

HOUSE BILL No. 1508

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-5.

Synopsis: Free curricular materials for a child of a veteran. Provides that a parent: (1) whose child is enrolled in kindergarten or grades 1 through 12 in a public, charter, or accredited nonpublic school; and (2) who is a veteran; may not be required to pay fees for the child's curricular materials, supplies, or other required class fees.

Effective: July 1, 2021.

Pack

January 14, 2021, read first time and referred to Committee on Education.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1508



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 20-33-5-1, AS ADDED BY P.L.1-2005, SECTION
2 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2021]: Sec. 1. (a) As used in this chapter, "school corporation" includes
4 a charter school.
5 (b) As used in this chapter, "governing body" includes the organizer
6 of a charter school.
7 **(c) As used in this chapter, "veteran" means an individual who:**
8 **(1) has previously:**
9 **(A) served on active duty in any branch of the armed**
10 **forces of the United States or their reserves, in the national**
11 **guard, or in the Indiana National Guard; and**
12 **(B) received an honorable discharge from service; or**
13 **(2) is currently serving in:**
14 **(A) any branch of the armed forces of the United States or**
15 **their reserves;**
16 **(B) the national guard; or**
17 **(C) the Indiana National Guard.**



1 (Ⓣ) **(d)** The maximum monthly or annual gross income available to
 2 a family shall be used to determine financial eligibility for assistance
 3 under **section 2(a)** of this chapter.

4 (Ⓣ) **(e)** In determining the eligibility of a seasonal worker for
 5 assistance under **section 2(a)** of this chapter, an average shall be made
 6 of the family's income for the twelve (12) calendar months preceding
 7 the first day of the month in which the application is made.

8 SECTION 2. IC 20-33-5-2, AS ADDED BY P.L.1-2005, SECTION
 9 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 10 2021]: Sec. 2. **(a) A child who is a member of a qualifying family (as**
 11 **defined in IC 12-14-28-1) is eligible for assistance under this**
 12 **chapter.** The department shall adopt procedures that must be followed
 13 by applicants ~~in order for them~~ to qualify for assistance under this
 14 ~~chapter.~~ **subsection.** These procedures must include obtaining
 15 information needed by the family and social services administration to
 16 determine if the recipient is a child who is a member of a qualifying
 17 family (as defined in IC 12-14-28-1), including the familial relationship
 18 of the child to the head of the household. The financial eligibility
 19 standard for an applicant under this chapter must be the same criteria
 20 used for determining eligibility for receiving free or reduced price
 21 lunches under the national school lunch program.

22 **(b) A child of a veteran is eligible for assistance under this**
 23 **chapter. The department shall adopt procedures that must be**
 24 **followed by applicants to qualify for assistance under this**
 25 **subsection, including procedures for:**

26 **(1) verifying the veteran status of the parent; and**

27 **(2) determining the familial relationship of the child to the**
 28 **veteran.**

29 SECTION 3. IC 20-33-5-3, AS AMENDED BY P.L.286-2013,
 30 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) If a parent of a child or an
 32 emancipated minor who is enrolled in a public school, in kindergarten
 33 or grades 1 through 12, ~~meets the financial eligibility standard is~~
 34 **eligible for assistance** under section 2 of this chapter, the parent or the
 35 emancipated minor may not be required to pay the fees for curricular
 36 materials, supplies, or other required class fees. The fees shall be paid
 37 by the school corporation that the child attends.

38 (b) The school corporation may apply for a reimbursement under
 39 section 7 of this chapter from the department of the costs incurred
 40 under subsection (a).

41 (c) To the extent the reimbursement received by the school
 42 corporation is less than the rental fee assessed for curricular materials,



1 the school corporation may request that the parent or emancipated
2 minor pay the balance of this amount.

