-5-15, if an alternative locally adopted assessment
 23 program is adopted under section 6(7) of this chapter.
 24 SECTION 11. IC 20-33-5-3, AS AMENDED BY P.L.286-2013,
 25 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) If a parent of a child or an
 27 emancipated minor who is enrolled in a public school, in kindergarten
 28 or grades 1 through 12, meets the financial eligibility standard under
 29 section 2 of this chapter, the parent or the emancipated minor may not
 30 be required to pay the fees for curricular materials, supplies, or other
 31 required class fees. The fees shall be paid by the school corporation
 32 that the child attends.
 33 (b) The school corporation may apply for a reimbursement under
 34 section 7 of this chapter from the department of the costs incurred
 35 under subsection (a).
 36 (c) ~~To the extent the reimbursement received by the school~~
 37 ~~corporation is less than the rental fee assessed for curricular materials;~~
 38 ~~the school corporation may request that the parent or emancipated~~
 39 ~~minor pay the balance of this amount.~~
 40 SECTION 12. IC 20-33-5-5, AS ADDED BY P.L.1-2005,
 41 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2014]: Sec. 5. All school corporations must give notice in



1 nontechnical language and in a manner that can be reasonably expected
 2 to reach parents of students, before the collection **at the beginning of**
 3 **the school year** of any **class fees or fees** for ~~schoolbooks and~~ supplies
 4 **that are not curricular materials**. This notice must inform the parents
 5 of the following:

- 6 (1) The availability of assistance.
- 7 (2) The eligibility standards.
- 8 (3) The procedure for obtaining assistance, including the right and
 9 method of appeal.
- 10 (4) The availability of application forms at a designated school
 11 office.

12 SECTION 13. IC 20-40-9-7, AS AMENDED BY P.L.286-2013,
 13 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) Money in the fund may be
 15 used for payment of all unreimbursed costs of curricular materials for
 16 the school corporation's students. ~~who were eligible for free or reduced~~
 17 ~~lunches in the previous school year.~~

18 (b) The governing body may transfer the amount levied to cover
 19 unreimbursed costs of curricular materials under this section to the
 20 curricular materials ~~rental~~ fund or extracurricular account.

21 SECTION 14. IC 20-41-1-2, AS AMENDED BY P.L.286-2013,
 22 SECTION 119, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2014]: Sec. 2. Any self-supporting programs
 24 maintained by a school corporation, including:

- 25 (1) school lunch; and
- 26 (2) ~~rental or sale~~ of curricular materials;

27 may be established as separate funds, separate and apart from the
 28 general fund, if no local tax rate is established for the programs.

29 SECTION 15. IC 20-41-2-2, AS AMENDED BY P.L. 286-2013,
 30 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2014]: Sec. 2. Each township trustee in
 32 operating a curricular materials ~~rental~~ program may use either of the
 33 following accounting methods:

- 34 (1) The township trustee may supervise and control the program
 35 through its school corporation account by establishing a curricular
 36 materials ~~rental~~ fund.
- 37 (2) If curricular materials have not been purchased and financial
 38 commitments or guarantees for the purchases have not been made
 39 by the school corporation, the township trustee may have the
 40 program operated by the individual schools of the school
 41 corporation through the school corporation's extracurricular
 42 account or accounts under IC 20-41-1.



1 SECTION 16. IC 20-41-2-3, AS AMENDED BY P.L.286-2013,
 2 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) If a school lunch fund is
 4 established under section 1 of this chapter, or a curricular materials
 5 ~~rental~~ fund is established under section 2 of this chapter, the receipts
 6 and expenditures for each program shall be made to and from the
 7 proper fund without appropriation or the application of other laws
 8 relating to the budgets of local governmental units.

9 (b) If either a **school lunch** program or both programs under
 10 sections 1 and 2 of this chapter are operated through the extracurricular
 11 account, the township trustee shall approve the amount of the bond of
 12 the treasurer of the extracurricular account in an amount the township
 13 trustee considers necessary to protect the account for all funds coming
 14 into the hands of the treasurer.

