

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1429 be amended to read as follows:

- 1 Page 6, between lines 16 and 17, begin a new paragraph and insert:
- 2 "SECTION 7. IC 20-24-8-5, AS AMENDED BY P.L.154-2009,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]: Sec. 5. The following statutes and rules and guidelines
- 5 adopted under the following statutes apply to a charter school:
- 6 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 7 (2) IC 20-39-1-1 (unified accounting system).
- 8 (3) IC 20-35 (special education).
- 9 (4) IC 20-26-5-10 (criminal history).
- 10 (5) IC 20-26-5-6 (subject to laws requiring regulation by state
- 11 agencies).
- 12 **IC 20-26-12-13 (textbook library).**
- 13 **IC 20-26-12-16 (free textbooks).**
- 14 (6) IC 20-28-7-14 (void teacher contract when two (2) contracts
- 15 are signed).
- 16 (7) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 17 (8) IC 20-28-10-14 (teacher freedom of association).
- 18 (9) IC 20-28-10-17 (school counselor immunity).
- 19 (10) For conversion charter schools only, IC 20-28-6, IC 20-28-7,
- 20 IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- 21 (11) IC 20-33-2 (compulsory school attendance).
- 22 (12) IC 20-33-3 (limitations on employment of children).
- 23 (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student
- 24 due process and judicial review).

- 1 ~~(14)~~ IC 20-33-8-16 (firearms and deadly weapons).
 2 ~~(15)~~ IC 20-34-3 (health and safety measures).
 3 ~~(16)~~ IC 20-33-9 (reporting of student violations of law).
 4 ~~(17)~~ IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative
 5 observances).
 6 ~~(18)~~ IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8,
 7 or any other statute, rule, or guideline related to standardized
 8 testing (assessment programs, including remediation under the
 9 assessment programs).
 10 ~~(19)~~ IC 20-33-7 (parental access to education records).
 11 ~~(20)~~ IC 20-31 (accountability for school performance and
 12 improvement).
 13 ~~(21)~~ IC 20-30-5-19 (personal financial responsibility
 14 instruction).".
 15 Page 7, between lines 33 and 34, begin a new paragraph and insert:
 16 "SECTION 9. IC 20-26-5-4, AS AMENDED BY P.L.182-2009(ss),
 17 SECTION 316, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2011]: Sec. 4. In carrying out the school
 19 purposes of a school corporation, the governing body acting on the
 20 school corporation's behalf has the following specific powers:
 21 (1) In the name of the school corporation, to sue and be sued and
 22 to enter into contracts in matters permitted by applicable law.
 23 (2) To take charge of, manage, and conduct the educational affairs
 24 of the school corporation and to establish, locate, and provide the
 25 necessary schools, school libraries, other libraries where
 26 permitted by law, other buildings, facilities, property, and
 27 equipment.
 28 (3) To appropriate from the school corporation's general fund an
 29 amount, not to exceed the greater of three thousand dollars
 30 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
 31 exceed twelve thousand five hundred dollars (\$12,500), based on
 32 the school corporation's previous year's ADM, to promote the best
 33 interests of the school corporation through:
 34 (A) the purchase of meals, decorations, memorabilia, or
 35 awards;
 36 (B) provision for expenses incurred in interviewing job
 37 applicants; or
 38 (C) developing relations with other governmental units.
 39 (4) To:
 40 (A) Acquire, construct, erect, maintain, hold, and contract for
 41 construction, erection, or maintenance of real estate, real estate
 42 improvements, or an interest in real estate or real estate
 43 improvements, as the governing body considers necessary for
 44 school purposes, including buildings, parts of buildings,
 45 additions to buildings, rooms, gymnasiums, auditoriums,
 46 playgrounds, playing and athletic fields, facilities for physical

1 training, buildings for administrative, office, warehouse, repair
2 activities, or housing school owned buses, landscaping, walks,
3 drives, parking areas, roadways, easements and facilities for
4 power, sewer, water, roadway, access, storm and surface
5 water, drinking water, gas, electricity, other utilities and
6 similar purposes, by purchase, either outright for cash (or
7 under conditional sales or purchase money contracts providing
8 for a retention of a security interest by the seller until payment
9 is made or by notes where the contract, security retention, or
10 note is permitted by applicable law), by exchange, by gift, by
11 devise, by eminent domain, by lease with or without option to
12 purchase, or by lease under IC 20-47-2, IC 20-47-3, or
13 IC 20-47-5.

