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# SENATE BILL No. 395

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13-1.6-3; IC 5-22-22-1; IC 20-18-2; IC 20-20; IC 20-23-2-3; IC 20-26; IC 20-29-6-7; IC 20-30; IC 20-31-5-5; IC 20-33-5; IC 20-40-9-7; IC 20-41; IC 20-42-3-10; IC 20-42.5; IC 36-1-11-1.

**Synopsis:** Various education matters. Amends the definition of "educational service center". Repeals provisions relating to the establishment and administration of an educational service agency by the Indiana state board of education (state board). Replaces the definition of "textbook" with a definition of "curricular materials". Provides that the Indiana department of education (department) shall determine the process for evaluating the curricular materials' alignment to academic standards and the appropriateness of the reading level of the curricular materials. Requires the department to describe the method used to evaluate curricular materials within the earlier of: (1) 18 months after the adoption of standards by the state board; or (2) six years after the previous review of curricular materials. Provides that, in order for a publisher's curricular materials to be included in the department's report, the publisher must: (1) make the curricular materials available for sale to schools for a period of at least six years; and (2) provide a grant or license to the school corporation to allow for reproduction of the adopted curricular materials in large type, Braille, and audio formats. Makes changes to the type of curricular subject matter that the department must review to show that the curricular material is aligned to academic standards. Repeals the requirement that a superintendent of a school corporation forward a list of the curricular materials selected by the superintendent. Makes conforming changes.

**Effective:** July 1, 2013.

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January 10, 2013, read first time and referred to Committee on Education and Career Development.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 395



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 4-13-1.6-3, AS AMENDED BY P.L.73-2011,
- 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2013]: Sec. 3. (a) As used in this chapter, "major equipment
- 4 item" refers to any item that a school corporation considers:
- 5 (1) a significant equipment purchase; and
- 6 (2) reasonably likely to be purchased by several school
- 7 corporations.
- 8 (b) The term does not include the following:
- 9 (1) ~~A textbook (as defined in IC 20-18-2-23)~~ **Curricular**
- 10 **materials (as defined in IC 20-18-2-2.7).**
- 11 (2) A special purpose bus (as defined in IC 20-27-2-10).
- 12 (3) A school bus (as defined in IC 20-27-2-8).
- 13 SECTION 2. IC 5-22-22-1, AS AMENDED BY P.L.188-2007,
- 14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2013]: Sec. 1. (a) This chapter applies only to personal
- 16 property owned by a governmental body.
- 17 (b) This chapter does not apply to dispositions of property described



- 1 in any of the following:
- 2 (1) IC 5-22-21-1(b).
- 3 (2) IC 36-1-11-5.5.
- 4 (3) IC 36-1-11-5.7.
- 5 (c) This chapter does not apply to any of the following:
- 6 (1) The disposal of property under an urban homesteading
- 7 program under IC 36-7-17.
- 8 (2) The lease of school buildings under IC 20-47.
- 9 (3) The sale of land to a lessor in a lease-purchase contract under
- 10 IC 36-1-10.
- 11 (4) The disposal of property by a redevelopment commission
- 12 established under IC 36-7.
- 13 (5) The leasing of property by a board of aviation commissioners
- 14 established under IC 8-22-2 or an airport authority established
- 15 under IC 8-22-3.
- 16 (6) The disposal of a municipally owned utility under IC 8-1.5.
- 17 (7) The sale or lease of property by a unit (as defined in
- 18 IC 36-1-2-23) to an Indiana nonprofit corporation organized for
- 19 educational, literary, scientific, religious, or charitable purposes
- 20 that is exempt from federal income taxation under Section 501 of
- 21 the Internal Revenue Code or the sale or reletting of that property
- 22 by the nonprofit corporation.
- 23 (8) The disposal of surplus property by a hospital established and
- 24 operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8,
- 25 IC 16-23-1, or IC 16-24-1.
- 26 (9) The sale or lease of property acquired under IC 36-7-13 for
- 27 industrial development.
- 28 (10) The sale, lease, or disposal of property by a local hospital
- 29 authority under IC 5-1-4.
- 30 (11) The sale or other disposition of property by a county or
- 31 municipality to finance housing under IC 5-20-2.
- 32 (12) The disposition of property by a soil and water conservation
- 33 district under IC 14-32.
- 34 (13) The disposal of surplus property by the health and hospital
- 35 corporation established and operated under IC 16-22-8.
- 36 (14) The disposal of personal property by a library board under
- 37 IC 36-12-3-5(c).
- 38 (15) The sale or disposal of property by the historic preservation
- 39 commission under IC 36-7-11.1.
- 40 (16) The disposal of an interest in property by a housing authority
- 41 under IC 36-7-18.
- 42 (17) The disposal of property under IC 36-9-37-26.

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- 1 (18) The disposal of property used for park purposes under  
2 IC 36-10-7-8.
- 3 (19) The disposal of ~~textbooks~~ **curricular materials** that will no  
4 longer be used by school corporations under IC 20-26-12.
- 5 (20) The disposal of residential structures or improvements by a  
6 municipal corporation without consideration to:  
7 (A) a governmental body; or  
8 (B) a nonprofit corporation that is organized to expand the  
9 supply or sustain the existing supply of good quality,  
10 affordable housing for residents of Indiana having low or  
11 moderate incomes.
- 12 (21) The disposal of historic property without consideration to a  
13 nonprofit corporation whose charter or articles of incorporation  
14 allows the corporation to take action for the preservation of  
15 historic property. As used in this subdivision, "historic property"  
16 means property that is:  
17 (A) listed on the National Register of Historic Places; or  
18 (B) eligible for listing on the National Register of Historic  
19 Places, as determined by the division of historic preservation  
20 and archeology of the department of natural resources.
- 21 (22) The disposal of real property without consideration to:  
22 (A) a governmental body; or  
23 (B) a nonprofit corporation that exists for the primary purpose  
24 of enhancing the environment;  
25 when the property is to be used for compliance with a permit or  
26 an order issued by a federal or state regulatory agency to mitigate  
27 an adverse environmental impact.
- 28 (23) The disposal of property to a person under an agreement  
29 between the person and a governmental body under IC 5-23.
- 30 SECTION 3. IC 20-18-2-2.7 IS ADDED TO THE INDIANA CODE  
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
32 1, 2013]: **Sec. 2.7. "Curricular materials" means systematically  
33 organized material designed to provide a specific level of  
34 instruction in a subject matter category, including:**  
35 **(1) books;**  
36 **(2) hardware that will be consumed, accessed, or used by a  
37 single student during a semester or school year;**  
38 **(3) computer software; and**  
39 **(4) digital content.**
- 40 SECTION 4. IC 20-18-2-23 IS REPEALED [EFFECTIVE JULY 1,  
41 2013]. **Sec. 23. "Textbook" means systematically organized material  
42 designed to provide a specific level of instruction in a subject matter**

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1 category, including:

- 2 (1) books;
- 3 (2) hardware that will be consumed, accessed, or used by a single
- 4 student during a semester or school year;
- 5 (3) computer software; and
- 6 (4) digital content.

7 SECTION 5. IC 20-20-1-1 IS REPEALED [EFFECTIVE JULY 1,  
8 2013]. Sec. 1: As used in this chapter, "board" refers to the local  
9 governing board of an educational service center.

10 SECTION 6. IC 20-20-1-2, AS AMENDED BY P.L.234-2007,  
11 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2013]: Sec. 2. (a) As used in this chapter, "educational service  
13 center" means an extended agency of school corporations that:

- 14 (1) operates under rules established by the state board;
- 15 (2) is the administrative and operational unit that serves a
- 16 definitive geographical boundary; **may be voluntarily**
- 17 **established and administered by school corporations to serve**
- 18 **their common needs;** and
- 19 (3) allows school corporations to voluntarily cooperate and share
- 20 programs and services that the school corporations cannot
- 21 individually provide but collectively may implement.

22 (b) Programs and services collectively implemented through an  
23 educational service center may include, but are not limited to, the  
24 following:

- 25 (1) Curriculum development.
- 26 (2) Pupil personnel and special education services.
- 27 (3) In-service education.
- 28 (4) State-federal liaison services.
- 29 (5) Instructional materials and multimedia services.
- 30 (6) Career and technical education.
- 31 (7) Purchasing and financial management.
- 32 (8) Needs assessment.
- 33 (9) Computer use.
- 34 (10) Research and development.

35 SECTION 7. IC 20-20-1-3 IS REPEALED [EFFECTIVE JULY 1,  
36 2013]. Sec. 3: The state board may provide for the establishment of and  
37 procedures for the operation of educational service centers:

38 SECTION 8. IC 20-20-1-4 IS REPEALED [EFFECTIVE JULY 1,  
39 2013]. Sec. 4: (a) The state board shall do the following:

- 40 (1) Adopt a comprehensive plan to implement this chapter.
- 41 (2) Determine the areas in Indiana that will be served by an  
42 educational service center.

