

SENATE BILL No. 154

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-9.

Synopsis: Textbook reimbursement. Requires the department of education to fully reimburse school corporations and accredited nonpublic schools for costs of furnishing free school textbooks, supplies, and other required class fees to students meeting financial eligibility standards. Appropriates from the state general fund a sufficient amount to fully fund the reimbursement program.

Effective: July 1, 1998.

Howard

January 6, 1998, read first time and referred to Committee on Education.



Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 154

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-8.1-9-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. (a) If a parent of a
3 child or an emancipated minor who is enrolled in a public school, in
4 grades K-12, meets the financial eligibility standard under section 2 of
5 this chapter, the parent or the emancipated minor may not be required
6 to pay the fees for school books, supplies, or other required class fees.
7 Such fees shall be paid by the school corporation in which the child
8 resides.

9 (b) The school corporation ~~may~~ **shall** apply for a reimbursement
10 under section 9 of this chapter from the department of the costs
11 incurred under subsection (a).

12 (c) ~~To the extent the reimbursement received by the school~~
13 ~~corporation is less than the textbook rental fee assessed for textbooks~~
14 ~~that have been adopted under IC 20-10.1-9-1 or waived under~~
15 ~~IC 20-10.1-9-27, the school corporation may request that the parent or~~
16 ~~emancipated minor pay the balance of this amount.~~

17 SECTION 2. IC 20-8.1-9-9 IS AMENDED TO READ AS

1998

IN 154—LS 6368/DI 71+



1 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9. (a) If a determination
 2 is made that the applicant is eligible for assistance, the school
 3 corporation shall pay the cost of the student's required fees.

4 (b) **The department shall reimburse** a school corporation ~~may~~
 5 ~~receive a reimbursement from the department for some or~~ all of the
 6 costs incurred by a school corporation during a school year in
 7 providing textbook assistance to children who are eligible under
 8 section 2 of this chapter.

9 (c) ~~In order to be guaranteed some level of reimbursement from~~
 10 ~~the department,~~ The governing body of a school corporation shall
 11 **request apply for** the reimbursement before November 1 of a school
 12 year.

13 (d) In its ~~request,~~ **application,** the governing body shall certify to
 14 the department **the following:**

15 (1) The number of students who are enrolled in that school
 16 corporation and who are eligible for assistance under this
 17 chapter.

18 (2) The costs incurred by the school corporation in providing:

19 (A) textbooks (including textbooks used in special
 20 education and gifted and talented classes) to these students;

21 (B) workbooks and consumable textbooks (including
 22 workbooks and consumable textbooks, and other
 23 consumable instructional materials that are used in special
 24 education and gifted and talented classes) that are used by
 25 students for no more than one (1) school year; and

26 (C) instead of the purchase of textbooks, developmentally
 27 appropriate material for instruction in kindergarten through
 28 the grade 3 level, laboratories, and children's literature
 29 programs.

30 (3) That each textbook described in subdivision (2)(A) and
 31 included in the reimbursement ~~request~~ **application** (except those
 32 textbooks used in special education classes and gifted and
 33 talented classes) has been adopted by the **Indiana** state board of
 34 education under IC 20-10.1-9-1 or has been waived by the
 35 **Indiana** state board of education under IC 20-10.1-9-27.

36 (4) That the amount of reimbursement ~~requested~~ for each
 37 textbook under subdivision (3) does not exceed twenty percent
 38 (20%) of the costs incurred for the textbook, as provided in the
 39 textbook adoption list in each year of the adoption cycle.

40 (5) That the amount of reimbursement ~~requested~~ for each
 41 workbook or consumable textbook (or other consumable
 42 instructional material used in special education and gifted and



1 talented classes) under subdivision (2)(B), if applicable, does not
 2 exceed one hundred percent (100%) of the costs incurred for the
 3 workbook or consumable textbook (or other consumable
 4 instructional material used in special education and gifted and
 5 talented classes).

6 (6) That the amount of reimbursement ~~requested~~ for each
 7 textbook used in special education and gifted and talented
 8 classes is amortized for the number of years in which the
 9 textbook is used.

10 (7) That the amount of reimbursement ~~requested~~ for
 11 developmentally appropriate material is amortized for the
 12 number of years in which the material is used and does not
 13 exceed a total of one hundred percent (100%) of the costs
 14 incurred for the developmentally appropriate material. ~~and~~

15 (8) Any other information required by the department, including
 16 copies of purchase orders used to acquire consumable
 17 instructional materials used in special education and gifted and
 18 talented classes and developmentally appropriate material.

19 (e) Each school within a school corporation shall maintain
 20 complete and accurate information concerning the number of students
 21 determined to be eligible for assistance under this chapter. This
 22 information shall be provided to the department upon request.