14 (B) Repair, remodel, remove, or demolish, or to contract for
15 the repair, remodeling, removal, or demolition of the real
16 estate, real estate improvements, or interest in the real estate
17 or real estate improvements, as the governing body considers
18 necessary for school purposes.

19 (C) Provide for conservation measures through utility
20 efficiency programs or under a guaranteed savings contract as
21 described in IC 36-1-12.5.

22 (5) To acquire personal property or an interest in personal
23 property as the governing body considers necessary for school
24 purposes, including buses, motor vehicles, equipment, apparatus,
25 appliances, books, furniture, and supplies, either by cash purchase
26 or under conditional sales or purchase money contracts providing
27 for a security interest by the seller until payment is made or by
28 notes where the contract, security, retention, or note is permitted
29 by applicable law, by gift, by devise, by loan, or by lease with or
30 without option to purchase and to repair, remodel, remove,
31 relocate, and demolish the personal property. All purchases and
32 contracts specified under the powers authorized under subdivision
33 (4) and this subdivision are subject solely to applicable law
34 relating to purchases and contracting by municipal corporations
35 in general and to the supervisory control of state agencies as
36 provided in section 6 of this chapter.

37 (6) To sell or exchange real or personal property or interest in real
38 or personal property that, in the opinion of the governing body, is
39 not necessary for school purposes, in accordance with IC 20-26-7,
40 to demolish or otherwise dispose of the property if, in the opinion
41 of the governing body, the property is not necessary for school
42 purposes and is worthless, and to pay the expenses for the
43 demolition or disposition.

44 (7) To lease any school property for a rental that the governing
45 body considers reasonable or to permit the free use of school
46 property for:

1 (A) civic or public purposes; or
 2 (B) the operation of a school age child care program for
 3 children who are at least five (5) years of age and less than
 4 fifteen (15) years of age that operates before or after the school
 5 day, or both, and during periods when school is not in session;
 6 if the property is not needed for school purposes. Under this
 7 subdivision, the governing body may enter into a long term lease
 8 with a nonprofit corporation, community service organization, or
 9 other governmental entity, if the corporation, organization, or
 10 other governmental entity will use the property to be leased for
 11 civic or public purposes or for a school age child care program.
 12 However, if payment for the property subject to a long term lease
 13 is made from money in the school corporation's debt service fund,
 14 all proceeds from the long term lease must be deposited in the
 15 school corporation's debt service fund so long as payment for the
 16 property has not been made. The governing body may, at the
 17 governing body's option, use the procedure specified in
 18 IC 36-1-11-10 in leasing property under this subdivision.

19 (8) To:

20 (A) Employ, contract for, and discharge superintendents,
 21 supervisors, principals, teachers, librarians, athletic coaches
 22 (whether or not they are otherwise employed by the school
 23 corporation and whether or not they are licensed under
 24 IC 20-28-5), business managers, superintendents of buildings
 25 and grounds, janitors, engineers, architects, physicians,
 26 dentists, nurses, accountants, teacher aides performing
 27 noninstructional duties, educational and other professional
 28 consultants, data processing and computer service for school
 29 purposes, including the making of schedules, the keeping and
 30 analyzing of grades and other student data, the keeping and
 31 preparing of warrants, payroll, and similar data where
 32 approved by the state board of accounts as provided below,
 33 and other personnel or services as the governing body
 34 considers necessary for school purposes.

35 (B) Fix and pay the salaries and compensation of persons and
 36 services described in this subdivision.

37 (C) Classify persons or services described in this subdivision
 38 and to adopt schedules of salaries or compensation.

39 (D) Determine the number of the persons or the amount of the
 40 services employed or contracted for as provided in this
 41 subdivision.

