

SENATE BILL No. 30

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26; IC 20-26.5-2-3.

Synopsis: Rental of curricular materials. Clarifies provisions concerning the rental of curricular materials to students by a governing body of a school corporation (governing body). Provides the following: (1) For curricular materials that are computer hardware that will be consumed, accessed, or used by a single student during a semester or school year, a governing body may rent curricular materials at an annual rental rate of not more than 50% of the price that the governing body paid for the curricular materials. (2) For curricular materials other than computer hardware that will be consumed, accessed, or used by a single student during a semester or school year, the annual rental rate may not be more than 25% of the price the governing body paid for the curricular materials. (3) For all curricular materials, the governing body may not assess a rental fee for curricular materials that have been paid for through rental fees previously collected. (Current law provides that: (1) the annual rental rate for curricular materials may not exceed 25% of the retail price of the curricular materials; and (2) a governing body may not assess a rental fee of more than 25% of the retail price of curricular materials that have been paid for through rental fees previously collected.) Removes a reference to "state" adopted curricular materials. Repeals and relocates a provision that requires a governing body to rent curricular materials to students enrolled in certain public schools.

Effective: July 1, 2019.

Bohacek

January 3, 2019, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 30

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 20-26-12-1 IS REPEALED [EFFECTIVE JULY 1,
2 2019]. Sec. 1. (a) Except as provided in subsection (b) and
3 notwithstanding any other law, each governing body shall purchase
4 from a publisher, either individually or through a purchasing
5 cooperative of school corporations, the curricular materials selected by
6 the proper local officials, and shall rent the curricular materials to each
7 student enrolled in a public school that is:
8 (1) in compliance with the minimum certification standards of the
9 state board; and
10 (2) located within the attendance unit served by the governing
11 body.
12 (b) This section does not prohibit a governing body from suspending
13 the operation of this section under a contract entered into under
14 IC 20-26-15.
15 SECTION 2. IC 20-26-12-2, AS AMENDED BY P.L.233-2015,
16 SECTION 151, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) Except as provided in



1 subsection (f) and notwithstanding any other law, each governing
2 body shall:

3 (1) purchase, either individually or through a purchasing
4 cooperative of school corporations, the curricular materials
5 selected by the proper local officials; and

6 (2) rent the curricular materials to each student enrolled in a
7 public school that is:

8 (A) in compliance with the minimum certification
9 standards of the state board; and

10 (B) located within the attendance unit served by the
11 governing body.

12 ~~(a)~~ (b) In addition to the requirements under subsection (a), a
13 governing body may purchase from a publisher any curricular material
14 selected by the proper local officials. In addition to the requirements
15 under subsection (a), the governing body may rent the curricular
16 materials to students enrolled in any public or nonpublic school that is:

17 (1) in compliance with the minimum certification standards of the
18 state board; and

19 (2) located within the attendance unit served by the governing
20 body.

21 (c) Except as provided under subsection (d), the annual rental rate
22 for curricular materials may not exceed twenty-five percent (25%)
23 of the retail price of that the governing body paid for the curricular
24 materials.

25 ~~(b)~~ Notwithstanding subsection (a); (d) This subsection applies
26 only to curricular materials that are computer hardware that will
27 be consumed, accessed, or used by a single student during a
28 semester or school year. A governing body may rent curricular
29 materials at an annual rental rate of not more than fifty percent
30 (50%) of the price that the governing body paid for the curricular
31 materials.

32 (e) The governing body may not assess a rental fee of more than
33 twenty-five percent (25%) of the retail price of for curricular materials
34 that have been

35 ~~(1)~~ extended for usage by students under section 24(c) of this
36 chapter; and

37 ~~(2)~~ paid for through rental fees previously collected.

38 ~~(e)~~ This section does not limit other laws.

39 (f) Subsection (a) does not prohibit a governing body from
40 suspending the operation of subsection (a) under a contract entered
41 into under IC 20-26-15.

42 SECTION 3. IC 20-26-12-24, AS AMENDED BY P.L.233-2015,



1 SECTION 173, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2019]: Sec. 24. (a) The superintendent shall
 3 establish procedures for adoption of curricular materials.

4 (b) The governing body, upon receiving these recommendations
 5 from the superintendent, shall adopt curricular materials for use in
 6 teaching each subject in the school corporation.

7 (c) A special committee of teachers and parents may also be
 8 appointed to review books, magazines, and audiovisual material used
 9 or proposed for use in the classroom to supplement ~~state~~ adopted
 10 curricular materials and may make recommendations to the
 11 superintendent and the governing body concerning the use of these
 12 materials.

13 (d) The governing body may, if the governing body considers it
 14 appropriate, retain curricular materials adopted under this section and
 15 authorize the purchase of supplemental materials to ensure continued
 16 alignment with academic standards adopted by the state board.

17 (e) The superintendent, advisory committee, and governing body
 18 may consider using the list of curricular materials provided by the
 19 department under IC 20-20-5.5.

20 (f) A governing body may not purchase curricular materials from a
 21 publisher unless the publisher agrees, in accordance with Sections
 22 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities
 23 Education Improvement Act 2004 (20 U.S.C. 1400 et seq.), to provide
 24 or grant a license to the school corporation to allow for the
 25 reproduction of adopted curricular materials in:

- 26 (1) large type;
- 27 (2) Braille; and
- 28 (3) audio format.