23 ~~(f) If the amount of reimbursement requested before November 1~~
 24 ~~of a particular year exceeds the amount of money appropriated to the~~
 25 ~~department for this purpose; the department shall proportionately~~
 26 ~~reduce the amount of reimbursement to each school corporation.~~

27 ~~(g)~~ **(f)** A school corporation may submit a supplemental
 28 reimbursement **request application** under section 9.1 of this chapter.
 29 ~~The school corporation is entitled to receive a supplemental~~
 30 ~~reimbursement only if there are funds available. The department shall~~
 31 ~~proportionately reduce the amount of supplemental reimbursement to~~
 32 ~~each school corporation if the total amount requested exceeds the~~
 33 ~~amount of money available to the department for this purpose. In the~~
 34 ~~case of this supplemental reimbursement, the provisions in this section~~
 35 ~~apply, except that section 9.1 of this chapter applies to the making of~~
 36 ~~the supplemental **request application** by the governing body of the~~
 37 ~~school corporation.~~

38 ~~(h)~~ **(g)** Parents receiving other governmental assistance or aid
 39 which considers educational needs in computing the entire amount of
 40 assistance granted may not be denied assistance if the applicant's total
 41 family income does not exceed the standards established by this
 42 chapter.



1 SECTION 3. IC 20-8.1-9-9.1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9.1. (a) The governing
 3 body of a school corporation may make a supplemental **request**
 4 **application** for reimbursement from the department after April 1 but
 5 before May 1 of a school year for ~~some or all of~~ the additional costs
 6 incurred by the school corporation in providing textbook assistance to
 7 the number of additional eligible children who enroll in the school
 8 corporation after the initial **request application** for reimbursement is
 9 filed under section 9(c) of this chapter.

10 (b) In its supplemental ~~request~~, **application**, the governing body
 11 must certify to the department the following:

12 (1) The number of additional students who enroll in the school
 13 corporation as described in subsection (a).

14 (2) The additional costs incurred by the school corporation in
 15 providing the materials described in section 9(d)(2) of this
 16 chapter pertaining to the number of additional students.

17 (3) The same information as described in section 9(d)(3) through
 18 9(d)(7) of this chapter as pertaining to the numbers of additional
 19 students.

20 (c) ~~This section applies only if there are funds available. These A~~
 21 supplemental ~~distributions~~ **distribution under this section** shall be
 22 made by the department in accordance with ~~section 9(g)~~ **section 9(f)** of
 23 this chapter.

24 SECTION 4. IC 20-8.1-9-9.5 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9.5. (a) If a parent of a
 26 child or an emancipated minor who is enrolled in an accredited
 27 nonpublic school meets the financial eligibility standard under section
 28 2 of this chapter, the parent or the emancipated minor ~~may~~ **shall**
 29 receive a reimbursement from the department as provided in this
 30 chapter for the costs ~~or some of the costs~~ incurred by the parent or
 31 emancipated minor in fees that are reimbursable under section 9 of this
 32 chapter. ~~The extent to which the fees are reimbursable under this~~
 33 ~~section 9 of this chapter.~~ In addition, if a child enrolls in an accredited
 34 nonpublic school after the initial **request application** for
 35 reimbursement is filed under subsection ~~(b)~~, **(f)**, the parent of the child
 36 or the emancipated minor who meets the financial eligibility standard
 37 ~~may~~ **shall** receive a reimbursement from the department for the costs
 38 ~~or some of the costs~~ incurred in fees that are reimbursable under
 39 section 9 of this chapter by applying to the accredited nonpublic school
 40 for assistance. In this case, the provisions of this section apply, except
 41 that section 9.6 of this chapter applies to the making of the
 42



1 supplemental ~~request~~ **application** for reimbursement by the principal
2 or other designee of the accredited nonpublic school.

3 (b) The department shall provide each accredited nonpublic school
4 with sufficient application forms for assistance, prescribed by the state
5 board of accounts.

6 (c) Each accredited nonpublic school shall provide the parents or
7 emancipated minors who wish to apply for assistance with:

8 (1) the appropriate application forms; and

9 (2) any assistance needed in completing the application form.

10 (d) The parent or emancipated minor shall submit the application
11 to the accredited nonpublic school. The accredited nonpublic school
12 shall make a determination of financial eligibility subject to appeal by
13 the parent or emancipated minor.

14 (e) If a determination is made that the applicant is eligible for
15 assistance, subsection (a) applies.

16 (f) ~~In order to be guaranteed some level of reimbursement from the~~
17 ~~department~~, The principal or other designee shall submit the
18 reimbursement ~~request~~ **application** before November 1 of a school
19 year.

20 (g) In its ~~request~~, **application**, the principal or other designee shall
21 certify to the department **the following**:

22 (1) The number of students who are enrolled in that accredited
23 nonpublic school and who are eligible for assistance under this
24 chapter.

