

HOUSE BILL No. 1516

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-9-3; IC 20-10.1-9.5; IC 20-10.1-10-1; IC 20-10.1-10-2.

Synopsis: Textbook funding. Requires the department of education to reimburse school corporations for the cost of textbooks adopted for initial use in the 1999-2000 school year. Beginning with the 2000-2001 school year, requires the department of education to pay the supplier directly for the costs of recently adopted textbooks for school corporations. Appropriates from the state general fund a sufficient amount to pay for state textbook funding. Provides that the current law providing reimbursement for textbooks for students who are eligible for assistance applies only to textbooks for which a rental fee is paid. Prohibits school corporations that have been reimbursed for certain textbooks by the department of education from renting those same
(Continued next page)

Effective: July 1, 1999.

Ayres, Klinker

January 19, 1999, read first time and referred to Committee on Ways and Means.

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Digest Continued

textbooks to students. Provides for administration of the program by the department of education.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1516



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, 1999]: 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 apply for a reimbursement under
 10 section 9 of this chapter from the department of the costs incurred
 11 under subsection (a) **for textbooks that are not paid for by the**
 12 **department under IC 20-10.1-9.5.**
 13 (c) To the extent the reimbursement received by the school
 14 corporation is less than the textbook rental fee assessed for textbooks
 15 that have been adopted under IC 20-10.1-9-1 or waived under



1 IC 20-10.1-9-27, the school corporation may request that the parent or
2 emancipated minor pay the balance of this amount.

3 SECTION 2. IC 20-10.1-9.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 1999]:

6 **Chapter 9.5. State Assistance for Textbooks Used in School**
7 **Corporations**

8 **Sec. 1. This chapter applies to textbooks adopted under**
9 **IC 20-10.1-9-4 for initial use by students in a school corporation**
10 **during a school year beginning after July 1, 2000.**

11 **Sec. 2. The department shall pay the cost of textbooks that a**
12 **school corporation obtains:**

- 13 (1) for initial use during a school year according to the
14 schedule established under IC 20-10.1-9-4;
15 (2) to meet increased student enrollment; or
16 (3) to replace lost or damaged textbooks.

17 **Sec. 3. The department shall pay the cost of the textbooks**
18 **directly to the supplier of the textbooks to the school corporation.**
19 **However, the governing body of a school corporation must submit**
20 **a request for payment to the department before November 1 of a**
21 **school year.**

22 **Sec. 4. The governing body must certify the following to the**
23 **department when making a request for payment to a textbook**
24 **supplier:**

- 25 (1) The number of students who are enrolled in the school
26 corporation.
27 (2) The cost of obtaining the textbooks.
28 (3) That each textbook included in the request for payment
29 was:
30 (A) adopted by the state board of education under
31 IC 20-10.1-9-1; or
32 (B) waived by the state board of education under
33 IC 20-10.1-9-27.

- 34 (4) That the amount requested for payment for a textbook
35 does not exceed the price for the textbook according to the
36 price listed on the textbook adoption list.
37 (5) Any other information the department requires.

38 **Sec. 5. Each school corporation shall:**

- 39 (1) maintain complete and accurate information concerning
40 the textbook payment under this section; and
41 (2) provide this information to the department upon request.

42 **Sec. 6. The department shall pay the costs for textbooks under**



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1 **this section from the state general fund. There is appropriated**
 2 **from the state general fund a sufficient amount to pay the**
 3 **obligations of the department under this chapter.**

4 **Sec. 7. The department may adopt rules under IC 4-22-2 to**
 5 **administer this chapter.**

6 SECTION 3. IC 20-10.1-10-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) Except as
 8 provided in subsections (b) and (c) and all laws to the contrary
 9 notwithstanding, each governing body shall: ~~purchase~~

10 **(1) obtain** from a contracting publisher, at the net contract price
 11 or at any subsequent lower price, the textbooks adopted by the
 12 Indiana state board of education and selected by the proper local
 13 officials; and ~~shall~~

14 **(2) except for textbooks paid for by the department under**
 15 **IC 20-10.1-9.5,** rent these textbooks to each student enrolled in
 16 any public school which is in compliance with the minimum
 17 certification standards of the Indiana state board of education and
 18 is located within the attendance unit served by the governing
 19 body.

20 (b) This section does not prohibit the purchase of these textbooks at
 21 the option of any student or the providing of free textbooks by the
 22 governing body under IC 20-10.1-11.

23 (c) This section does not prohibit a governing body from suspending
 24 the operation of this section under a contract entered into under
 25 IC 20-5-62.

26 SECTION 4. IC 20-10.1-10-2 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Each governing
 28 body may: ~~purchase~~

29 **(1) obtain** from a contracting publisher, at the net contract price
 30 or at any subsequent lower price, any textbook adopted by the
 31 state board of education and selected by the proper local officials;
 32 and ~~may~~

33 **(2) except for textbooks paid for by the department under**
 34 **IC 20-10.1-9.5,** rent these textbooks to students enrolled in any
 35 public or nonpublic school which is in compliance with the
 36 minimum certification standards of the state board of education
 37 and is located within the attendance unit served by the governing
 38 body, at an annual rental not to exceed twenty-five percent (25%)
 39 of the retail price of the textbooks.

40 (b) However, the governing body may not assess a rental fee of
 41 more than fifteen percent (15%) of the retail price of a textbook that
 42 has been:



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1 (1) adopted for usage by students under IC 20-10.1-9;

2 (2) extended for usage by students under IC 20-10.1-9-1(b); and

3 (3) paid for through rental fees previously collected.

4 (c) This section does not limit any other laws but is supplementary.

5 SECTION 5. [EFFECTIVE JULY 1, 1999] (a) **This SECTION**
6 **applies only to textbooks adopted under IC 20-10.1-9-4 for initial**
7 **use in the 1999-2000 school year.**

8 (b) **The department shall reimburse a school corporation for all**
9 **of the costs incurred by the school corporation, as evidenced by the**
10 **purchase order form, in providing to students textbooks that are:**

11 (1) **adopted under IC 20-10.1-9-4 for initial use in the**
12 **1999-2000 school year;**

13 (2) **purchased to meet increased student enrollment; or**

14 (3) **purchased to replace lost or damaged textbooks.**

15 (c) **The governing body of a school corporation must request**
16 **reimbursement under this SECTION before November 1, 1999.**

17 (d) **In a request for reimbursement the governing body must**
18 **certify the following to the department:**

19 (1) **The number of students who are enrolled in that school**
20 **corporation.**

21 (2) **The costs incurred by the school corporation in providing**
22 **textbooks described in subsection (b).**

23 (3) **That each textbook described in subdivision (2) and**
24 **included in the reimbursement request was:**

25 (A) **adopted by the state board of education under**
26 **IC 20-10.1-9-1; or**

27 (B) **waived by the state board of education under**
28 **IC 20-10.1-9-27.**

29 (4) **That the amount of reimbursement requested for each**
30 **textbook does not exceed the cost of the textbook according to**
31 **the textbook adoption list.**

32 (5) **Any other information the department requires.**

33 (e) **Each school corporation shall:**

34 (1) **maintain complete and accurate information concerning**
35 **textbook reimbursement under this SECTION; and**

36 (2) **provide this information to the department upon request.**

37 (f) **Reimbursement for textbooks under this SECTION shall be**
38 **paid from the state general fund. There is appropriated from the**
39 **state general fund a sufficient amount to pay the obligations of the**
40 **department under this SECTION.**

41 (g) **This SECTION expires January 1, 2001.**



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