

HOUSE BILL No. 1430

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-8-3; IC 20-26; IC 20-26.5-2-3; IC 20-33-5; IC 20-40; IC 20-41; IC 20-42-3-10.

Synopsis: Elimination of textbook fees. Requires each public school to provide curricular materials at no cost to each student enrolled in the public school. Establishes the curricular materials fund (fund) to provide state advancements for costs incurred by public schools in providing curricular materials to students at no cost. Provides that the department of education (department) shall administer the fund. Provides that for state fiscal years beginning after June 30, 2021, money in the fund is continually appropriated. Requires the department to submit an amount necessary to fully fund curricular materials for each public school student. Requests an appropriation in the state budget for the biennium beginning July 1, 2021, and ending June 30, 2023, to fund curricular materials. Repeals a requirement that a school corporation must offer curricular materials at a reasonable rate to a family that moves during the school term. Repeals a requirement that a township trustee must use specified accounting methods for a curricular materials rental fund. Makes corresponding changes.

Effective: July 1, 2020; July 1, 2021.

Hatfield

January 15, 2020, read first time and referred to Committee on Education.



Second Regular Session of the 121st General Assembly (2020)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1430

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 20-19-8-3, AS ADDED BY P.L.174-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 3. (a) The legislative council is urged to assign to
4 the study committee during the 2019, 2020, 2021, and 2022 interims
5 the study of the following:
6 (1) How to do the following:
7 (A) Eliminate, reduce, or streamline the number of education
8 mandates placed on schools.
9 (B) Streamline fiscal and compliance reporting to the general
10 assembly on a sustainable and systematic basis.
11 (2) During the 2019 interim, the following:
12 (A) The following provisions:
13 IC 5-2-10.1-11 (school safety specialist).
14 IC 5-11-1-27 (local government internal control standards).
15 IC 20-20-40-13 (restraint and seclusion; notice requirement;
16 training; elements of the restraint and seclusion plan).
17 IC 20-26-5-34.2 (bullying prevention; training for



- 1 employees and volunteers).
 2 IC 20-26-13 (graduation rate determination).
 3 IC 20-26-16-4 (school corporation police officer minimum
 4 training requirements).
 5 IC 20-26-18 (criminal gang measures).
 6 IC 20-26-18.2 (school resource officers).
 7 IC 20-28-3-4.5 (training on child abuse and neglect).
 8 IC 20-28-3-6 (youth suicide awareness and prevention
 9 training).
 10 IC 20-28-3-7 (training on human trafficking).
 11 IC 20-28-5-3(c) (cardiopulmonary resuscitation training).
 12 IC 20-34-7 (student athletes: concussions and head injuries).
 13 (B) The relation, if applicable, of any requirements under
 14 provisions listed in clause (A) with the following federal
 15 provisions, and whether any of the requirements under
 16 provisions listed in clause (A) or other state law can be
 17 streamlined with the federal provisions to alleviate
 18 administrative burdens for schools:
 19 29 CFR 1910.1030 (bloodborne pathogens).
 20 29 CFR 1910.147 (lock out/tag out).
 21 (3) During the 2020 interim, the following:
 22 (A) The following provisions:
 23 IC 5-11-1-27 (local government internal control standards).
 24 IC 5-22-8-2 (purchases below fifty thousand dollars
 25 (\$50,000)).
 26 IC 20-19-6.2 (Indiana family friendly school designation
 27 program).
 28 IC 20-26-3-5 (constitutional or statutory exercise of powers;
 29 written policy).
 30 IC 20-26-5-1 (power and purpose to conduct various
 31 education programs).
 32 IC 20-26-5-10 (adoption of criminal history background and
 33 child protection index check policy; implementation of
 34 policy).
 35 IC 20-26-5-34.4 (child suicide awareness and prevention).
 36 IC 20-33-2-14 (compulsory attendance; school corporation
 37 policy; exceptions; service as page or honoree of general
 38 assembly).
 39 IC 20-33-8-12 (adoption of discipline rules; publicity
 40 requirement; discipline policy regulations and guidelines;
 41 delegation of authority; rulemaking powers of governing
 42 body).