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

44 The compensation, terms of employment, and discharge of
 45 teachers are, however, subject to and governed by the laws
 46 relating to employment, contracting, compensation, and discharge

- 1 of teachers. The compensation, terms of employment, and
2 discharge of bus drivers are subject to and governed by laws
3 relating to employment, contracting, compensation, and discharge
4 of bus drivers. The forms and procedures relating to the use of
5 computer and data processing equipment in handling the financial
6 affairs of the school corporation must be submitted to the state
7 board of accounts for approval so that the services are used by the
8 school corporation when the governing body determines that it is
9 in the best interest of the school corporation while at the same
10 time providing reasonable accountability for the funds expended.
- 11 (9) Notwithstanding the appropriation limitation in subdivision
12 (3), when the governing body by resolution considers a trip by an
13 employee of the school corporation or by a member of the
14 governing body to be in the interest of the school corporation,
15 including attending meetings, conferences, or examining
16 equipment, buildings, and installation in other areas, to permit the
17 employee to be absent in connection with the trip without any loss
18 in pay and to reimburse the employee or the member the
19 employee's or member's reasonable lodging and meal expenses
20 and necessary transportation expenses. To pay teaching personnel
21 for time spent in sponsoring and working with school related trips
22 or activities.
- 23 (10) To transport children to and from school, when in the
24 opinion of the governing body the transportation is necessary,
25 including considerations for the safety of the children and without
26 regard to the distance the children live from the school. The
27 transportation must be otherwise in accordance with applicable
28 law.
- 29 (11) To provide a lunch program for a part or all of the students
30 attending the schools of the school corporation, including the
31 establishment of kitchens, kitchen facilities, kitchen equipment,
32 lunch rooms, the hiring of the necessary personnel to operate the
33 lunch program, and the purchase of material and supplies for the
34 lunch program, charging students for the operational costs of the
35 lunch program, fixing the price per meal or per food item. To
36 operate the lunch program as an extracurricular activity, subject
37 to the supervision of the governing body. To participate in a
38 surplus commodity or lunch aid program.
- 39 (12) To purchase textbooks **and** to furnish textbooks without cost
40 ~~or to rent textbooks to students; to participate in a textbook aid~~
41 ~~program; and~~ in accordance with applicable law.
- 42 (13) To accept students transferred from other school corporations
43 and to transfer students to other school corporations in accordance
44 with applicable law.
- 45 (14) To make budgets, to appropriate funds, and to disburse the
46 money of the school corporation in accordance with applicable

1 law. To borrow money against current tax collections and
2 otherwise to borrow money, in accordance with IC 20-48-1.

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

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

24 (B) purchase insurance; or

25 (C) establish and maintain a program of self-insurance;

26 to benefit school corporation employees, including accident,
27 sickness, health, or dental coverage, provided that a plan of
28 self-insurance must include an aggregate stop-loss provision.

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

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

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

46 (A) for the government and management of the schools,

- 1 property, facilities, and activities of the school corporation, the
 2 school corporation's agents, employees, and pupils and for the
 3 operation of the governing body; and
 4 (B) that may be designated by an appropriate title such as
 5 "policy handbook", "bylaws", or "rules and regulations".
- 6 (19) To ratify and approve any action taken by a member of the
 7 governing body, an officer of the governing body, or an employee
 8 of the school corporation after the action is taken, if the action
 9 could have been approved in advance, and in connection with the
 10 action to pay the expense or compensation permitted under
 11 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and
 12 IC 20-48-1 or any other law.
- 13 (20) To exercise any other power and make any expenditure in
 14 carrying out the governing body's general powers and purposes
 15 provided in this chapter or in carrying out the powers delineated
 16 in this section which is reasonable from a business or educational
 17 standpoint in carrying out school purposes of the school
 18 corporation, including the acquisition of property or the
 19 employment or contracting for services, even though the power or
 20 expenditure is not specifically set out in this chapter. The specific
 21 powers set out in this section do not limit the general grant of
 22 powers provided in this chapter except where a limitation is set
 23 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 24 and IC 20-48-1 by specific language or by reference to other
 25 law."
- 26 Page 7, line 36, strike "subsections" and insert "**subsection**".
- 27 Page 7, line 36, strike "and".
- 28 Page 7, line 37, strike "(c)".
- 29 Page 7, line 41, delete "officials," and insert "officials."
- 30 Page 7, line 41, strike "and shall rent these".
- 31 Page 7, strike line 42.
- 32 Page 8, strike line 1.
- 33 Page 8, line 2, delete "state".
- 34 Page 8, line 2, strike "board; and".
- 35 Page 8, strike lines 3 through 7.
- 36 Page 8, line 8, strike "(c)" and insert "**(b)**".
- 37 Page 8, line 16, delete "officials. The" and insert "officials to carry
 38 **out section 16 of this chapter.**
- 39 **(b) In addition to textbooks purchased under subsection (a),**
 40 **the".**
- 41 Page 8, line 16, after "may" insert "**purchase sufficient textbooks**
 42 **to**".
- 43 Page 8, line 17, strike "students enrolled in".
- 44 Page 8, line 23, after "textbooks." insert "**A public school to which**
 45 **textbooks are rented under this section shall furnish the textbooks**
 46 **to students enrolled in the public school without charge.**".