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1 (b) In determining the geographic area to be served by an  
2 educational service center, the state board shall consider the following:

3 (1) Physical factors:

4 (2) Socio-economic factors:

5 (3) Educational factors:

6 (4) Existing cooperative efforts and agreements:

7 SECTION 9. IC 20-20-1-5 IS REPEALED [EFFECTIVE JULY 1,  
8 2013]. Sec. 5: An educational service center must be established under  
9 rules adopted by the state board to develop, provide, and make  
10 available to participating schools those services requested by the  
11 participating school corporations and approved by the state board:

12 SECTION 10. IC 20-20-1-6 IS REPEALED [EFFECTIVE JULY 1,  
13 2013]. Sec. 6: Educational service centers shall be located throughout  
14 Indiana to allow each school corporation to have an opportunity to:

15 (1) be served by; and

16 (2) participate in;

17 an approved center on a voluntary basis by resolution of the governing  
18 body:

19 SECTION 11. IC 20-20-1-7 IS REPEALED [EFFECTIVE JULY 1,  
20 2013]. Sec. 7: An educational service center shall be governed in its  
21 local administration by a board selected by an assembly comprised of  
22 the superintendent or the superintendent's designee from each  
23 participating school corporation:

24 SECTION 12. IC 20-20-1-8 IS REPEALED [EFFECTIVE JULY 1,  
25 2013]. Sec. 8: (a) The state board shall adopt uniform rules to provide  
26 for the local selection, appointment, and continuity of membership for  
27 boards:

28 (b) Vacancies on a board shall be filled by appointment by the  
29 remaining members of the board:

30 (c) Members of a board serve without compensation:

31 SECTION 13. IC 20-20-1-9 IS REPEALED [EFFECTIVE JULY 1,  
32 2013]. Sec. 9: A board may employ the following:

33 (1) An executive director for the educational service center:

34 (2) Other personnel the board considers necessary to:

35 (A) carry out the functions of the educational service center;  
36 and

37 (B) do and perform all things the board considers proper for  
38 successful operation of the center:

39 SECTION 14. IC 20-20-1-10 IS REPEALED [EFFECTIVE JULY  
40 1, 2013]. Sec. 10: (a) The state board shall provide for the selection of  
41 an advisory council to each board. The state board shall provide for the  
42 representation of:

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- (1) teachers;
- (2) elementary principals;
- (3) secondary principals;
- (4) members of the governing body; and
- (5) parents of students;

of the school corporations that are within the geographic area served by the educational service center.

(b) The advisory council shall make recommendations to the board on budgetary and program matters.

SECTION 15. IC 20-20-1-11 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 11.~~ (a) Any funds, including donated funds and funds from federal or other local sources, shall be used to pay for the costs of establishing or operating an educational service center.

(b) An educational service center may administer programs and funds from any of the sources described in subsection (a). All activities funded from federal sources must follow all applicable federal guidelines, rules, and regulations.

SECTION 16. IC 20-20-1-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 13. The state board shall adopt rules under IC 4-22-2 to administer this chapter.**

SECTION 17. IC 20-20-5.5-1 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 1.~~ As used in this chapter, "curricular materials" means:

- (1) textbooks; and
- (2) material used to supplement or replace textbooks, including:
  - (A) books and other printed material;
  - (B) computer software; and
  - (C) digital content.

SECTION 18. IC 20-20-5.5-2, AS AMENDED BY P.L.6-2012, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2.** (a) The department shall evaluate curricular materials. The evaluation must include an evaluation of:

- (1) the curricular materials' alignment to the academic standards adopted ~~established~~ by the state board ~~department~~ under ~~IC 20-31-3-1~~; **IC 20-31-3-2**; and
- (2) the appropriateness of the reading level of the curricular materials.

**(b) The department shall determine the process for evaluating curricular materials under subsection (a).**

~~(b)~~ (c) The department shall publish a report that describes the method used to conduct the evaluation required under subsection (a) and that contains the results of the evaluation. The report must:

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- 1 (1) provide a list of each curricular material evaluated and a  
 2 summary of the evaluation for each curricular material;  
 3 ~~(2) be updated annually; and~~  
 4 ~~(3)~~ **(2)** provide a listing and summary review for the curricular  
 5 materials that are aligned to the academic standards ~~adopted~~  
 6 **established** by the ~~state board~~ **department** under ~~IC 20-31-3-1~~  
 7 **IC 20-31-3-2** for the following subjects for each grade level:  
 8 (A) English/language arts, including spelling, literature, and  
 9 handwriting.  
 10 (B) Reading.  
 11 (C) Mathematics.  
 12 (D) Science.  
 13 (E) Social studies.  
 14 (F) ~~Miscellaneous.~~ **Other subject areas as determined by**  
 15 **the department;**  
 16 ~~(G) World languages.~~  
 17 **(3) include any clarification or response from the publisher of**  
 18 **a curricular material related to the department's summary**  
 19 **review provided under subdivision (2); and**  
 20 **(4) provide updated information for the subjects and grades**  
 21 **required under subdivision (2) on the earlier of the following**  
 22 **dates:**  
 23 **(A) Eighteen (18) months after the department establishes**  
 24 **standards under IC 20-31-3-2.**  
 25 **(B) Six (6) years after the previous review of curricular**  
 26 **materials under this section.**  
 27 ~~(c)~~ **(d)** A governing body and superintendent may use the report  
 28 under subsection ~~(b)~~ **(c)** in complying with IC 20-26-12-24.  
 29 ~~(d)~~ **(e)** For a publisher's curricular materials to be included in the  
 30 report under subsection ~~(b)~~; **(c)**, the publisher must:  
 31 **(1) provide the department a written, exact, and standard**  
 32 **statewide price for each curricular material;**  
 33 **(2) make the curricular materials available for sale to schools**  
 34 **for at least six (6) years after the published date of the report;**  
 35 **and**  
 36 **(3) provide or grant a license, in accordance with Sections**  
 37 **612(a)(23)(A) and 674(4) of the federal Individuals with**  
 38 **Disabilities Education Act of 2004 (20 U.S.C. 1400 et seq.) and**  
 39 **with IC 20-26-12-24(i), to the school corporation to allow for**  
 40 **reproduction of the adopted curricular materials in:**  
 41 **(A) large type;**  
 42 **(B) Braille; and**

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- 1                   **(C) audio format.**  
 2            ~~(e)~~ **(f)** A publisher may request that an update to the publisher's  
 3 curricular materials and corresponding prices replace the information  
 4 on the curricular materials set forth in the report under subsection ~~(b)~~  
 5 **(c)**.  
 6            SECTION 19. IC 20-20-5.5-3, AS ADDED BY P.L.229-2011,  
 7 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The state superintendent shall  
 9 notify the governing bodies of each school corporation, charter school,  
 10 and accredited nonpublic school immediately of:  
 11            (1) the initial publication and annual update on the department's  
 12 Internet web site of the report described in section ~~2(b)~~ **2(c)** of  
 13 this chapter, including the Internet web site address where the  
 14 report is published; and  
 15            (2) updates of the following types of information in the report  
 16 described in section ~~2(b)~~ **2(c)** of this chapter:  
 17                    (A) The addition of materials.  
 18                    (B) The removal of materials.  
 19                    (C) Changes in the per unit price of curricular materials that  
 20 exceed five percent (5%).  
 21            (b) A notification under this section must state that:  
 22                    (1) the reviews of curricular materials included in the report  
 23 described in section ~~2(b)~~ **2(c)** of this chapter are departmental  
 24 reviews only; and  
 25                    (2) each governing body has authority to adopt ~~textbooks~~  
 26 **curricular materials** for a school corporation.  
 27            SECTION 20. IC 20-20-29-4, AS ADDED BY P.L.1-2005,  
 28 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2013]: Sec. 4. A pilot program eligible to be funded under this  
 30 chapter must include all of the following:  
 31                    (1) School based management models.  
 32                    (2) Parental involvement strategies.  
 33                    (3) Innovative integration of curricula, individualized education  
 34 programs, nonstandard courses, or ~~textbook~~ **curricular materials**  
 35 adoption in the school improvement plan described under  
 36 ~~IC 20-31-4-6(6)~~. **IC 20-31-4-6(5)**.  
 37                    (4) Training for participants to become effective members on  
 38 school/community improvement councils.  
 39            SECTION 21. IC 20-23-2-3, AS ADDED BY P.L.1-2005,  
 40 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2013]: Sec. 3. (a) A county superintendent may be impeached  
 42 for immorality, incompetency, or general neglect of duty, or for acting

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1 as agent for the sale of any ~~textbook~~, **curricular materials**, school  
2 furniture, maps, charts, or other school supplies.

3 (b) Impeachment proceedings are governed by the provisions of law  
4 for impeaching county officers.

5 SECTION 22. IC 20-26-5-4, AS AMENDED BY P.L.145-2012,  
6 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2013]: Sec. 4. In carrying out the school purposes of a school  
8 corporation, the governing body acting on the school corporation's  
9 behalf has the following specific powers:

10 (1) In the name of the school corporation, to sue and be sued and  
11 to enter into contracts in matters permitted by applicable law.  
12 However, a governing body may not use funds received from the  
13 state to bring or join in an action against the state, unless the  
14 governing body is challenging an adverse decision by a state  
15 agency, board, or commission.