- 1 IC 20-33-8-13.5 (discipline rules prohibiting bullying
2 required).
- 3 IC 20-33-8-32 (locker searches).
- 4 IC 20-43-10-3.5 (teacher appreciation grants).
- 5 410 IAC 33-4-3 (vehicles idling).
- 6 410 IAC 33-4-7 (policy for animals in the classroom).
- 7 410 IAC 33-4-8 (policy to minimize student exposure to
8 chemicals).
- 9 511 IAC 6-10-4 (postsecondary enrollment program local
10 policies).
- 11 511 IAC 6.1-5-9 (required homework policy).
- 12 511 IAC 6.1-5-10 (policy prohibiting retaining students for
13 athletic purposes).
- 14 511 IAC 7-36-9 (medication administration).
- 15 511 IAC 7-42-10 (least restrictive environment and delivery
16 of special education and related services).
- 17 (B) The relation, if applicable, of any requirements under
18 provisions listed in clause (A) with the following federal
19 provisions, and whether any of the requirements under
20 provisions listed in clause (A) or any other state law can be
21 streamlined with the federal provisions to alleviate
22 administrative burdens for schools:
- 23 20 U.S.C. 1232h(c) and 34 CFR 98.3 (parental access to
24 instructional materials).
- 25 20 U.S.C. 6318(a)(2) (parent and family engagement).
- 26 20 U.S.C. 7961(h)(1) (Gun-Free Schools Act).
- 27 41 U.S.C. 8103 and 34 CFR 84 (drug-free workplace).
- 28 42 U.S.C. 1751 through 42 U.S.C. 1769 (school lunch).
- 29 7 CFR 210.31 (local school wellness policy).
- 30 (4) During the 2021 interim, the following:
- 31 (A) The following provisions:
- 32 IC 5-3-1-3(b) through IC 5-3-1-3(e) and IC 5-3-1-3(g)
33 (publication of annual financial report).
- 34 IC 20-18-2-2.7 (definition of "curricular material").
- 35 IC 20-19-2-8 (adoption of administrative rules by the state
36 board).
- 37 IC 20-19-2-16 (federal aid concerning children with
38 disabilities).
- 39 IC 20-19-3-9.4 (disclosure of student test number
40 information).
- 41 IC 20-20-8-8 (school corporation annual performance
42 report).



- 1 IC 20-20-33 (alternative education program grants).
 2 IC 20-26-13 (graduation rate determination).
 3 IC 20-28-5-1 (department's responsibility for licensing
 4 teachers).
 5 IC 20-28-11.5-9 (staff performance evaluation reporting).
 6 IC 20-30-8 (alternative program for certain students).
 7 IC 20-33-2-3.2 (definition of "attend").
 8 IC 20-33-5-7 (public schools; ~~curricular material assistance;~~
 9 state reimbursement).
 10 IC 20-34-6 (student safety reporting).
 11 IC 20-35-5-2 (formation of special education cooperative).
 12 IC 20-36 (high ability students).
 13 IC 20-43-1-3 (definition of "honors designation award").
 14 IC 20-43-4-2 (determination of ADM).
 15 ~~IC 20-43-10-3 (determination of annual performance grant);~~
 16 IC 21-12-10 (eligibility for Mitch Daniels early graduation
 17 scholarship).
 18 511 IAC 6-9.1 (waiver of curriculum and graduation rules
 19 for high ability students).
 20 511 IAC 6.2-3.1 (reading plan).
 21 511 IAC 7-46-4 (child count data collection).
 22 511 IAC 10-6-4(a)(1) (staff evaluation measures).
 23 511 IAC 16-2-7 (creditable experience for licensing).
 24 (B) The relation, if applicable, of any requirements under
 25 provisions listed in clause (A) with the following federal
 26 provisions and whether any of the requirements under
 27 provisions listed in clause (A) or other state law can be
 28 streamlined with the federal provisions to alleviate
 29 administrative burdens for schools:
 30 20 U.S.C. 3413(c)(1) (civil rights data collection).
 31 Individuals with Disabilities Education Act (IDEA), Section
 32 618 Part C (child count reporting requirements).
 33 Elementary and Secondary Education Act of 1965 (ESEA),
 34 Section 8303, as amended by the Every Student Succeeds
 35 Act (ESSA) (consolidated reporting).
 36 34 CFR 300.601 (state performance plans and data
 37 collection).
 38 (5) During the 2022 interim, the following provisions:
 39 IC 20-30-5-5.5 (instruction on bullying prevention).
 40 IC 20-30-5-5.7 (child abuse and child sexual abuse).
 41 IC 20-30-5-7 (required curriculum).
 42 IC 20-30-5-8 (safety instruction).



