

ARTICLE 3. SCHOOL SCHOLARSHIP PROGRAM

Rule 1. School Eligibility

512 IAC 3-1-1 Definitions

Authority: IC 20-51-3-11

Affected: IC 6-3.1-30.5; IC 20-18-2-13; IC 20-18-2-16; IC 20-19-2-2; IC 20-19-3-1; IC 20-51-1; IC 20-51-3-1

Sec. 1. (a) The definitions in this section apply throughout this article.

(b) "Department" means the department of education established by IC 20-19-3-1.

(c) "Eligible student" means an individual who meets the requirements in IC 20-51-1-5.

(d) For purposes of IC 20-51-1-5, an individual is enrolled in a public school if the student attended a public school and the attendance is substantiated by an:

(1) official transcript from the public school; or

(2) attendance entry by the public school in the department's official attendance report.

(e) "Parent" has the meaning set forth in IC 20-18-2-13.

(f) "Participating school" means a school that meets the requirements in IC 20-51-1-6 and this rule.

(g) "Scholarship granting organization" means an organization that meets the requirements in the following:

(1) IC 6-3.1-30.5.

(2) IC 20-51-3-1.

(3) IC 20-51-1-7.

(4) This article.

(h) "School corporation" has the meaning set forth in IC 20-18-2-16.

(i) "State board" refers to the Indiana state board of education established by IC 20-19-2-2. (*Department of Education; 512 IAC 3-1-1; filed Apr 27, 2011, 10:49 a.m.: 20110525-IR-512100724FRA; readopted filed Nov 27, 2017, 11:17 a.m.: 20171227-IR-512170434RFA*)

512 IAC 3-1-2 Department report

Authority: IC 20-51-3-11

Affected: IC 20-26-11; IC 20-26-15; IC 20-51

Sec. 2. (a) To be eligible as a participating school, a school must meet one (1) of the following:

(1) The school is operated by a school corporation other than the school corporation in which an eligible student has legal settlement as determined under IC 20-26-11.

(2) The school is a nonpublic school accredited by the state board, including a freeway school accredited under IC 20-26-15.

(3) The school is a nonpublic school that meets both of the following:

(A) The school is accredited by a national or regional accreditation agency that is recognized by the state board for purposes of IC 20-31-4 [*IC 20-31-4 was repealed by P.L.92-2020, SECTION 68, effective March 18, 2020.*].

(B) The school administers a nationally recognized and norm-referenced assessment to the school's students.

(b) The department shall do the following:

(1) Annually publish lists of the following:

(A) Accrediting agencies recognized by the state board.

(B) Nationally recognized and norm-referenced assessments.

(2) Establish and publish procedures to receive and evaluate requests to add accrediting agencies and assessments to the lists published under subdivision (1).

(*Department of Education; 512 IAC 3-1-2; filed Apr 27, 2011, 10:49 a.m.: 20110525-IR-512100724FRA; readopted filed Nov 27, 2017, 11:17 a.m.: 20171227-IR-512170434RFA*)

512 IAC 3-1-3 Reporting requirements; scholarship granting organization; department

Authority: IC 20-51-3-11

Affected: IC 4-21.5; IC 6-3.1-30.5; IC 6-8.1-2-1; IC 20-51

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Sec. 3. (a) In addition to the requirements under IC 20-51-3-1 and for purposes of permitting the department to conduct a financial review or an audit under IC 20-51-3-10, a scholarship granting organization must maintain the following information for each student who applies for a scholarship:

- (1) The student's name and address.
- (2) The name and address of the parents of the student.
- (3) The eligible participating school the student will attend.
- (4) The student's date of birth.
- (5) The student's grade level.
- (6) The family income.
- (7) Any other basis for qualifying for a scholarship, including previous scholarships or requirements of the scholarship granting organization.
- (8) For a student who is denied a scholarship, the reason for denial.

(b) The information in subsection (a) must be maintained for a period of five (5) years after the end of the last school year for which the student applied for a scholarship.

(c) The scholarship granting organization is not required to update the information in subsection (a) after the last school year for which the student applied for a scholarship.

(d) For purposes of permitting the department to notify affected eligible students and their parents if the department suspends or terminates the certification of an organization as a scholarship granting organization, as required by IC 20-51-3-9, a scholarship granting organization shall provide the following information to the department for each eligible student awarded a scholarship:

- (1) The student's name and address.
- (2) The names and address of the parents of the student.

(e) Prior to public distribution, a scholarship granting organization shall provide the department with actual or electronic copies of the following documents and materials related to the organization's program:

- (1) Policies.
- (2) Procedures.
- (3) Promotional or descriptive materials about the program, including eligibility criteria and application forms.
- (f) The department shall publish a list of scholarship granting organizations.

(g) The department may, in a proceeding under IC 4-21.5, suspend or terminate the certification of a scholarship granting organization if the department establishes that the organization failed to comply with the requirements of any of the following:

- (1) IC 6-3.1-30.5.
- (2) IC 20-51.
- (3) This article.

(h) The department will notify the department of revenue established by IC 6-8.1-2-1 whenever the department takes one (1) of the following actions:

- (1) Certifies a scholarship granting organization.
- (2) Terminates certification of a scholarship granting organization.

(Department of Education; 512 IAC 3-1-3; filed Apr 27, 2011, 10:49 a.m.: 20110525-IR-512100724FRA; readopted filed Nov 27, 2017, 11:17 a.m.: 20171227-IR-512170434RFA)

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