29 SECTION 4. IC 20-26-15-5, AS AMENDED BY P.L.140-2018,
 30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 5. Notwithstanding any other law, the operation
 32 of the following is suspended for a freeway school corporation or a
 33 freeway school if the governing body of the school corporation elects
 34 to have the specific statute or rule suspended in the contract:

- 35 (1) The following statutes and rules concerning curriculum and
 36 instructional time:

- 37 IC 20-30-2-7
- 38 IC 20-30-5-8
- 39 IC 20-30-5-9
- 40 IC 20-30-5-11
- 41 511 IAC 6-7-6
- 42 511 IAC 6.1-5-0.5



- 1 511 IAC 6.1-5-1
 2 511 IAC 6.1-5-2.5
 3 511 IAC 6.1-5-3.5
 4 511 IAC 6.1-5-4.
 5 (2) The following rule concerning pupil/teacher ratios:
 6 511 IAC 6.1-4-1.
 7 (3) The following statutes and rules concerning curricular
 8 materials:
 9 IC 20-26-12-24
 10 IC 20-26-12-26
 11 ~~IC 20-26-12-1~~
 12 IC 20-26-12-2
 13 511 IAC 6.1-5-5.
 14 (4) 511 IAC 6-7, concerning graduation requirements.
 15 (5) IC 20-31-4, concerning the performance based accreditation
 16 system.
 17 (6) IC 20-32-5 (before its expiration on July 1, 2018), concerning
 18 the ISTEP program established under IC 20-32-5-15, if an
 19 alternative locally adopted assessment program is adopted under
 20 section 6(4) of this chapter.
 21 SECTION 5. IC 20-26.5-2-3, AS ADDED BY P.L.190-2018,
 22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2019]: Sec. 3. (a) Notwithstanding any other law, the
 24 following may be suspended for a coalition member in accordance with
 25 the coalition's plan:
 26 (1) Subject to section 1(c) of this chapter, IC 20-30, concerning
 27 curriculum.
 28 (2) The following statutes and rules concerning curricular
 29 materials:
 30 ~~IC 20-26-12-1.~~
 31 IC 20-26-12-2.
 32 IC 20-26-12-24.
 33 IC 20-26-12-26.
 34 511 IAC 6.1-5-5.
 35 (3) The following rules concerning teacher licenses:
 36 511 IAC 16.
 37 511 IAC 17.
 38 (4) IC 20-31-4, concerning the performance based accreditation
 39 system.
 40 (5) Except as provided in subsection (b), any other statute in
 41 IC 20 or rule in 511 IAC requested to be suspended as part of the
 42 plan that is approved by the state board under section 1 of this



- 1 chapter.
- 2 (b) A coalition member may not suspend under subsection (a)(5)
- 3 any of the following:
- 4 (1) IC 20-26-5-10 (criminal history and child protection index
- 5 check).
- 6 (2) IC 20-28 (school teachers).
- 7 (3) IC 20-29 (collective bargaining).
- 8 (4) IC 20-31 (accountability for performance and improvement),
- 9 except for IC 20-31-4.
- 10 (5) Subject to subsection (c), IC 20-32-4 (graduation
- 11 requirements).
- 12 (6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment
- 13 Readiness Network (ILEARN) program).
- 14 (7) IC 20-33 (students).
- 15 (8) IC 20-34 (student health and safety measures).
- 16 (9) IC 20-35 (special education).
- 17 (10) IC 20-36 (high ability students).
- 18 (11) IC 20-39 (accounting and financial reporting procedures).
- 19 (12) IC 20-40 (government funds and accounts).
- 20 (13) IC 20-41 (extracurricular funds and accounts).
- 21 (14) IC 20-42 (fiduciary funds and accounts).
- 22 (15) IC 20-42.5 (allocation of expenditures to student instruction
- 23 and learning).
- 24 (16) IC 20-43 (state tuition support).
- 25 (17) IC 20-44 (property tax levies).
- 26 (18) IC 20-46 (levies other than general fund levies).
- 27 (19) IC 20-47 (related entities; holding companies; lease
- 28 agreements).
- 29 (20) IC 20-48 (borrowing and bonds).
- 30 (21) IC 20-49 (state management of common school funds; state
- 31 advances and loans).
- 32 (22) IC 20-50 (homeless children and foster care children).
- 33 (c) A coalition member must comply with the postsecondary
- 34 readiness competency requirements under IC 20-32-4-1.5(b)(1).
- 35 However, a coalition member may establish flexible course
- 36 requirements pursuant to the coalition's plan that are not aligned with
- 37 the course and credit requirements adopted by the state board under
- 38 IC 20-30-10. If the coalition member school offers courses that are not
- 39 aligned with requirements adopted by the state board under
- 40 IC 20-30-10, a parent of a student and the student who intends to enroll
- 41 in a course that is not aligned with requirements adopted by the state
- 42 board under IC 20-30-10 must provide consent to the coalition member



1 school to enroll in the course. The consent form used by the coalition,
2 which shall be developed in collaboration with the commission for
3 higher education, must notify the parent and the student that enrollment
4 in the course may affect the student's ability to attend a particular
5 postsecondary educational institution or enroll in a particular course at
6 a particular postsecondary educational institution because the course
7 does not align with requirements established by the state board under
8 IC 20-30-10.