3 SECTION 4. IC 20-33-5-6, AS ADDED BY P.L.1-2005, SECTION
4 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2021]: Sec. 6. (a) All school corporations must give appropriate
6 application forms to parents who wish to apply for assistance under this
7 chapter. The school shall provide assistance to those applicants who are
8 unable to write or otherwise make a written application. The parent
9 shall submit the completed application to the school corporation. The
10 school corporation shall make a determination of ~~financial~~ **an**
11 **applicant's eligibility under section 2 of this chapter.**

12 (b) If the school corporation makes a determination that the parent
13 is ineligible based on the information in the application, the school
14 corporation shall give the parent written reasons for the denial and
15 inform the parent of the right to request a hearing before the governing
16 body of the school corporation or the governing body's designee. After
17 the determination, the school corporation may bill the parent for the
18 student's fees, but the school corporation may not take any legal action
19 against the parent until the parent has had the opportunity to make an
20 appeal in a hearing before the governing body of the school corporation
21 or the governing body's designee. If the parent pays the fees based on
22 the school corporation's determination, and after the appeal it is
23 determined that the parent qualifies for assistance, the school
24 corporation shall reimburse the parent.

25 SECTION 5. IC 20-33-5-9, AS AMENDED BY P.L.92-2020,
26 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2021]: Sec. 9. (a) As used in this section, "accredited
28 nonpublic school" means a nonpublic school that:

- 29 (1) has voluntarily become accredited under IC 20-31-4.1; or
- 30 (2) is accredited by a national or regional accrediting agency that
31 is recognized by the state board.

32 (b) If a parent of a child or an emancipated minor who is enrolled in
33 an accredited nonpublic school ~~meets the financial eligibility standard~~
34 **is eligible for assistance** under section 2 of this chapter, the parent or
35 the emancipated minor may receive a reimbursement from the
36 department as provided in this chapter for the costs or some of the costs
37 incurred by the parent or emancipated minor in fees that are
38 reimbursable under section 7 of this chapter.

39 (c) The department shall provide each accredited nonpublic school
40 with sufficient application forms for assistance, prescribed by the state
41 board of accounts.

42 (d) Each accredited nonpublic school shall provide the parents or



- 1 emancipated minors who wish to apply for assistance with:
- 2 (1) the appropriate application forms; and
- 3 (2) any assistance needed in completing the application form.
- 4 (e) The parent or emancipated minor shall submit the application to
- 5 the accredited nonpublic school. The accredited nonpublic school shall
- 6 make a determination of ~~financial~~ **the applicant's** eligibility **under**
- 7 **section 2 of this chapter**, subject to appeal by the parent or
- 8 emancipated minor.
- 9 (f) If a determination is made that the applicant is eligible for
- 10 assistance, subsection (b) applies.
- 11 (g) To be guaranteed some level of reimbursement from the
- 12 department, the principal or other designee shall submit the
- 13 reimbursement request before November 1 of a school year.
- 14 (h) In its request, the principal or other designee shall certify to the
- 15 department:
- 16 (1) the number of students who are enrolled in the accredited
- 17 nonpublic school and who are eligible for assistance under this
- 18 chapter;
- 19 (2) the costs incurred in providing:
- 20 (A) curricular materials (including curricular materials used in
- 21 special education and high ability classes); and
- 22 (B) workbooks, digital content, and consumable curricular
- 23 materials (including workbooks, consumable curricular
- 24 materials, and other consumable teaching materials that are
- 25 used in special education and high ability classes) that are
- 26 used by students for not more than one (1) school year;
- 27 (3) that the curricular materials described in subdivision (2)(A)
- 28 (except any curricular materials used in special education classes
- 29 and high ability classes) have been adopted by the governing
- 30 body; and
- 31 (4) any other information required by the department.
- 32 (i) The amount of reimbursement that a parent or emancipated
- 33 minor is entitled to receive shall be determined as provided in section
- 34 9.5 of this chapter.
- 35 (j) The accredited nonpublic school shall distribute the money
- 36 received under this chapter to the appropriate eligible parents or
- 37 emancipated minors.
- 38 (k) Section 7(f) of this chapter applies to parents or emancipated
- 39 minors as described in this section.
- 40 (l) The accredited nonpublic school and the department shall
- 41 maintain complete and accurate information concerning the number of
- 42 applicants determined to be eligible for assistance under this section.



1 (m) The state board shall adopt rules under IC 4-22-2 to implement
2 this section.
3 SECTION 6. IC 20-33-5-12, AS ADDED BY P.L.1-2005,
4 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2021]: Sec. 12. Under extraordinary circumstances, the
6 township trustee may pay for the fees enumerated in section 3 of this
7 chapter for individuals who do not otherwise qualify **for assistance**
8 ~~under the financial eligibility standard established in section 2(a) of~~
9 this chapter. Assistance in such cases may be provided by the township
10 trustee under IC 12-20.