16 (2) To take charge of, manage, and conduct the educational affairs  
17 of the school corporation and to establish, locate, and provide the  
18 necessary schools, school libraries, other libraries where  
19 permitted by law, other buildings, facilities, property, and  
20 equipment.

21 (3) To appropriate from the school corporation's general fund an  
22 amount, not to exceed the greater of three thousand dollars  
23 (\$3,000) per budget year or one dollar (\$1) per pupil, not to  
24 exceed twelve thousand five hundred dollars (\$12,500), based on  
25 the school corporation's previous year's ADM, to promote the best  
26 interests of the school corporation through:

27 (A) the purchase of meals, decorations, memorabilia, or  
28 awards;

29 (B) provision for expenses incurred in interviewing job  
30 applicants; or

31 (C) developing relations with other governmental units.

32 (4) To:

33 (A) Acquire, construct, erect, maintain, hold, and contract for  
34 construction, erection, or maintenance of real estate, real estate  
35 improvements, or an interest in real estate or real estate  
36 improvements, as the governing body considers necessary for  
37 school purposes, including buildings, parts of buildings,  
38 additions to buildings, rooms, gymnasiums, auditoriums,  
39 playgrounds, playing and athletic fields, facilities for physical  
40 training, buildings for administrative, office, warehouse, repair  
41 activities, or housing school owned buses, landscaping, walks,  
42 drives, parking areas, roadways, easements and facilities for

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1 power, sewer, water, roadway, access, storm and surface  
2 water, drinking water, gas, electricity, other utilities and  
3 similar purposes, by purchase, either outright for cash (or  
4 under conditional sales or purchase money contracts providing  
5 for a retention of a security interest by the seller until payment  
6 is made or by notes where the contract, security retention, or  
7 note is permitted by applicable law), by exchange, by gift, by  
8 devise, by eminent domain, by lease with or without option to  
9 purchase, or by lease under IC 20-47-2, IC 20-47-3, or  
10 IC 20-47-5.

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

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

19 (5) To acquire personal property or an interest in personal  
20 property as the governing body considers necessary for school  
21 purposes, including buses, motor vehicles, equipment, apparatus,  
22 appliances, books, furniture, and supplies, either by cash purchase  
23 or under conditional sales or purchase money contracts providing  
24 for a security interest by the seller until payment is made or by  
25 notes where the contract, security, retention, or note is permitted  
26 by applicable law, by gift, by devise, by loan, or by lease with or  
27 without option to purchase and to repair, remodel, remove,  
28 relocate, and demolish the personal property. All purchases and  
29 contracts specified under the powers authorized under subdivision

30 (4) and this subdivision are subject solely to applicable law  
31 relating to purchases and contracting by municipal corporations  
32 in general and to the supervisory control of state agencies as  
33 provided in section 6 of this chapter.

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

41 (7) To lease any school property for a rental that the governing  
42 body considers reasonable or to permit the free use of school

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property for:  
(A) civic or public purposes; or  
(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session; if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.  
(8) To:  
(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.  
(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.  
(C) Classify persons or services described in this subdivision and to adopt schedules of salaries or compensation that are consistent with IC 20-28-9-1.  
(D) Determine the number of the persons or the amount of the

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services employed or contracted for as provided in this subdivision.

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

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers. The forms and procedures relating to the use of computer and data processing equipment in handling the financial affairs of the school corporation must be submitted to the state board of accounts for approval so that the services are used by the school corporation when the governing body determines that it is in the best interest of the school corporation while at the same time providing reasonable accountability for the funds expended.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.

(10) Subject to IC 20-27-13, to transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children and without regard to the distance the children live from the school. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To

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1 operate the lunch program as an extracurricular activity, subject  
 2 to the supervision of the governing body. To participate in a  
 3 surplus commodity or lunch aid program.

4 (12) To purchase ~~textbooks~~, **curricular materials**, to furnish  
 5 ~~textbooks~~ **curricular materials** without cost or to rent ~~textbooks~~  
 6 **curricular materials** to students, to participate in a ~~textbook~~  
 7 **curricular materials** aid program, all in accordance with  
 8 applicable law.

9 (13) To accept students transferred from other school corporations  
 10 and to transfer students to other school corporations in accordance  
 11 with applicable law.

12 (14) To make budgets, to appropriate funds, and to disburse the  
 13 money of the school corporation in accordance with applicable  
 14 law. To borrow money against current tax collections and  
 15 otherwise to borrow money, in accordance with IC 20-48-1.

16 (15) To purchase insurance or to establish and maintain a  
 17 program of self-insurance relating to the liability of the school  
 18 corporation or the school corporation's employees in connection  
 19 with motor vehicles or property and for additional coverage to the  
 20 extent permitted and in accordance with IC 34-13-3-20. To  
 21 purchase additional insurance or to establish and maintain a  
 22 program of self-insurance protecting the school corporation and  
 23 members of the governing body, employees, contractors, or agents  
 24 of the school corporation from liability, risk, accident, or loss  
 25 related to school property, school contract, school or school  
 26 related activity, including the purchase of insurance or the  
 27 establishment and maintenance of a self-insurance program  
 28 protecting persons described in this subdivision against false  
 29 imprisonment, false arrest, libel, or slander for acts committed in  
 30 the course of the persons' employment, protecting the school  
 31 corporation for fire and extended coverage and other casualty  
 32 risks to the extent of replacement cost, loss of use, and other  
 33 insurable risks relating to property owned, leased, or held by the  
 34 school corporation. In accordance with IC 20-26-17, to:

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

37 (B) purchase insurance; or

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

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

42 (16) To make all applications, to enter into all contracts, and to

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sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

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

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

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 by specific language or by reference to other law.

SECTION 23. IC 20-26-12-1, AS AMENDED BY P.L.73-2011,

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1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsections (b) and  
3 (c) and notwithstanding any other law, each governing body shall  
4 purchase from a publisher, either individually or through a purchasing  
5 cooperative of school corporations, the ~~textbooks~~ **curricular materials**  
6 selected by the proper local officials, and shall rent ~~these textbooks~~ **the**  
7 **curricular materials** to each student enrolled in a public school that  
8 is:

9 (1) in compliance with the minimum certification standards of the  
10 state board; and

11 (2) located within the attendance unit served by the governing  
12 body.

13 (b) This section does not prohibit the purchase of ~~textbooks~~  
14 **curricular materials** at the option of a student or the providing of free  
15 ~~textbooks~~ **curricular materials** by the governing body under sections  
16 6 through 21 of this chapter.

17 (c) This section does not prohibit a governing body from suspending  
18 the operation of this section under a contract entered into under  
19 IC 20-26-15.

20 SECTION 24. IC 20-26-12-2, AS AMENDED BY P.L.73-2011,  
21 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2013]: Sec. 2. (a) A governing body may purchase from a  
23 publisher, any ~~textbook~~ **curricular material** selected by the proper  
24 local officials. The governing body may rent ~~these textbooks~~ **the**  
25 **curricular materials** to students enrolled in any public or nonpublic  
26 school that is:

27 (1) in compliance with the minimum certification standards of the  
28 state board; and

29 (2) located within the attendance unit served by the governing  
30 body.

31 The annual rental rate may not exceed twenty-five percent (25%) of the  
32 retail price of the ~~textbooks~~ **curricular materials**.

33 (b) Notwithstanding subsection (a), the governing body may not  
34 assess a rental fee of more than fifteen percent (15%) of the retail price  
35 of a ~~textbook~~ **curricular materials** that ~~has~~ **have** been:

36 (1) extended for usage by students under section 24(e) of this  
37 chapter; and

38 (2) paid for through rental fees previously collected.

39 (c) This section does not limit other laws.

40 SECTION 25. IC 20-26-12-3, AS ADDED BY P.L.1-2005,  
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2013]: Sec. 3. (a) Upon a written determination by the

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1 governing body of a school corporation that a ~~textbook~~ **curricular**  
 2 **materials is are** no longer scheduled for use in the school corporation,  
 3 the governing body may sell, exchange, transfer, or otherwise convey  
 4 the ~~textbook~~ **curricular materials**. However, before a governing body  
 5 may mutilate or otherwise destroy a ~~textbook~~, **the curricular**  
 6 **materials**, the governing body must first comply with the following  
 7 provisions:

- 8 (1) Subsection (b).  
 9 (2) Subsection (c).  
 10 (3) Section 4 of this chapter.  
 11 (4) Section 5 of this chapter.

12 (b) Before a governing body may mutilate or otherwise destroy a  
 13 ~~textbook~~, **curricular materials**, the governing body shall provide at no  
 14 cost and subject to availability one (1) copy of ~~each textbook~~ **any**  
 15 **curricular material** that is no longer scheduled for use in the school  
 16 corporation to:

- 17 (1) the parent of each student who is enrolled in the school  
 18 corporation and who wishes to receive a copy of the ~~textbook~~;  
 19 **curricular materials**; and  
 20 (2) if any ~~textbooks~~ **curricular materials** remain after  
 21 distribution under subdivision (1), to any resident of the school  
 22 corporation who wishes to receive a copy of the ~~textbook~~;  
 23 **curricular materials**.