25 (2) The costs incurred in providing:

26 (A) textbooks (including textbooks used in special
27 education and gifted and talented classes); and

28 (B) workbooks and consumable textbooks (including
29 workbooks, consumable textbooks, and other consumable
30 teaching materials that are used in special education and
31 gifted and talented classes) that are used by students for no
32 more than one (1) school year.

33 (3) That each textbook described in subdivision (2)(A) and
34 included in the reimbursement ~~request~~ **application** (except those
35 textbooks used in special education classes and gifted and
36 talented classes) has been adopted by the **Indiana** state board of
37 education under IC 20-10.1-9-1 or has been waived by the
38 **Indiana** state board of education under IC 20-10.1-9-27.

39 (4) That the amount of reimbursement ~~requested~~ for each
40 textbook under subdivision (3) does not exceed twenty percent
41 (20%) of the costs incurred for the textbook, as provided in the
42 textbook adoption list in each year of the adoption cycle.



1 (5) That the amount of reimbursement ~~requested~~ for each
 2 workbook or consumable textbook (or other consumable
 3 teaching material used in special education and gifted and
 4 talented classes) under subdivision (2)(B), if applicable, does not
 5 exceed one hundred percent (100%) of the costs incurred for the
 6 workbook or consumable textbook (or other consumable
 7 teaching material used in special education and gifted and
 8 talented classes).

9 (6) That the amount of reimbursement ~~requested~~ for each
 10 textbook used in special education and gifted and talented
 11 classes is amortized for the number of years in which the
 12 textbook is used. ~~and~~

13 (7) Any other information required by the department, including
 14 copies of purchase orders used to acquire consumable teaching
 15 materials used in special education and gifted and talented
 16 classes.

17 (h) ~~If the amount of reimbursement requested before November 1~~
 18 ~~of a particular school year exceeds the amount of money appropriated~~
 19 ~~to the department for this purpose, the department shall proportionately~~
 20 ~~reduce the amount of reimbursement to each accredited nonpublic~~
 21 ~~school. An accredited nonpublic school may submit a supplemental~~
 22 ~~reimbursement request application under section 9.6 of this chapter.~~
 23 ~~The parent or emancipated minor is entitled to receive a supplemental~~
 24 ~~reimbursement only if there are funds available. The department shall~~
 25 ~~proportionately reduce the amount of supplemental reimbursement to~~
 26 ~~the accredited nonpublic schools if the amount requested exceeds the~~
 27 ~~amount of money available to the department for this purpose.~~

28 (i) The accredited nonpublic school shall distribute the money
 29 received under this chapter to the appropriate eligible parents or
 30 emancipated minors.

31 (j) ~~IC 20-8.1-9-9(h)~~ **Section 9(g) of this chapter** applies to parents
 32 or emancipated minors as described in this section.

33 (k) The accredited nonpublic school and the department shall
 34 maintain complete and accurate information concerning the number of
 35 applicants determined to be eligible for assistance under this section.

36 (l) The **Indiana** state board of education shall adopt rules under
 37 IC 4-22-2 to implement this section.

38 **SECTION 5. IC 20-8.1-9-9.6 IS AMENDED TO READ AS**
 39 **FOLLOWS [EFFECTIVE JULY 1, 1998]:** Sec. 9.6. (a) The principal
 40 or other designee of an accredited nonpublic school may make a
 41 supplemental **request application** for reimbursement from the
 42 department after April 1 but before May 1 of a school year for ~~some or~~



1 ~~all of~~ the additional costs incurred in fees that are reimbursable under
 2 section 9 of this chapter by the parent of a child or emancipated minor
 3 who ~~enroll~~ **enrolls** in the accredited nonpublic school after the initial
 4 **request application** for reimbursement is filed under section 9.5(f) of
 5 this chapter.

6 (b) In its supplemental ~~request;~~ **application**, the principal or other
 7 designee must certify to the department the following:

8 (1) The number of additional students who enrolled in the
 9 accredited nonpublic school as described in subsection (a).

10 (2) The costs incurred in providing the materials described in
 11 section 9.5(g)(2) of this chapter pertaining to the number of
 12 additional students.

13 (3) The same information as described in section 9.5(g)(3)
 14 through 9.5(g)(7) of this chapter as pertaining to the number of
 15 additional students.

16 (c) ~~This section applies only if there are funds available. These~~
 17 ~~supplemental distributions shall be made by the department in~~
 18 ~~accordance with section 9.5(h) of this chapter.~~

19 SECTION 6. IC 20-8.1-9-9.7 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 1998]: **Sec. 9.7. There is annually**
 22 **appropriated from the state general fund to the department a**
 23 **sufficient amount to pay in full the reimbursements applied for**
 24 **under this chapter for students of school corporations or**
 25 **accredited nonpublic schools.**