- 1 Page 8, strike lines 24 through 26.
 2 Page 8, line 28, delete "(1)".
 3 Page 8, line 28, strike "extended for usage by students under".
 4 Page 8, line 29, delete "section 24(e) of this chapter;".
 5 Page 8, line 29, strike "and".
 6 Page 8, line 30, strike "paid for through rental fees previously
 7 collected."
 8 Page 8, line 31, strike "(c)" and insert "**(b)**".
 9 Page 8, line 34, strike "(a) Sections 7 through 21 of this chapter
 10 apply".
 11 Page 8, line 35, strike "to".
 12 Page 8, line 35, strike "school libraries that contain free textbooks.
 13 The".
 14 Page 8, line 36, strike "textbooks must be".
 15 Page 8, line 36, strike "selected by the proper".
 16 Page 8, strike line 37.
 17 Page 8, line 38, strike "(b)".
 18 Page 8, line 38, strike "6" and insert "**13**".
 19 Page 8, between lines 41 and 42, begin a new paragraph and insert:
 20 SECTION 13. IC 20-26-12-13, AS ADDED BY P.L.1-2005,
 21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2011]: Sec. 13. ~~If a sufficient petition is filed under section 11~~
 23 ~~of this chapter, a~~ **The** governing body ~~shall note on the records of the~~
 24 ~~governing body's~~ **a** school corporation ~~that by filing the petition the~~
 25 ~~school corporation must shall~~ maintain:
 26 (1) an elementary school library containing textbooks in sufficient
 27 numbers to meet the needs of every resident student in each of the
 28 first eight (8) grades of each elementary school located within the
 29 school corporation; or
 30 (2) a high school library containing textbooks in sufficient
 31 numbers to meet the needs of every resident student in each of the
 32 four (4) grades of each high school located within the school
 33 corporation;
 34 as applicable."
 35 Page 9, line 2, strike "(a)".
 36 Page 9, strike lines 11 through 17.
 37 Page 9, between lines 17 and 18, begin a new paragraph and insert:
 38 "SECTION 15. IC 20-26-12-16, AS ADDED BY P.L.1-2005,
 39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2011]: Sec. 16. ~~Upon receipt of the textbooks,~~ A governing
 41 body shall loan ~~the all~~ **used by the school corporation** at no
 42 charge to each resident student. Library textbooks are available to each
 43 resident student under this chapter and under regulations prescribed by
 44 the superintendent and governing body of the school corporation.
 45 SECTION 16. IC 20-26-12-17, AS ADDED BY P.L.1-2005,
 46 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2011]: Sec. 17. (a) If a student transfers to a school
 2 corporation other than the one in which the student resides under
 3 IC 20-26-11, the governing body of the school corporation to which the
 4 student transfers shall purchase a sufficient supply of books for the
 5 transferred student.

6 (b) In the annual settlement between the school corporations for
 7 tuition of transferred students, the amounts must include rental of the
 8 books furnished to the transferred students. The state board shall
 9 determine the rental rate.