24 (c) If a governing body does not sell, exchange, transfer, or  
 25 otherwise convey unused ~~textbooks~~ **curricular materials** under  
 26 subsection (a) or (b), each public elementary and secondary school in  
 27 the governing body's school corporation shall provide storage for at  
 28 least three (3) months for the ~~textbooks~~ **curricular materials** in the  
 29 school corporation. A school corporation may sell or otherwise convey  
 30 the ~~textbooks~~ **curricular materials** to another school corporation at  
 31 any time during the period of storage.

32 SECTION 26. IC 20-26-12-4, AS ADDED BY P.L.1-2005,  
 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2013]: Sec. 4. (a) A school corporation shall compile a list of  
 35 ~~textbooks~~ **curricular materials** in storage under section 3 of this  
 36 chapter. The list must include the names of the publishers and the  
 37 number of volumes being stored. The list must be mailed to the  
 38 department. The department shall maintain a master list of all  
 39 ~~textbooks~~ **curricular materials** being stored by school corporations.

40 (b) Upon request, the state superintendent shall mail to a nonprofit  
 41 corporation or institution located in Indiana a list of ~~textbooks~~  
 42 **curricular materials** available for access. A nonprofit corporation or

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1 institution may acquire the ~~textbooks~~ **curricular materials** from the  
 2 appropriate school corporation by paying only the cost of shipping and  
 3 mailing.

4 SECTION 27. IC 20-26-12-5, AS ADDED BY P.L.1-2005,  
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2013]: Sec. 5. ~~Textbooks~~ **Curricular materials** stored for at  
 7 least three (3) months under section 3 of this chapter may not be  
 8 mutilated or destroyed and must be maintained and stored according to  
 9 regulations prescribed by local and state health authorities. ~~Textbooks~~  
 10 **Curricular materials** that have not been requested after at least three  
 11 (3) months may be mutilated, destroyed, or otherwise disposed of by  
 12 the school corporation.

13 SECTION 28. IC 20-26-12-6, AS AMENDED BY P.L.73-2011,  
 14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2013]: Sec. 6. (a) Sections 7 through 21 of this chapter apply  
 16 to school libraries that contain free ~~textbooks~~ **curricular materials**.  
 17 The ~~textbooks~~ **curricular materials** must be selected by the proper  
 18 local officials.

19 (b) As used in sections 6 7 through 21 of this chapter, "resident  
 20 student" means a student enrolled in any of the grades in any school  
 21 located in a school corporation, whether the student resides there or is  
 22 transferred there for school purposes.

23 SECTION 29. IC 20-26-12-7, AS ADDED BY P.L.1-2005,  
 24 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2013]: Sec. 7. (a) If a petition requesting the establishment of  
 26 an elementary school library is filed with a governing body, the  
 27 governing body shall provide a library containing ~~textbooks~~ **curricular**  
 28 **materials** in sufficient numbers to meet the needs of every resident  
 29 student in each of the eight (8) grades of each elementary school. The  
 30 petition must be signed by at least fifty-one percent (51%) of the  
 31 registered voters of the governing body's school corporation.

32 (b) This subsection applies to a governing body that has established  
 33 an elementary school library under subsection (a). If a petition  
 34 requesting establishment of a high school library is filed with the  
 35 governing body, the governing body shall provide a library containing  
 36 ~~textbooks~~ **curricular materials** in sufficient numbers to meet the  
 37 needs of every resident student in each of the four (4) grades of each  
 38 high school. The petition must be signed by at least twenty percent  
 39 (20%) of the voters of the school corporation as determined by the total  
 40 vote cast at the last general election for the trustee of the township,  
 41 clerk of the town, or mayor of the city.

42 SECTION 30. IC 20-26-12-8, AS ADDED BY P.L.1-2005,



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1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2013]: Sec. 8. A petition for an elementary or a high school  
3 library under section 7 of this chapter must be in substantially the  
4 following form:

5 To the governing body of the school corporation of \_\_\_\_\_  
6 We, the undersigned voters of the school corporation of \_\_\_\_\_  
7 respectfully petition the governing body of the school corporation of  
8 \_\_\_\_\_ to establish an elementary school (or high school, as  
9 appropriate) library and to lend its school ~~textbooks~~ **curricular**  
10 **materials** free of charge to the resident students of the school  
11 corporation of \_\_\_\_\_, under IC 20-26-12.

12 NAME ADDRESS DATE  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 STATE OF INDIANA )  
16 ) SS:  
17 \_\_\_\_\_ COUNTY )

18 \_\_\_\_\_ being duly sworn, deposes and says that he or she is  
19 the circulator of this petition paper and that the appended signatures  
20 were made in his or her presence and are the genuine signatures of the  
21 persons whose names they purport to be.

22 Signed \_\_\_\_\_  
23 Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_,  
24 20\_\_ . \_\_\_\_\_ Notary Public

25 SECTION 31. IC 20-26-12-13, AS ADDED BY P.L.1-2005,  
26 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2013]: Sec. 13. If a sufficient petition is filed under section 11  
28 of this chapter, a governing body shall note on the records of the  
29 governing body's school corporation that by filing the petition the  
30 school corporation must maintain:

- 31 (1) an elementary school library containing ~~textbooks~~ **curricular**
- 32 **materials** in sufficient numbers to meet the needs of every
- 33 resident student in each of the first eight (8) grades of each
- 34 elementary school located within the school corporation; or
- 35 (2) a high school library containing ~~textbooks~~ **curricular**
- 36 **materials** in sufficient numbers to meet the needs of every
- 37 resident student in each of the four (4) grades of each high school
- 38 located within the school corporation;
- 39 as applicable.

40 SECTION 32. IC 20-26-12-14, AS ADDED BY P.L.1-2005,  
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2013]: Sec. 14. (a) This subsection applies to a school

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1 corporation described in section 13(1) of this chapter. The governing  
 2 body shall make the first appropriation from the school corporation's  
 3 general fund in August following the petition's filing. Not later than the  
 4 school term following the first appropriation, the library must be  
 5 established and ~~textbooks~~ **curricular materials** must be loaned to  
 6 resident students enrolled in the first five (5) grades of the elementary  
 7 school. Not later than the second school term following the first  
 8 appropriation, ~~textbooks~~ **curricular materials** must be procured and  
 9 loaned to resident students enrolled in the eight (8) grades of the  
 10 elementary school.

11 (b) This subsection applies to a school corporation described in  
 12 section 13(2) of this chapter. The governing body shall make the first  
 13 appropriation from the school corporation's general fund in September  
 14 following the petition's filing. Not later than the second school term  
 15 following the first appropriation, the library must be established and  
 16 ~~textbooks~~ **curricular materials** of the library must be loaned to  
 17 resident students enrolled in grade nine of the high school. During each  
 18 following school term, ~~textbooks~~ **curricular materials** must be  
 19 procured and loaned to resident students for an additional high school  
 20 grade, in addition to the earlier high school grades.

21 SECTION 33. IC 20-26-12-15, AS AMENDED BY P.L.73-2011,  
 22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2013]: Sec. 15. (a) A governing body shall purchase the  
 24 necessary ~~textbooks~~ **curricular materials** from publishers. The  
 25 publisher shall ship the ~~textbooks~~ **curricular materials** to the  
 26 governing body not more than ninety (90) days after the requisition. On  
 27 receipt of the ~~textbooks~~, **curricular materials**, the governing body's  
 28 school corporation has custody of the ~~textbooks~~. **curricular materials**.  
 29 The governing body shall provide a receipt to the contracting publisher  
 30 and reimburse the contracting publisher the amount owed by the school  
 31 corporation from the school corporation's general fund.

32 (b) A governing body shall purchase ~~textbooks~~: **curricular**  
 33 **materials**:

- 34 (1) from a resident student who presents the ~~textbooks~~ **curricular**
- 35 **materials** for sale on or before the beginning of the school term
- 36 in which the ~~books~~ **curricular materials** are to be used;
- 37 (2) with money from the school corporation's general fund; and
- 38 (3) at a price based on the original price to the school corporation
- 39 minus a reasonable reduction for damage from usage.

40 SECTION 34. IC 20-26-12-16, AS ADDED BY P.L.1-2005,  
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2013]: Sec. 16. Upon receipt of the ~~textbooks~~, **curricular**

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1 **materials**, a governing body shall loan the ~~textbooks~~ **curricular**  
 2 **materials** at no charge to each resident student. Library ~~textbooks~~  
 3 **curricular materials** are available to each resident student under this  
 4 chapter and under regulations prescribed by the superintendent and  
 5 governing body of the school corporation.

6 SECTION 35. IC 20-26-12-18, AS ADDED BY P.L.1-2005,  
 7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2013]: Sec. 18. A governing body may provide a sufficient  
 9 ~~number amount~~ of ~~textbooks~~ **curricular materials** for sale to resident  
 10 students at the price stipulated in the contracts under which the  
 11 ~~textbooks~~ **curricular materials** are supplied to the governing body's  
 12 school corporation. Proceeds from sales under this section must be paid  
 13 into the school corporation's general fund.