- 1 IC 20-30-5-9 (hygiene instruction).
- 2 IC 20-30-5-10 (disease instruction).
- 3 IC 20-30-5-11 (drug education).
- 4 IC 20-30-5-12 (AIDS education).
- 5 IC 20-30-5-13 (human sexuality and sexually transmitted
- 6 diseases instructional requirements).
- 7 IC 20-30-5-14 (career awareness and development).
- 8 IC 20-30-5-15 (breast cancer and testicular cancer education).
- 9 IC 20-30-5-16 (human organ and blood donor program
- 10 education).
- 11 IC 20-30-5-17 (access to materials; consent for participation).
- 12 IC 20-30-5-18 (meningitis information).
- 13 IC 20-30-5-19 (personal financial responsibility instruction).
- 14 IC 20-30-5-20 (instruction in cardiopulmonary resuscitation).
- 15 IC 20-30-5-23 (computer studies).

16 (b) The study committee shall include in its annual report for each
 17 interim the study committee's recommendations, including any
 18 recommendations to the general assembly as to whether a provision
 19 described in subsection (a)(2)(A), (a)(3)(A), (a)(4)(A), or (a)(5) should
 20 **be** repealed or whether the provision may be improved to lessen the
 21 administrative burden placed on schools.

22 (c) This chapter expires January 1, 2023.

23 SECTION 2. IC 20-26-5-4, AS AMENDED BY P.L.270-2019,
 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2021]: Sec. 4. (a) In carrying out the school purposes of a
 26 school corporation, the governing body acting on the school
 27 corporation's behalf has the following specific powers:

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

34 (2) To take charge of, manage, and conduct the educational affairs
 35 of the school corporation and to establish, locate, and provide the
 36 necessary schools, school libraries, other libraries where
 37 permitted by law, other buildings, facilities, property, and
 38 equipment.

39 (3) To appropriate from the school corporation's general fund
 40 (before January 1, 2019) or the school corporation's operations
 41 fund (after December 31, 2018) an amount, not to exceed the
 42 greater of three thousand dollars (\$3,000) per budget year or one



1 dollar (\$1) per pupil, not to exceed twelve thousand five hundred
 2 dollars (\$12,500), based on the school corporation's ADM of the
 3 previous year (as defined in IC 20-43-1-7) to promote the best
 4 interests of the school corporation through:

5 (A) the purchase of meals, decorations, memorabilia, or
 6 awards;

7 (B) provision for expenses incurred in interviewing job
 8 applicants; or

9 (C) developing relations with other governmental units.

10 (4) To do the following:

11 (A) Acquire, construct, erect, maintain, hold, and contract for
 12 construction, erection, or maintenance of real estate, real estate
 13 improvements, or an interest in real estate or real estate
 14 improvements, as the governing body considers necessary for
 15 school purposes, including buildings, parts of buildings,
 16 additions to buildings, rooms, gymnasiums, auditoriums,
 17 playgrounds, playing and athletic fields, facilities for physical
 18 training, buildings for administrative, office, warehouse, repair
 19 activities, or housing school owned buses, landscaping, walks,
 20 drives, parking areas, roadways, easements and facilities for
 21 power, sewer, water, roadway, access, storm and surface
 22 water, drinking water, gas, electricity, other utilities and
 23 similar purposes, by purchase, either outright for cash (or
 24 under conditional sales or purchase money contracts providing
 25 for a retention of a security interest by the seller until payment
 26 is made or by notes where the contract, security retention, or
 27 note is permitted by applicable law), by exchange, by gift, by
 28 devise, by eminent domain, by lease with or without option to
 29 purchase, or by lease under IC 20-47-2, IC 20-47-3, or
 30 IC 20-47-5.

31 (B) Repair, remodel, remove, or demolish, or to contract for
 32 the repair, remodeling, removal, or demolition of the real
 33 estate, real estate improvements, or interest in the real estate
 34 or real estate improvements, as the governing body considers
 35 necessary for school purposes.