10 SECTION 17. IC 20-26-12-22, AS ADDED BY P.L.1-2005,
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2011]: Sec. 22. If a school corporation purchases textbooks on
 13 a time basis,

14 (1) the schedule for payments shall coincide with student
 15 payments to the school corporation for textbook rental; and

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

22 Page 11, between lines 10 and 11, begin a new paragraph and insert:

23 "SECTION 20. IC 20-26-15-5, AS ADDED BY P.L.1-2005,
 24 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2011]: Sec. 5. Notwithstanding any other law, the operation
 26 of the following is suspended for a freeway school corporation or a
 27 freeway school if the governing body of the school corporation elects
 28 to have the specific statute or rule suspended in the contract:

29 (1) The following statutes and rules concerning curriculum and
 30 instructional time:

31 IC 20-30-2-7

32 IC 20-30-5-8

33 IC 20-30-5-9

34 IC 20-30-5-11

35 511 IAC 6-7-6

36 ~~511 IAC 6.1-3-4~~

37 511 IAC 6.1-5-0.5

38 511 IAC 6.1-5-1

39 511 IAC 6.1-5-2.5

40 511 IAC 6.1-5-3.5

41 511 IAC 6.1-5-4.

42 (2) The following rule concerning pupil/teacher ratios:

43 511 IAC 6.1-4-1.

44 (3) The following statutes and rules concerning textbooks:

45 IC 20-20-5-1 through IC 20-20-5-4

46 IC 20-20-5-23

- 1 IC 20-26-12-24
 2 ~~IC 20-26-12-26~~
 3 IC 20-26-12-28
 4 IC 20-26-12-1
 5 IC 20-26-12-2
 6 511 IAC 6.1-5-5.
 7 (4) 511 IAC 6-7, concerning graduation requirements.
 8 (5) IC 20-31-4, concerning the performance based accreditation
 9 system.
 10 (6) IC 20-32-5, concerning the ISTEP program established under
 11 IC 20-32-5-15, if an alternative locally adopted assessment
 12 program is adopted under section 6(7) of this chapter."
 13 Page 12, line 21, strike "(a)".
 14 Page 12, line 25, strike "the fees".
 15 Page 12, line 26, strike "school books,".
 16 Page 12, line 26, after "supplies," insert "**digital content and**
 17 **curricular materials (as defined in IC 20-20-5.5-1) that do not**
 18 **qualify as textbooks,"**.
 19 Page 12, strike lines 28 through 32.
 20 Page 12, line 33, strike "that have been adopted under IC 20-20-5-1
 21 through IC 20-20-5-4,".
 22 Page 12, line 34, strike "the school corporation may request that".
 23 Page 12, strike line 35.
 24 Page 12, delete lines 36 through 42.
 25 Delete page 13.
 26 Page 14, delete lines 1 through 32.
 27 Page 14, line 40, strike "that are".
 28 Page 14, strike lines 41 through 42.
 29 Page 15, line 1, strike "rates of reimbursement under section 7 of
 30 this chapter." and insert "**subject to the reimbursement limitations**
 31 **imposed under subsection (g)."** .
 32 Page 15, line 6, strike "reimbursable under section".
 33 Page 15, line 7, strike "7 of this chapter and insert "**subject to the**
 34 **reimbursement limitations imposed under subsection (g)"**.
 35 Page 16, strike lines 37 through 38, begin a new paragraph and
 36 insert:
 37 "**(j) A parent receiving other governmental assistance or aid that**
 38 **considers educational needs in determining the entire amount of**
 39 **assistance granted may not be denied assistance under the other**
 40 **governmental assistance or aid program solely because the**
 41 **applicant's total family income does not meet the eligibility**
 42 **standards established by this chapter."**.
 43 Page 17, between lines 1 and 2, begin a new paragraph and insert:
 44 "SECTION 27. IC 20-33-5-10, AS ADDED BY P.L.1-2005,
 45 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2011]: Sec. 10. (a) The principal or other designee of an

1 accredited nonpublic school may make a supplemental request for
 2 reimbursement from the department after April 1 but before May 1 of
 3 a school year for some or all of the additional costs incurred in fees that
 4 are ~~reimbursable under section 7~~ **subject to the reimbursement**
 5 **limitations of section 9(g)** of this chapter by the parent of a child or
 6 emancipated minor who enrolls in the accredited nonpublic school after
 7 the initial request for reimbursement is filed under section 9(f) of this
 8 chapter.