14 SECTION 36. IC 20-26-12-19, AS ADDED BY P.L.1-2005,  
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2013]: Sec. 19. A governing body shall provide sufficient  
 17 library facilities for the ~~textbooks~~ **curricular materials** to best  
 18 accommodate the resident students.

19 SECTION 37. IC 20-26-12-20, AS ADDED BY P.L.1-2005,  
 20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2013]: Sec. 20. A governing body shall prescribe reasonable  
 22 rules and regulations for the care, custody, and return of library  
 23 ~~textbooks;~~ **curricular materials**. A resident student using library  
 24 ~~textbooks~~ **curricular materials** is responsible for the loss, mutilation,  
 25 or defacement of the library ~~textbooks;~~ **curricular materials**, other  
 26 than reasonable wear.

27 SECTION 38. IC 20-26-12-21, AS ADDED BY P.L.1-2005,  
 28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2013]: Sec. 21. A governing body shall provide for the  
 30 fumigation or destruction of library ~~textbooks~~ **curricular materials** at  
 31 the times and under regulations prescribed by local and state health  
 32 authorities. Before a governing body may mutilate or otherwise destroy  
 33 ~~a textbook;~~ **curricular materials**, the governing body shall provide at  
 34 no cost and subject to availability one (1) copy of ~~each textbook~~ **any**  
 35 **curricular material** that is no longer scheduled for use in the school  
 36 corporation to:

- 37 (1) the parent of each child who is enrolled in the school  
 38 corporation and who wishes to receive a copy of the ~~textbook;~~  
 39 **curricular material**; and  
 40 (2) if any ~~textbooks~~ **curricular materials** remain after  
 41 distribution under subdivision (1), to any resident of the school  
 42 corporation who wishes to receive a copy of the ~~textbook~~.

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1           **curricular materials.**

2           SECTION 39. IC 20-26-12-22, AS ADDED BY P.L.1-2005,  
3           SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2013]: Sec. 22. If a school corporation purchases ~~textbooks~~  
5           **curricular materials** on a time basis:

6           (1) the schedule for payments shall coincide with student  
7           payments to the school corporation for ~~textbook~~ **curricular**  
8           **material** rental; and

9           (2) the schedule must not require the school corporation to  
10           assume a greater burden than payment of twenty-five percent  
11           (25%) within thirty (30) days after the beginning of the school  
12           year immediately following delivery by the contracting publisher  
13           with the school corporation's promissory note evidencing the  
14           unpaid balance.

15           SECTION 40. IC 20-26-12-23, AS AMENDED BY P.L.73-2011,  
16           SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17           JULY 1, 2013]: Sec. 23. (a) A school corporation may:

18           (1) borrow money to buy ~~textbooks~~; **curricular materials**; and

19           (2) issue notes, maturing serially in not more than six (6) years  
20           and payable from its general fund, to secure the loan.

21           However, when an adoption is made by the proper local officials for  
22           less than six (6) years, the period for which the notes may be issued is  
23           limited to the period for which that adoption is effective.

24           (b) Notwithstanding subsection (a), a school township may not  
25           borrow money to purchase ~~textbooks~~ **curricular materials** unless a  
26           petition requesting such an action and bearing the signatures of  
27           twenty-five percent (25%) of the resident taxpayers of the school  
28           township has been presented to and approved by the township trustee  
29           and township board.

30           SECTION 41. IC 20-26-12-24, AS AMENDED BY P.L.229-2011,  
31           SECTION 174, IS AMENDED TO READ AS FOLLOWS  
32           [EFFECTIVE JULY 1, 2013]: Sec. 24. (a) The superintendent shall  
33           establish procedures for ~~textbook~~ **curricular materials** adoption.

34           (b) The governing body, upon receiving these recommendations  
35           from the superintendent, shall adopt a ~~textbook~~ **curricular materials**  
36           for use in teaching each subject in the school corporation.

37           (c) A special committee of teachers and parents may also be  
38           appointed to review books, magazines, and audiovisual material used  
39           or proposed for use in the classroom to supplement state adopted  
40           ~~textbooks~~ **curricular materials** and may make recommendations to the  
41           superintendent and the governing body concerning the use of ~~this~~  
42           **material: these materials.**

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1 (d) ~~A textbook~~ **Curricular materials** selected shall be used for the  
2 lesser of:

3 (1) six (6) years; or

4 (2) the effective period of the academic standards adopted by the  
5 state board to which ~~that textbook is~~ **curricular materials are**  
6 aligned.

7 (e) A selection may be extended beyond that period for up to six (6)  
8 years.

9 (f) The governing body may, if the governing body considers it  
10 appropriate, retain ~~a textbook~~ **curricular materials** adopted under this  
11 section and authorize the purchase of supplemental materials to ensure  
12 continued alignment with academic standards adopted by the state  
13 board.

14 (g) The superintendent, advisory committee, and governing body  
15 may consider using the list of curricular materials ~~(as defined in~~  
16 ~~IC 20-20-5.5-1)~~ provided by the department under IC 20-20-5.5.

17 (h) Notwithstanding subsection (g) and this chapter, the  
18 superintendent, advisory committee, and governing body shall adopt  
19 reading ~~textbooks~~ **curricular materials** from the list of recommended  
20 curricular materials provided by the department under IC 20-20-5.5.

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

27 (1) large type;

28 (2) Braille; and

29 (3) audio format.

30 SECTION 42. IC 20-26-12-25 IS REPEALED [EFFECTIVE JULY  
31 1, 2013]. ~~Sec. 25. After a local superintendent has selected textbooks~~  
32 ~~under this chapter, and not later than July 1, when new contracts~~  
33 ~~become effective, the superintendent shall forward to the state board a~~  
34 ~~list of those selections for all subjects and grades.~~

35 SECTION 43. IC 20-26-12-26, AS ADDED BY P.L.1-2005,  
36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2013]: Sec. 26. If a family moves during the school term from  
38 one (1) school corporation to another within the state, the corporation  
39 from which they move shall:

40 (1) evaluate the affected children's ~~textbooks;~~ **curricular**  
41 **materials;** and

42 (2) offer to purchase the ~~textbooks~~ **curricular materials** at a

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- 1 reasonable price for resale to any family that moves into that  
 2 corporation during a school term.
- 3 SECTION 44. IC 20-26-15-5, AS AMENDED BY P.L.6-2012,  
 4 SECTION 133, IS AMENDED TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2013]: Sec. 5. Notwithstanding any other law,  
 6 the operation of the following is suspended for a freeway school  
 7 corporation or a freeway school if the governing body of the school  
 8 corporation elects to have the specific statute or rule suspended in the  
 9 contract:
- 10 (1) The following statutes and rules concerning curriculum and  
 11 instructional time:  
 12 IC 20-30-2-7  
 13 IC 20-30-5-8  
 14 IC 20-30-5-9  
 15 IC 20-30-5-11  
 16 511 IAC 6-7-6  
 17 511 IAC 6.1-5-0.5  
 18 511 IAC 6.1-5-1  
 19 511 IAC 6.1-5-2.5  
 20 511 IAC 6.1-5-3.5  
 21 511 IAC 6.1-5-4.
- 22 (2) The following rule concerning pupil/teacher ratios:  
 23 511 IAC 6.1-4-1.
- 24 (3) The following statutes and rules concerning ~~textbooks:~~  
 25 **curricular materials:**  
 26 IC 20-26-12-24  
 27 IC 20-26-12-26  
 28 IC 20-26-12-1  
 29 IC 20-26-12-2  
 30 511 IAC 6.1-5-5.
- 31 (4) 511 IAC 6-7, concerning graduation requirements.  
 32 (5) IC 20-31-4, concerning the performance based accreditation  
 33 system.  
 34 (6) IC 20-32-5, concerning the ISTEP program established under  
 35 IC 20-32-5-15, if an alternative locally adopted assessment  
 36 program is adopted under section 6(7) of this chapter.
- 37 SECTION 45. IC 20-29-6-7, AS AMENDED BY P.L.48-2011,  
 38 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2013]: Sec. 7. A school employer shall discuss with the  
 40 exclusive representative of certificated employees the following items:  
 41 (1) Curriculum development and revision.  
 42 (2) ~~Textbook~~ **Curricular materials** selection.