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

39 (5) To acquire personal property or an interest in personal
 40 property as the governing body considers necessary for school
 41 purposes, including buses, motor vehicles, equipment, apparatus,
 42 appliances, books, furniture, and supplies, either by cash purchase



1 or under conditional sales or purchase money contracts providing
 2 for a security interest by the seller until payment is made or by
 3 notes where the contract, security, retention, or note is permitted
 4 by applicable law, by gift, by devise, by loan, or by lease with or
 5 without option to purchase and to repair, remodel, remove,
 6 relocate, and demolish the personal property. All purchases and
 7 contracts specified under the powers authorized under subdivision
 8 (4) and this subdivision are subject solely to applicable law
 9 relating to purchases and contracting by municipal corporations
 10 in general and to the supervisory control of state agencies as
 11 provided in section 6 of this chapter.

12 (6) To sell or exchange real or personal property or interest in real
 13 or personal property that, in the opinion of the governing body, is
 14 not necessary for school purposes, in accordance with IC 20-26-7
 15 and IC 20-26-7.1, to demolish or otherwise dispose of the
 16 property if, in the opinion of the governing body, the property is
 17 not necessary for school purposes and is worthless, and to pay the
 18 expenses for the demolition or disposition.

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

22 (A) civic or public purposes; or
 23 (B) the operation of a school age child care program for
 24 children who are at least five (5) years of age and less than
 25 fifteen (15) years of age that operates before or after the school
 26 day, or both, and during periods when school is not in session;
 27 if the property is not needed for school purposes. Under this
 28 subdivision, the governing body may enter into a long term lease
 29 with a nonprofit corporation, community service organization, or
 30 other governmental entity, if the corporation, organization, or
 31 other governmental entity will use the property to be leased for
 32 civic or public purposes or for a school age child care program.
 33 However, if payment for the property subject to a long term lease
 34 is made from money in the school corporation's debt service fund,
 35 all proceeds from the long term lease must be deposited in the
 36 school corporation's debt service fund so long as payment for the
 37 property has not been made. The governing body may, at the
 38 governing body's option, use the procedure specified in
 39 IC 36-1-11-10 in leasing property under this subdivision.

40 (8) To do the following:
 41 (A) Employ, contract for, and discharge superintendents,
 42 supervisors, principals, teachers, librarians, athletic coaches



1 (whether or not they are otherwise employed by the school
 2 corporation and whether or not they are licensed under
 3 IC 20-28-5), business managers, superintendents of buildings
 4 and grounds, janitors, engineers, architects, physicians,
 5 dentists, nurses, accountants, teacher aides performing
 6 noninstructional duties, educational and other professional
 7 consultants, data processing and computer service for school
 8 purposes, including the making of schedules, the keeping and
 9 analyzing of grades and other student data, the keeping and
 10 preparing of warrants, payroll, and similar data where
 11 approved by the state board of accounts as provided below,
 12 and other personnel or services as the governing body
 13 considers necessary for school purposes.
 14 (B) Fix and pay the salaries and compensation of persons and
 15 services described in this subdivision that are consistent with
 16 IC 20-28-9-1.5.
 17 (C) Classify persons or services described in this subdivision
 18 and to adopt a compensation plan with a salary range that is
 19 consistent with IC 20-28-9-1.5.
 20 (D) Determine the number of the persons or the amount of the
 21 services employed or contracted for as provided in this
 22 subdivision.
 23 (E) Determine the nature and extent of the duties of the
 24 persons described in this subdivision.
 25 The compensation, terms of employment, and discharge of
 26 teachers are, however, subject to and governed by the laws
 27 relating to employment, contracting, compensation, and discharge
 28 of teachers. The compensation, terms of employment, and
 29 discharge of bus drivers are subject to and governed by laws
 30 relating to employment, contracting, compensation, and discharge
 31 of bus drivers.
 32 (9) Notwithstanding the appropriation limitation in subdivision
 33 (3), when the governing body by resolution considers a trip by an
 34 employee of the school corporation or by a member of the
 35 governing body to be in the interest of the school corporation,
 36 including attending meetings, conferences, or examining
 37 equipment, buildings, and installation in other areas, to permit the
 38 employee to be absent in connection with the trip without any loss
 39 in pay and to reimburse the employee or the member the
 40 employee's or member's reasonable lodging and meal expenses
 41 and necessary transportation expenses. To pay teaching personnel
 42 for time spent in sponsoring and working with school related trips