9 (b) In its supplemental request, the principal or other designee must
 10 certify to the department the following:

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

13 (2) The costs incurred in providing the materials described in
 14 section 9(g)(2) of this chapter pertaining to the number of
 15 additional students.

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

19 (c) This section applies only if there are funds available. These
 20 supplemental distributions shall be made by the department in
 21 accordance with section 9(h) of this chapter.

22 SECTION 28. IC 20-33-5-12, AS ADDED BY P.L.1-2005,
 23 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2011]: Sec. 12. Under extraordinary circumstances, the
 25 township trustee may pay for ~~the fees enumerated in section 3 of this~~
 26 ~~chapter for:~~

27 **(1) supplies that do not qualify as textbooks and required class**
 28 **fees** for individuals ~~who do not otherwise qualify under the~~
 29 ~~financial eligibility standard established in this chapter:~~ **enrolled**
 30 **in a public school; and**

31 **(2) textbooks, supplies that do not qualify as textbooks, and**
 32 **required class fees for individuals who are enrolled in an**
 33 **accredited nonpublic school.**

34 Assistance in such cases may be provided by the township trustee
 35 under IC 12-20.

36 SECTION 29. IC 20-33-5-14, AS ADDED BY P.L.1-2005,
 37 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2011]: Sec. 14. (a) The school textbook reimbursement
 39 contingency fund is established to reimburse ~~school corporations;~~
 40 eligible parents of children who attend accredited nonpublic schools
 41 and emancipated minors who attend accredited nonpublic schools as
 42 provided in section 9 of this chapter for assistance provided under this
 43 chapter. The fund consists of money appropriated to the fund by the
 44 general assembly. The state superintendent shall administer the fund.

45 (b) The treasurer of state shall invest the money in the school
 46 textbook reimbursement contingency fund not currently needed to meet

1 the obligations of the fund in the same manner as other public funds
2 may be invested.

3 SECTION 30. IC 20-41-1-2, AS ADDED BY P.L.2-2006,
4 SECTION 164, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2011]: Sec. 2. Any self-supporting programs
6 maintained by a school corporation, including

7 ~~(1) school lunch, and~~
8 ~~(2) rental or sale of textbooks;~~

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

11 SECTION 31. IC 20-41-2-3, AS ADDED BY P.L.2-2006,
12 SECTION 164, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) If a school lunch fund is
14 established under section 1 of this chapter, ~~or a textbook rental fund is~~
15 ~~established under section 2 of this chapter;~~ the receipts and
16 expenditures for ~~each~~ **the school lunch** program shall be made to and
17 from the ~~proper school lunch~~ fund without appropriation or the
18 application of other laws relating to the budgets of local governmental
19 units.

20 (b) If ~~either a school lunch program or both programs under~~
21 ~~sections 1 and 2 of this chapter are~~ is operated through the
22 extracurricular account, the township trustee shall approve the amount
23 of the bond of the treasurer of the extracurricular account in an amount
24 the township trustee considers necessary to protect the account for all
25 funds coming into the hands of the treasurer.

26 SECTION 32. IC 20-41-2-6, AS ADDED BY P.L.2-2006,
27 SECTION 164, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) If a school lunch fund is
29 established under section 4 of this chapter, ~~and a textbook rental fund~~
30 ~~is established under section 5 of this chapter;~~ the receipts and
31 expenditures from ~~a the~~ fund for the program to which the fund relates
32 ~~shall must~~ be made to and from the fund without appropriation or the
33 application of other statutes and rules relating to the budgets of
34 municipal corporations.