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- 1 (3) Teaching methods.  
 2 (4) Hiring, evaluation, promotion, demotion, transfer, assignment,  
 3 and retention of certificated employees.  
 4 (5) Student discipline.  
 5 (6) Expulsion or supervision of students.  
 6 (7) Pupil/teacher ratio.  
 7 (8) Class size or budget appropriations.  
 8 (9) Safety issues for students and employees in the workplace,  
 9 except those items required to be kept confidential by state or  
 10 federal law.  
 11 (10) Hours.
- 12 SECTION 46. IC 20-30-5-2, AS ADDED BY P.L.1-2005,  
 13 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2013]: Sec. 2. (a) Each public and nonpublic high school shall  
 15 provide a required course that is:  
 16 (1) not less than one (1) year of school work; and  
 17 (2) in the:  
 18 (A) historical;  
 19 (B) political;  
 20 (C) civic;  
 21 (D) sociological;  
 22 (E) economical; and  
 23 (F) philosophical;  
 24 aspects of the constitutions of Indiana and the United States.
- 25 (b) The state board shall:  
 26 (1) prescribe the course described in this section and the course's  
 27 appropriate outlines; and  
 28 (2) adopt the necessary ~~textbooks~~ **curricular materials** for  
 29 uniform instruction.
- 30 (c) A high school student may not receive a diploma unless the  
 31 student has successfully completed the interdisciplinary course  
 32 described in this section.
- 33 SECTION 47. IC 20-30-5-17, AS ADDED BY P.L.1-2005,  
 34 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2013]: Sec. 17. (a) A school corporation shall make available  
 36 for inspection by the parent of a student any instructional materials,  
 37 including:  
 38 (1) teachers' manuals;  
 39 (2) ~~textbooks~~; **curricular materials**;  
 40 (3) films or other video materials;  
 41 (4) tapes; and  
 42 (5) other materials;

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1 used in connection with a personal analysis, an evaluation, or a survey  
2 described in subsection (b).

3 (b) A student shall not be required to participate in a personal  
4 analysis, an evaluation, or a survey that is not directly related to  
5 academic instruction and that reveals or attempts to affect the student's  
6 attitudes, habits, traits, opinions, beliefs, or feelings concerning:

- 7 (1) political affiliations;  
8 (2) religious beliefs or practices;  
9 (3) mental or psychological conditions that may embarrass the  
10 student or the student's family;  
11 (4) sexual behavior or attitudes;  
12 (5) illegal, antisocial, self-incriminating, or demeaning behavior;  
13 (6) critical appraisals of other individuals with whom the student  
14 has a close family relationship;  
15 (7) legally recognized privileged or confidential relationships,  
16 including a relationship with a lawyer, minister, or physician; or  
17 (8) income (except as required by law to determine eligibility for  
18 participation in a program or for receiving financial assistance  
19 under a program);

20 without the prior consent of the student if the student is an adult or an  
21 emancipated minor or the prior written consent of the student's parent  
22 if the student is an unemancipated minor. A parental consent form for  
23 a personal analysis, an evaluation, or a survey described in this section  
24 shall accurately reflect the contents and nature of the personal analysis,  
25 evaluation, or survey.

26 (c) The department and the governing body shall give parents and  
27 students notice of their rights under this section.

28 (d) The governing body shall enforce this section.

29 SECTION 48. IC 20-30-8-7, AS AMENDED BY P.L.2-2006,  
30 SECTION 144, IS AMENDED TO READ AS FOLLOWS  
31 [EFFECTIVE JULY 1, 2013]: Sec. 7. The program organizer may  
32 request the approval from the department for the following:

- 33 (1) To receive the grant for alternative education programs under  
34 IC 20-20-33.  
35 (2) To be granted waivers from rules adopted by the state board  
36 that may otherwise interfere with the objectives of the alternative  
37 education program, including waivers of:  
38 (A) certain high school graduation requirements;  
39 (B) the length of the student instructional day as set forth in  
40 IC 20-30-2-2;  
41 (C) required curriculum and ~~textbooks~~; **curricular materials**;  
42 (D) teacher certification requirements; and

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1 (E) physical facility requirements.

2 SECTION 49. IC 20-30-9-7, AS AMENDED BY P.L.234-2007,  
3 SECTION 110, IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2013]: Sec. 7. The state superintendent may  
5 assist and stimulate school corporations in developing and establishing  
6 bilingual-bicultural educational services and programs specifically  
7 designed to improve educational opportunities for non-English  
8 dominant students. Funds may be used for the following:

9 (1) To provide educational services not available to the  
10 non-English dominant students in sufficient quantity or quality,  
11 including:

12 (A) remedial and compensatory instruction, psychological, and  
13 other services designed to assist and encourage non-English  
14 dominant students to enter, remain in, or reenter elementary or  
15 secondary school;

16 (B) comprehensive academic instruction and career and  
17 technical instruction;

18 (C) instructional materials (such as library books, ~~textbooks,~~  
19 **curricular materials**, and other printed or published or  
20 audiovisual materials) and equipment;

21 (D) comprehensive guidance, counseling, and testing services;

22 (E) special education programs for persons with disabilities;

23 (F) preschool programs; and

24 (G) other services that meet the purposes of this subdivision.

25 (2) To establish and operate exemplary and innovative  
26 educational programs and resource centers that involve new  
27 educational approaches, methods, and techniques designed to  
28 enrich programs of elementary and secondary education for  
29 non-English dominant students.

30 SECTION 50. IC 20-31-5-5, AS ADDED BY P.L.1-2005,  
31 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2013]: Sec. 5. (a) A plan may include a request for a waiver  
33 of applicability of a rule or statute to a school.

34 (b) The governing body may waive any rule adopted by the state  
35 board for which a waiver is requested in a plan, except for a rule that  
36 is characterized as follows:

37 (1) The rule relates to the health or safety of students or school  
38 personnel.

39 (2) The rule is a special education rule under 511 IAC 7.

40 (3) Suspension of the rule brings the school into noncompliance  
41 with federal statutes or regulations.

42 (4) The rule concerns curriculum or ~~textbooks.~~ **curricular**

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1 **materials.**

2 (c) Upon request of the governing body and under a plan, the state  
3 board may waive for a school or a school corporation any statute or rule  
4 relating to the following:

5 (1) Curriculum.

6 (2) ~~Textbook~~ **Curricular materials** selection.

7 SECTION 51. IC 20-33-5-3, AS AMENDED BY P.L.73-2011,  
8 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2013]: Sec. 3. (a) If a parent of a child or an emancipated  
10 minor who is enrolled in a public school, in kindergarten or grades 1  
11 through 12, meets the financial eligibility standard under section 2 of  
12 this chapter, the parent or the emancipated minor may not be required  
13 to pay the fees for school books, supplies, or other required class fees.  
14 The fees shall be paid by the school corporation that the child attends.

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

18 (c) To the extent the reimbursement received by the school  
19 corporation is less than the ~~textbook~~ **curricular materials** rental fee  
20 assessed for ~~textbooks~~ **curricular materials**, that have been adopted  
21 under ~~IC 20-20-5-1 through IC 20-20-5-4~~, the school corporation may  
22 request that the parent or emancipated minor pay the balance of this  
23 amount.

24 SECTION 52. IC 20-33-5-7, AS AMENDED BY P.L.229-2011,  
25 SECTION 192, IS AMENDED TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) If a determination is made  
27 that the applicant is eligible for assistance, the school corporation shall  
28 pay the cost of the student's required fees.

29 (b) A school corporation shall receive a reimbursement from the  
30 department for some or all of the costs incurred by a school corporation  
31 during a school year in providing ~~textbook~~ **curricular materials**  
32 assistance to students who are eligible under section 2 of this chapter.

33 (c) To be guaranteed some level of reimbursement from the  
34 department, the governing body of a school corporation shall request  
35 the reimbursement before November 1 of a school year.

36 (d) In its request, the governing body shall certify to the department:

37 (1) the number of students who are enrolled in that school  
38 corporation and who are eligible for assistance under this chapter;

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

40 (A) ~~textbooks~~ **curricular materials** (including ~~textbooks~~  
41 **curricular materials** used in special education and high  
42 ability classes) to these students;

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- 1 (B) workbooks, digital content, and consumable ~~textbooks~~  
 2 **curricular materials** (including workbooks, consumable  
 3 ~~textbooks~~, **curricular materials**, and other consumable  
 4 instructional materials that are used in special education and  
 5 high ability classes) that are used by students for not more than  
 6 one (1) school year; **and**  
 7 (C) instead of the purchase of ~~textbooks~~, **curricular**  
 8 **materials**, developmentally appropriate material for  
 9 instruction in kindergarten through the grade 3 level,  
 10 laboratories, and children's literature programs; **and**  
 11 ~~(D) curricular materials; (as defined in IC 20-20-5.5-1);~~  
 12 (3) that ~~each textbook~~ **the curricular materials** described in  
 13 subdivision (2)(A) (except ~~those textbooks~~ **curricular materials**  
 14 used in special education classes and high ability classes) **has**  
 15 **have** been adopted by the governing body; and  
 16 (4) any other information required by the department.  
 17 (e) Each school within a school corporation shall maintain complete  
 18 and accurate information concerning the number of students  
 19 determined to be eligible for assistance under this chapter. This  
 20 information shall be provided to the department upon request.  
 21 (f) Parents receiving other governmental assistance or aid that  
 22 considers educational needs in computing the entire amount of  
 23 assistance granted may not be denied assistance if the applicant's total  
 24 family income does not exceed the standards established by this  
 25 chapter.  
 26 (g) The amount of reimbursement that a school corporation is  
 27 entitled to receive shall be determined as provided in section 9.5 of this  
 28 chapter.  
 29 SECTION 53. IC 20-33-5-9, AS AMENDED BY P.L.229-2011,  
 30 SECTION 193, IS AMENDED TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) If a parent of a child or an  
 32 emancipated minor who is enrolled in an accredited nonpublic school  
 33 meets the financial eligibility standard under section 2 of this chapter,  
 34 the parent or the emancipated minor may receive a reimbursement from  
 35 the department as provided in this chapter for the costs or some of the  
 36 costs incurred by the parent or emancipated minor in fees that are  
 37 reimbursable under section 7 of this chapter.  
 38 (b) The department shall provide each accredited nonpublic school  
 39 with sufficient application forms for assistance, prescribed by the state  
 40 board of accounts.  
 41 (c) Each accredited nonpublic school shall provide the parents or  
 42 emancipated minors who wish to apply for assistance with:



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- 1 (1) the appropriate application forms; and  
 2 (2) any assistance needed in completing the application form.
- 3 (d) The parent or emancipated minor shall submit the application to  
 4 the accredited nonpublic school. The accredited nonpublic school shall  
 5 make a determination of financial eligibility subject to appeal by the  
 6 parent or emancipated minor.
- 7 (e) If a determination is made that the applicant is eligible for  
 8 assistance, subsection (a) applies.
- 9 (f) To be guaranteed some level of reimbursement from the  
 10 department, the principal or other designee shall submit the  
 11 reimbursement request before November 1 of a school year.
- 12 (g) In its request, the principal or other designee shall certify to the  
 13 department:
- 14 (1) the number of students who are enrolled in the accredited  
 15 nonpublic school and who are eligible for assistance under this  
 16 chapter;
- 17 (2) the costs incurred in providing:
- 18 (A) ~~textbooks~~ **curricular materials** (including ~~textbooks~~  
 19 **curricular materials** used in special education and high  
 20 ability classes); **and**
- 21 (B) workbooks, digital content, and consumable ~~textbooks~~  
 22 **curricular materials** (including workbooks, consumable  
 23 ~~textbooks~~; **curricular materials**, and other consumable  
 24 teaching materials that are used in special education and high  
 25 ability classes) that are used by students for not more than one  
 26 (1) school year; ~~and~~
- 27 ~~(C) curricular materials (as defined in IC 20-20-5.5-1);~~
- 28 (3) that ~~each textbook~~ **the curricular materials** described in  
 29 subdivision (2)(A) (except ~~those textbooks~~ **any curricular**  
 30 **materials** used in special education classes and high ability  
 31 classes) ~~has~~ **have** been adopted by the governing body; and
- 32 (4) any other information required by the department.
- 33 (h) The amount of reimbursement that a parent or emancipated  
 34 minor is entitled to receive shall be determined as provided in section  
 35 9.5 of this chapter.
- 36 (i) The accredited nonpublic school shall distribute the money  
 37 received under this chapter to the appropriate eligible parents or  
 38 emancipated minors.
- 39 (j) Section ~~7(h)~~ **7(f)** of this chapter applies to parents or  
 40 emancipated minors as described in this section.
- 41 (k) The accredited nonpublic school and the department shall  
 42 maintain complete and accurate information concerning the number of

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1 applicants determined to be eligible for assistance under this section.  
2 (l) The state board shall adopt rules under IC 4-22-2 to implement  
3 this section.

4 SECTION 54. IC 20-33-5-14, AS ADDED BY P.L.1-2005,  
5 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2013]: Sec. 14. (a) The school ~~textbook~~ **curricular materials**  
7 reimbursement contingency fund is established to reimburse school  
8 corporations, eligible parents of children who attend accredited  
9 nonpublic schools, and emancipated minors who attend accredited  
10 nonpublic schools as provided in section 9 of this chapter for assistance  
11 provided under this chapter. The fund consists of money appropriated  
12 to the fund by the general assembly. The state superintendent shall  
13 administer the fund.

14 (b) The treasurer of state shall invest the money in the school  
15 ~~textbook~~ **curricular materials** reimbursement contingency fund not  
16 currently needed to meet the obligations of the fund in the same  
17 manner as other public funds may be invested.

18 SECTION 55. IC 20-40-9-7, AS ADDED BY P.L.2-2006,  
19 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Money in the fund may be  
21 used for payment of all unreimbursed costs of ~~textbooks~~ **curricular**  
22 **materials** for the school corporation's students who were eligible for  
23 free or reduced lunches in the previous school year.

24 (b) The governing body may transfer the amount levied to cover  
25 unreimbursed costs of ~~textbooks~~ **curricular materials** under this  
26 section to the ~~textbook~~ **curricular materials** rental fund or  
27 extracurricular account.

28 SECTION 56. IC 20-41-1-2, AS ADDED BY P.L.2-2006,  
29 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2013]: Sec. 2. Any self-supporting programs  
31 maintained by a school corporation, including:

- 32 (1) school lunch; and  
33 (2) rental or sale of ~~textbooks~~; **curricular materials**;  
34 may be established as separate funds, separate and apart from the  
35 general fund, if no local tax rate is established for the programs.

36 SECTION 57. IC 20-41-2-2, AS ADDED BY P.L.2-2006,  
37 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
38 [EFFECTIVE JULY 1, 2013]: Sec. 2. Each township trustee in  
39 operating a ~~textbook~~ **curricular materials** rental program may use  
40 either of the following accounting methods:

- 41 (1) The township trustee may supervise and control the program  
42 through its school corporation account by establishing a ~~textbook~~

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**curricular materials** rental fund.

(2) If ~~textbooks~~ **curricular materials** have not been purchased and financial commitments or guarantees for the purchases have not been made by the school corporation, the township trustee may have the program operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts under IC 20-41-1.

SECTION 58. IC 20-41-2-3, AS ADDED BY P.L.2-2006, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) If a school lunch fund is established under section 1 of this chapter or a ~~textbook~~ **curricular materials** rental fund is established under section 2 of this chapter, the receipts and expenditures for each program shall be made to and from the proper fund without appropriation or the application of other laws relating to the budgets of local governmental units.

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

SECTION 59. IC 20-41-2-5, AS ADDED BY P.L.2-2006, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) A governing body in operating a ~~textbook~~ **curricular materials** rental program under IC 20-26-5-4(12) may use either of the following accounting methods:

(1) The governing body may supervise and control the program through the school corporation account, establishing a ~~textbook~~ **curricular materials** rental fund.

(2) If ~~textbooks~~ **curricular materials** have not been purchased and financial commitments or guarantees for the purchases have not been made by the school corporation, the governing body may cause the program to be operated by the individual schools of the school corporation through the school corporation's extracurricular account or accounts in accordance with IC 20-41-1.

(b) If the governing body determines that a hardship exists due to the inability of a student's family to purchase or rent ~~textbooks~~, **curricular materials**, taking into consideration the income of the family and the demands on the family, the governing body may furnish ~~textbooks~~ **curricular materials** to the student without charge, without reference to the application of any other statute or rule except

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1 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and  
2 IC 20-48-1.

3 SECTION 60. IC 20-41-2-6, AS ADDED BY P.L.2-2006,  
4 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) If a school lunch fund is  
6 established under section 4 of this chapter and a ~~textbook~~ **curricular**  
7 **materials** rental fund is established under section 5 of this chapter, the  
8 receipts and expenditures from a fund for the program to which the  
9 fund relates shall be made to and from the fund without appropriation  
10 or the application of other statutes and rules relating to the budgets of  
11 municipal corporations.

12 (b) If either the lunch program or ~~textbook~~ **curricular materials**  
13 rental program is handled through the extracurricular account, the  
14 governing body of the school corporation shall approve the amount of  
15 the bond of the treasurer of the extracurricular account in an amount  
16 the governing body considers sufficient to protect the account for all  
17 funds coming into the hands of the treasurer of the account.

18 SECTION 61. IC 20-42-3-10, AS AMENDED BY P.L.3-2008,  
19 SECTION 121, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2013]: Sec. 10. The trustee, with the advice and  
21 consent of the township board, shall use the account for the following  
22 educational purposes:

23 (1) Each year the trustee shall pay to the parent or legal guardian  
24 of any child whose residence is within the township, the initial  
25 cost for the rental of ~~textbooks~~ **curricular materials** used in any  
26 elementary or secondary school that has been accredited by the  
27 state. The reimbursement for the rental of ~~textbooks~~ **curricular**  
28 **materials** shall be for the initial yearly rental charge only.  
29 ~~Textbooks~~ **Curricular materials** subsequently lost or destroyed  
30 may not be paid for from this account.

31 (2) Students who are residents of the township for the last two (2)  
32 years of their secondary education and who still reside within the  
33 township are entitled to receive financial assistance in an amount  
34 not to exceed an amount determined by the trustee and the  
35 township board during an annual review of postsecondary  
36 education fees and tuition costs of education at any accredited  
37 postsecondary educational institution. Amounts to be paid to each  
38 eligible student shall be set annually after this review. The  
39 amount paid each year must be:

- 40 (A) equitable for every eligible student without regard to race,  
41 religion, creed, sex, disability, or national origin; and  
42 (B) based on the number of students and the amount of funds

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- 1 available each year.
- 2 (3) A person who has been a permanent resident of the township
- 3 continuously for at least two (2) years and who needs educational
- 4 assistance for job training or retraining may apply to the trustee
- 5 of the township for financial assistance. The trustee and the
- 6 township board shall review each application and make assistance
- 7 available according to the need of each applicant and the
- 8 availability of funds.
- 9 (4) If all the available funds are not used in any one (1) year, the
- 10 unused funds shall be retained in the account by the trustee for
- 11 use in succeeding years.