- 1 or activities.
- 2 (10) Subject to IC 20-27-13, to transport children to and from
- 3 school, when in the opinion of the governing body the
- 4 transportation is necessary, including considerations for the safety
- 5 of the children. The transportation must be otherwise in
- 6 accordance with applicable law.
- 7 (11) To provide a lunch program for a part or all of the students
- 8 attending the schools of the school corporation, including the
- 9 establishment of kitchens, kitchen facilities, kitchen equipment,
- 10 lunch rooms, the hiring of the necessary personnel to operate the
- 11 lunch program, and the purchase of material and supplies for the
- 12 lunch program, charging students for the operational costs of the
- 13 lunch program, fixing the price per meal or per food item. To
- 14 operate the lunch program as an extracurricular activity, subject
- 15 to the supervision of the governing body. To participate in a
- 16 surplus commodity or lunch aid program.
- 17 (12) To purchase curricular materials **and** to furnish curricular
- 18 materials without cost. ~~or to rent curricular materials to students,~~
- 19 ~~and to participate in a curricular materials aid program, all in~~
- 20 ~~accordance with applicable law.~~
- 21 (13) To accept students transferred from other school corporations
- 22 and to transfer students to other school corporations in accordance
- 23 with applicable law.
- 24 (14) To make budgets, to appropriate funds, and to disburse the
- 25 money of the school corporation in accordance with applicable
- 26 law. To borrow money against current tax collections and
- 27 otherwise to borrow money, in accordance with IC 20-48-1.
- 28 (15) To purchase insurance or to establish and maintain a
- 29 program of self-insurance relating to the liability of the school
- 30 corporation or the school corporation's employees in connection
- 31 with motor vehicles or property and for additional coverage to the
- 32 extent permitted and in accordance with IC 34-13-3-20. To
- 33 purchase additional insurance or to establish and maintain a
- 34 program of self-insurance protecting the school corporation and
- 35 members of the governing body, employees, contractors, or agents
- 36 of the school corporation from liability, risk, accident, or loss
- 37 related to school property, school contract, school or school
- 38 related activity, including the purchase of insurance or the
- 39 establishment and maintenance of a self-insurance program
- 40 protecting persons described in this subdivision against false
- 41 imprisonment, false arrest, libel, or slander for acts committed in
- 42 the course of the persons' employment, protecting the school



1 corporation for fire and extended coverage and other casualty
 2 risks to the extent of replacement cost, loss of use, and other
 3 insurable risks relating to property owned, leased, or held by the
 4 school corporation. In accordance with IC 20-26-17, to:

5 (A) participate in a state employee health plan under
 6 IC 5-10-8-6.7;

7 (B) purchase insurance; or

8 (C) establish and maintain a program of self-insurance;
 9 to benefit school corporation employees, including accident,
 10 sickness, health, or dental coverage, provided that a plan of
 11 self-insurance must include an aggregate stop-loss provision.

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

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

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

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

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

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

42 (20) To exercise any other power and make any expenditure in



1 carrying out the governing body's general powers and purposes
 2 provided in this chapter or in carrying out the powers delineated
 3 in this section which is reasonable from a business or educational
 4 standpoint in carrying out school purposes of the school
 5 corporation, including the acquisition of property or the
 6 employment or contracting for services, even though the power or
 7 expenditure is not specifically set out in this chapter. The specific
 8 powers set out in this section do not limit the general grant of
 9 powers provided in this chapter except where a limitation is set
 10 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,
 11 IC 20-40-18 (after December 31, 2018), and IC 20-48-1 by
 12 specific language or by reference to other law.

13 (b) A superintendent hired under subsection (a)(8):

14 (1) is not required to hold a teacher's license under IC 20-28-5;
 15 and

16 (2) is required to have obtained at least a master's degree from an
 17 accredited postsecondary educational institution.

18 SECTION 3. IC 20-26-5-38, AS ADDED BY P.L.94-2019,
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2021]: Sec. 38. (a) As used in this section, "juvenile detention
 21 facility" refers to the following:

22 (1) A juvenile detention facility under IC 31-31-8.

23 (2) A juvenile detention center under IC 31-31-9.

24 (3) A shelter care facility that is licensed to care for more than ten
 25 (10) children.