15 SECTION 17. IC 20-41-2-5, AS AMENDED BY P.L. 286-2013,
 16 SECTION 122, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2014]: Sec. 5. ~~(a)~~ A governing body in
 18 operating a curricular materials ~~rental~~ program under IC 20-26-5-4(12)
 19 may use either of the following accounting methods:

20 (1) The governing body may supervise and control the program
 21 through the school corporation account, establishing a curricular
 22 materials ~~rental~~ fund.

23 (2) If curricular materials have not been purchased and financial
 24 commitments or guarantees for the purchases have not been made
 25 by the school corporation, the governing body may cause the
 26 program to be operated by the individual schools of the school
 27 corporation through the school corporation's extracurricular
 28 account or accounts in accordance with IC 20-41-1.

29 ~~(b) If the governing body determines that a hardship exists due to~~
 30 ~~the inability of a student's family to purchase or rent curricular~~
 31 ~~materials; taking into consideration the income of the family and the~~
 32 ~~demands on the family; the governing body may furnish curricular~~
 33 ~~materials to the student without charge; without reference to the~~
 34 ~~application of any other statute or rule except IC 20-26-1 through~~
 35 ~~IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1.~~

36 SECTION 18. IC 20-41-2-6, AS AMENDED BY P.L.286-2013,
 37 SECTION 123, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) If a school lunch fund is
 39 established under section 4 of this chapter, and a curricular materials
 40 ~~rental~~ fund is established under section 5 of this chapter, the receipts
 41 and expenditures from a fund for the program to which the fund relates
 42 shall be made to and from the fund without appropriation or the



1 application of other statutes and rules relating to the budgets of
2 municipal corporations.

3 (b) If either the lunch program or the curricular materials rental
4 program is handled through the extracurricular account, the governing
5 body of the school corporation shall approve the amount of the bond of
6 the treasurer of the extracurricular account in an amount the governing
7 body considers sufficient to protect the account for all funds coming
8 into the hands of the treasurer of the account.

9 SECTION 19. IC 20-42-3-10, AS AMENDED BY P.L.286-2013,
10 SECTION 124, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: Sec. 10. The trustee, with the advice and
12 consent of the township board, shall use the account for the following
13 educational purposes:

14 ~~(1)~~ Each year the trustee shall pay, to the parent or legal guardian
15 of any child whose residence is within the township, the initial
16 cost for the rental of curricular materials used in any elementary
17 or secondary school that has been accredited by the state. The
18 reimbursement for the rental of curricular materials shall be for
19 the initial yearly rental charge only. Curricular materials
20 subsequently lost or destroyed may not be paid for from this
21 account.

22 ~~(2)~~ (1) Students who are residents of the township for the last two
23 (2) years of their secondary education and who still reside within
24 the township are entitled to receive financial assistance in an
25 amount not to exceed an amount determined by the trustee and
26 the township board during an annual review of postsecondary
27 education fees and tuition costs of education at any accredited
28 postsecondary educational institution. Amounts to be paid to each
29 eligible student shall be set annually after this review. The
30 amount paid each year must be:

31 (A) equitable for every eligible student without regard to race,
32 religion, creed, sex, disability, or national origin; and

33 (B) based on the number of students and the amount of funds
34 available each year.

35 ~~(3)~~ (2) A person who has been a permanent resident of the
36 township continuously for at least two (2) years and who needs
37 educational assistance for job training or retraining may apply to
38 the trustee of the township for financial assistance. The trustee
39 and the township board shall review each application and make
40 assistance available according to the need of each applicant and
41 the availability of funds.

42 ~~(4)~~ (3) If all the available funds are not used in any one (1) year,



1 the unused funds shall be retained in the account by the trustee for
2 use in succeeding years.