35 (b) If ~~either the school lunch program or textbook rental program~~ is
36 handled through the extracurricular account, the governing body of the
37 school corporation shall approve the amount of the bond of the
38 treasurer of the extracurricular account in an amount the governing
39 body considers sufficient to protect the account for all funds coming
40 into the hands of the treasurer of the account.

41 SECTION 33. IC 20-42-3-10, AS AMENDED BY P.L.3-2008,
42 SECTION 121, IS AMENDED TO READ AS FOLLOWS
43 [EFFECTIVE JULY 1, 2011]: Sec. 10. The trustee, with the advice and
44 consent of the township board, shall use the account for the following
45 educational purposes:

46 (1) Each year the trustee shall pay to ~~the parent or legal guardian~~

1 of any elementary or secondary school that has been
 2 accredited by the state in which any child whose having
 3 residence is within the township is enrolled, the initial an
 4 amount equal to twenty-five percent (25%) of the cost for the
 5 rental of textbooks used in any elementary or secondary school
 6 that has been accredited by the state: are not reimbursed from
 7 federal or state funds. The reimbursement for the rental of
 8 textbooks shall be for the initial yearly rental charge only: year
 9 that the textbooks are purchased or rented by the elementary
 10 or secondary school. Textbooks subsequently lost or destroyed
 11 may not be paid for from this account.

12 (2) Students who are residents of the township for the last two (2)
 13 years of their secondary education and who still reside within the
 14 township are entitled to receive financial assistance in an amount
 15 not to exceed an amount determined by the trustee and the
 16 township board during an annual review of postsecondary
 17 education fees and tuition costs of education at any accredited
 18 postsecondary educational institution. Amounts to be paid to each
 19 eligible student shall be set annually after this review. The
 20 amount paid each year must be:

- 21 (A) equitable for every eligible student without regard to race,
 22 religion, creed, sex, disability, or national origin; and
 23 (B) based on the number of students and the amount of funds
 24 available each year.

25 (3) A person who has been a permanent resident of the township
 26 continuously for at least two (2) years and who needs educational
 27 assistance for job training or retraining may apply to the trustee
 28 of the township for financial assistance. The trustee and the
 29 township board shall review each application and make assistance
 30 available according to the need of each applicant and the
 31 availability of funds.

32 (4) If all the available funds are not used in any one (1) year, the
 33 unused funds shall be retained in the account by the trustee for
 34 use in succeeding years."

35 Page 17, line 4, delete "IC IC 20-26-12-27; IC 20-26-12-28." and
 36 insert " IC 20-26-12-7; IC 20-26-12-8; IC 20-26-12-9; IC 20-26-12-10;
 37 IC 20-26-12-11; IC 20-26-12-12; IC 20-26-12-14; IC 20-26-12-26;
 38 IC 20-26-12-27; IC 20-26-12-28; IC 20-33-5-5; IC 20-33-5-7;
 39 IC 20-33-5-8.

40 SECTION 23. [EFFECTIVE JULY 1, 2011] (a) A school
 41 corporation may not conduct a textbook rental program for a
 42 school year beginning after June 30, 2011.

43 (b) On July 1, 2011, a school corporation shall transfer any
 44 unencumbered money in any fund or account used for textbook
 45 rental fees to the school corporation's general fund. The money
 46 transferred under this SECTION may be used for the payment of

1 **textbooks.**
2 **(c) This SECTION expires January 1, 2012.**
3 SECTION 35. [EFFECTIVE JULY 1, 2011] **(a) The department**
4 **of local government finance shall reduce the:**
5 **(1) maximum permissible ad valorem property tax levy**
6 **imposed by IC 6-1.1-18.5-3; and**
7 **(2) township assistance levy;**
8 **of each township to reflect the effect of the amendment of**
9 **IC 20-33-5-3 by this act.**
10 **(b) Any loan:**
11 **(1) obtained to purchase textbooks (as defined in**
12 **IC 20-18-2-23); and**
13 **(2) payable from a school general fund before July 1, 2011;**
14 **shall be paid from the school general fund after June 30, 2011.**
15 **(c) This SECTION expires January 1, 2012."**
16 Renumber all SECTIONS consecutively.
(Reference is to 1429 as printed February 4, 2011.)

Representative Moses