26 (b) As used in this section, "school materials" includes curricular
 27 materials and syllabi for a particular grade level or course. The term
 28 does not include hardware that will be consumed, accessed, or used by
 29 a single student during a semester or school year.

30 (c) If a child is or will be detained in a juvenile detention facility for
 31 more than seven (7) calendar days, the school corporation shall, upon
 32 request by the juvenile detention facility or the child's parent, provide
 33 to the juvenile detention facility the school materials for the grade level
 34 or courses in which the child is enrolled or would be enrolled if the
 35 child were not detained. The school corporation may provide the school
 36 materials in an electronic format.

37 (d) The school corporation shall, upon request by the juvenile
 38 detention facility or the child's parent, deliver to the juvenile detention
 39 facility the school materials described in subsection (c) at least once
 40 every seven (7) calendar days, excluding any days that are not student
 41 instructional days.

42 (e) ~~Except for the assessment of rental fees for curricular materials~~



1 ~~under IC 20-26-12~~; The school corporation is responsible for any costs
 2 associated with preparing and delivering school materials under this
 3 section.

4 (f) The school corporation is not required to provide school
 5 materials that have been requested by a juvenile detention facility or
 6 the child's parent under this section if the:

7 (1) child is released from the juvenile detention facility; or

8 (2) juvenile detention facility or the child's parent requests that
 9 the school corporation no longer provide the school materials.

10 SECTION 4. IC 20-26-12-1, AS AMENDED BY P.L.233-2015,
 11 SECTION 150, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2021]: Sec. 1. ~~(a) Except as provided in~~
 13 ~~subsection (b) and~~ Notwithstanding any other law, each governing
 14 body **of a school corporation and each organizer of a charter school**
 15 shall purchase from a publisher, either individually or through a
 16 purchasing cooperative of school corporations, **as applicable**, the
 17 curricular materials selected by the proper local officials, and shall **rent**
 18 **provide at no cost** the curricular materials to each student enrolled in
 19 a ~~public~~ **the school corporation or charter school. that is:**

20 ~~(1) in compliance with the minimum certification standards of the~~
 21 ~~state board; and~~

22 ~~(2) located within the attendance unit served by the governing~~
 23 ~~body.~~

24 ~~(b) This section does not prohibit a governing body from suspending~~
 25 ~~the operation of this section under a contract entered into under~~
 26 ~~IC 20-26-15.~~

27 SECTION 5. IC 20-26-12-2, AS AMENDED BY P.L.233-2015,
 28 SECTION 151, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A governing body **or an**
 30 **organizer of a charter school** may purchase from a publisher any
 31 curricular material selected by the proper local officials. The governing
 32 body **or the organizer of a charter school** may **not** rent the curricular
 33 materials to students enrolled in any public ~~or nonpublic~~ school.

34 **(b) A governing body or an organizer of a charter school may**
 35 **rent curricular materials to any nonpublic school** that is

36 ~~(1) in compliance with the minimum certification standards of the~~
 37 ~~state board. and~~

38 ~~(2) located within the attendance unit served by the governing~~
 39 ~~body.~~

40 The annual rental rate may not exceed twenty-five percent (25%) of the
 41 retail price of the curricular materials:

42 (b) Notwithstanding subsection (a), the governing body may not



1 assess a rental fee of more than twenty-five percent (25%) of the retail
2 price of curricular materials that have been:

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

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

6 (c) A governing body or an organizer of a charter school may
7 negotiate the rental rate for the curricular materials rented to any
8 nonpublic school under subsection (b).

9 (d) A governing body shall collect and deposit the amounts
10 received from the rental of curricular materials to a nonpublic
11 school into the curricular materials account, in accordance with
12 IC 20-40-22-7, in equal amounts for each public school of the
13 school corporation.

14 (e) An organizer of a charter school shall deposit all money
15 received from the rental of curricular materials to a nonpublic
16 school into the charter school's curricular materials account
17 described in IC 20-40-22-7.

18 (e) (f) This section does not limit other laws.

19 SECTION 6. IC 20-26-12-26 IS REPEALED [EFFECTIVE JULY
20 1, 2021]. Sec. 26: If a family moves during the school term from one
21 (1) school corporation to another within the state, the corporation from
22 which they move shall:

23 (1) evaluate the affected children's curricular materials; and

24 (2) offer to purchase the curricular materials at a reasonable price
25 for resale to any family that moves into that corporation during a
26 school term.