12 SECTION 62. IC 20-42.5-2-1, AS ADDED BY P.L.2-2007,  
 13 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2013]: Sec. 1. A school corporation  
 15 individually, in collaboration with other school corporations, and  
 16 through the educational services centers may undertake action to  
 17 reduce noninstructional expenditures and allocate the resulting savings  
 18 to student instruction and learning. Actions taken under this section  
 19 include the following:

20 (1) Pooling of resources with other school corporations for  
 21 liability insurance, property and casualty insurance, worker's  
 22 compensation insurance, employee health insurance, vision  
 23 insurance, dental insurance, or other insurance, whether by  
 24 pooling risks for coverage or for the purchase of coverage, or by  
 25 the creation of or participation in insurance trusts, subject to the  
 26 following:

27 (A) School corporations that elect to pool assets for coverage  
 28 must create a trust under Indiana law for the assets. The trust  
 29 is subject to regulation by the department of insurance as  
 30 follows:

- 31 (i) The trust must be registered with the department of
- 32 insurance.
- 33 (ii) The trust shall obtain stop loss insurance issued by an
- 34 insurer authorized to do business in Indiana with an
- 35 aggregate retention of not more than one hundred
- 36 twenty-five percent (125%) of the amount of expected
- 37 claims for the following year.
- 38 (iii) Contributions by the school corporations must be set at
- 39 one hundred percent (100%) of the aggregate retention plus
- 40 all other costs of the trust.
- 41 (iv) The trust shall maintain a fidelity bond in an amount
- 42 approved by the department of insurance. The fidelity bond

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- 1 must cover each person responsible for the trust for acts of
- 2 fraud or dishonesty in servicing the trust.
- 3 (v) The trust is subject to IC 27-4-1-4.5 regarding claims
- 4 settlement practices.
- 5 (vi) The trust shall file an annual financial statement in the
- 6 form required by IC 27-1-3-13 not later than March 1 of
- 7 each year.
- 8 (vii) The trust is not covered by the Indiana insurance
- 9 guaranty association created under IC 27-6-8. The liability
- 10 of each school corporation is joint and several.
- 11 (viii) The trust is subject to examination by the department
- 12 of insurance. All costs associated with an examination shall
- 13 be borne by the trust.
- 14 (ix) The department of insurance may deny, suspend, or
- 15 revoke the registration of a trust if the commissioner finds
- 16 that the trust is in a hazardous financial condition, the trust
- 17 refuses to be examined or produce records for examination,
- 18 or the trust has failed to pay a final judgment rendered
- 19 against the trust by a court within thirty (30) days.
- 20 (B) The department of insurance may adopt rules under
- 21 IC 4-22-2 to implement this subdivision.
- 22 (2) Electing, as an individual school corporation or as more than
- 23 one (1) school corporation acting jointly, to aggregate purchases
- 24 of natural gas commodity supply from any available natural gas
- 25 commodity seller for all schools included in the aggregated
- 26 purchases. A rate schedule that is:
- 27 (A) filed by a natural gas utility; and
- 28 (B) approved by the Indiana utility regulatory commission;
- 29 must include provisions that allow a school corporation or school
- 30 corporations acting jointly to elect to make aggregated purchases
- 31 of natural gas commodity supplies. Upon request from a school
- 32 corporation, a natural gas utility shall summarize the rates and
- 33 charges for providing services to each school in the school
- 34 corporation on one (1) summary bill for remitting payment to the
- 35 utility.
- 36 (3) Consolidating purchases with other school corporations or
- 37 units of government of the following:
- 38 (A) School buses and other vehicles and vehicle fleets.
- 39 (B) Fuel, maintenance, or other services for vehicles or vehicle
- 40 fleets.
- 41 (C) Food services.
- 42 (D) Facilities management services.

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- 1 (E) Transportation management services.
- 2 (F) ~~Textbooks~~, **Curricular materials**, technology, and other
- 3 school materials and supplies.
- 4 (G) Any other purchases a school corporation may require.
- 5 Purchases may be made by contiguous school corporations, as
- 6 part of regional consolidated purchasing arrangements, or from
- 7 consolidated sources under multistate cooperative bidding
- 8 arrangements.
- 9 SECTION 63. IC 20-42.5-3-1, AS ADDED BY P.L.2-2007,
- 10 SECTION 240, IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2013]: Sec. 1. The state board shall explore
- 12 methods, including statewide purchases, to reduce the expense to
- 13 school corporations for the purchase of the following:
- 14 (1) ~~Textbooks~~. **Curricular materials**.
- 15 (2) Technology.
- 16 (3) School buses and other vehicles.
- 17 (4) Other areas of expenses as determined by the state board.
- 18 SECTION 64. IC 36-1-11-1, AS AMENDED BY P.L.154-2012,
- 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2013]: Sec. 1. (a) Except as provided in subsection (b), this
- 21 chapter applies to the disposal of property by:
- 22 (1) political subdivisions; and
- 23 (2) ~~their~~ **agencies of political subdivisions**.
- 24 (b) This chapter does not apply to the following:
- 25 (1) The disposal of property under an urban homesteading
- 26 program under IC 36-7-17.
- 27 (2) The lease of school buildings under IC 20-47.
- 28 (3) The sale of land to a lessor in a lease-purchase contract under
- 29 IC 36-1-10.
- 30 (4) The disposal of property by a redevelopment commission
- 31 established under IC 36-7.
- 32 (5) The leasing of property by a board of aviation commissioners
- 33 established under IC 8-22-2 or an airport authority established
- 34 under IC 8-22-3.
- 35 (6) The disposal of a municipally owned utility under IC 8-1.5.
- 36 (7) The sale or lease of property by a unit to an Indiana nonprofit
- 37 corporation organized for educational, literary, scientific,
- 38 religious, or charitable purposes that is exempt from federal
- 39 income taxation under Section 501 of the Internal Revenue Code
- 40 or the sale or reletting of that property by the nonprofit
- 41 corporation.
- 42 (8) The disposal of surplus property by a hospital established and

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- 1 operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8,  
 2 IC 16-23-1, or IC 16-24-1.
- 3 (9) The sale or lease of property acquired under IC 36-7-13 for  
 4 industrial development.
- 5 (10) The sale, lease, or disposal of property by a local hospital  
 6 authority under IC 5-1-4.
- 7 (11) The sale or other disposition of property by a county or  
 8 municipality to finance housing under IC 5-20-2.
- 9 (12) The disposition of property by a soil and water conservation  
 10 district under IC 14-32.
- 11 (13) The sale, lease, or disposal of property by the health and  
 12 hospital corporation established and operated under IC 16-22-8.
- 13 (14) The disposal of personal property by a library board under  
 14 IC 36-12-3-5(c).
- 15 (15) The sale or disposal of property by the historic preservation  
 16 commission under IC 36-7-11.1.
- 17 (16) The disposal of an interest in property by a housing authority  
 18 under IC 36-7-18.
- 19 (17) The disposal of property under IC 36-9-37-26.
- 20 (18) The disposal of property used for park purposes under  
 21 IC 36-10-7-8.
- 22 (19) The disposal of ~~textbooks~~ **curricular materials** that will no  
 23 longer be used by school corporations under IC 20-26-12.
- 24 (20) The disposal of residential structures or improvements by a  
 25 municipal corporation without consideration to:
- 26 (A) a governmental entity; or
- 27 (B) a nonprofit corporation that is organized to expand the  
 28 supply or sustain the existing supply of good quality,  
 29 affordable housing for residents of Indiana having low or  
 30 moderate incomes.
- 31 (21) The disposal of historic property without consideration to a  
 32 nonprofit corporation whose charter or articles of incorporation  
 33 allows the corporation to take action for the preservation of  
 34 historic property. As used in this subdivision, "historic property"  
 35 means property that is:
- 36 (A) listed on the National Register of Historic Places; or
- 37 (B) eligible for listing on the National Register of Historic  
 38 Places, as determined by the division of historic preservation  
 39 and archeology of the department of natural resources.
- 40 (22) The disposal of real property without consideration to:
- 41 (A) a governmental agency; or
- 42 (B) a nonprofit corporation that exists for the primary purpose

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1           of enhancing the environment;  
2           when the property is to be used for compliance with a permit or  
3           an order issued by a federal or state regulatory agency to mitigate  
4           an adverse environmental impact.  
5           (23) The disposal of property to a person under an agreement  
6           between the person and a political subdivision or an agency of a  
7           political subdivision under IC 5-23.  
8           (24) The disposal of residential real property pursuant to a federal  
9           aviation regulation (14 CFR 150) Airport Noise Compatibility  
10          Planning Program as approved by the Federal Aviation  
11          Administration.

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