27 SECTION 7. IC 20-26-15-5, AS AMENDED BY P.L.140-2018,
28 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2021]: Sec. 5. Notwithstanding any other law, the operation
30 of the following is suspended for a freeway school corporation or a
31 freeway school if the governing body of the school corporation elects
32 to have the specific statute or rule suspended in the contract:

33 (1) The following statutes and rules concerning curriculum and
34 instructional time:

35 IC 20-30-2-7

36 IC 20-30-5-8

37 IC 20-30-5-9

38 IC 20-30-5-11

39 511 IAC 6-7-6

40 511 IAC 6.1-5-0.5

41 511 IAC 6.1-5-1

42 511 IAC 6.1-5-2.5



- 1 511 IAC 6.1-5-3.5
 2 511 IAC 6.1-5-4.
 3 (2) The following rule concerning pupil/teacher ratios:
 4 511 IAC 6.1-4-1.
 5 (3) The following statutes and rules concerning curricular
 6 materials:
 7 IC 20-26-12-24
 8 ~~IC 20-26-12-26~~
 9 IC 20-26-12-1, **except for the provision of curricular**
 10 **materials at no cost to a student in a public school.**
 11 IC 20-26-12-2
 12 511 IAC 6.1-5-5.
 13 (4) 511 IAC 6-7, concerning graduation requirements.
 14 (5) IC 20-31-4, concerning the performance based accreditation
 15 system.
 16 (6) IC 20-32-5 (before its expiration on July 1, 2018), concerning
 17 the ISTEP program established under IC 20-32-5-15, if an
 18 alternative locally adopted assessment program is adopted under
 19 section 6(4) of this chapter.
 20 SECTION 8. IC 20-26.5-2-3, AS AMENDED BY P.L.267-2019,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2021]: Sec. 3. (a) Notwithstanding any other law, the
 23 following may be suspended for a coalition member in accordance with
 24 the coalition's plan:
 25 (1) Subject to section 1(c) of this chapter, IC 20-30, concerning
 26 curriculum.
 27 (2) The following statutes and rules concerning curricular
 28 materials:
 29 IC 20-26-12-1, **except for the provision of curricular**
 30 **materials at no cost to a student in a public school.**
 31 IC 20-26-12-2.
 32 IC 20-26-12-24.
 33 ~~IC 20-26-12-26.~~
 34 511 IAC 6.1-5-5.
 35 (3) The following rules concerning teacher licenses:
 36 511 IAC 16.
 37 511 IAC 17.
 38 (4) Subject to subsection (c), IC 20-31-3 (concerning the adoption
 39 of academic standards).
 40 (5) IC 20-31-4, concerning the performance based accreditation
 41 system.
 42 (6) Except as provided in subsection (b), any other statute in



1 IC 20 or rule in 511 IAC requested to be suspended as part of the
 2 plan that is approved by the state board under section 1 of this
 3 chapter.

4 (b) A coalition member may not suspend under subsection (a)(6)
 5 any of the following:

- 6 (1) IC 20-26-5-10 (criminal history and child protection index
 7 check).
- 8 (2) IC 20-28 (school teachers).
- 9 (3) IC 20-29 (collective bargaining).
- 10 (4) IC 20-31 (accountability for performance and improvement),
 11 except for IC 20-31-3 and IC 20-31-4.
- 12 (5) Subject to subsection (c), IC 20-32-4 (graduation
 13 requirements).
- 14 (6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment
 15 Readiness Network (ILEARN) program).
- 16 (7) IC 20-33 (students).
- 17 (8) IC 20-34 (student health and safety measures).
- 18 (9) IC 20-35 (special education).
- 19 (10) IC 20-36 (high ability students).
- 20 (11) IC 20-39 (accounting and financial reporting procedures).
- 21 (12) IC 20-40 (government funds and accounts).
- 22 (13) IC 20-41 (extracurricular funds and accounts).
- 23 (14) IC 20-42 (fiduciary funds and accounts).
- 24 (15) IC 20-42.5 (allocation of expenditures to student instruction
 25 and learning).
- 26 (16) IC 20-43 (state tuition support).
- 27 (17) IC 20-44 (property tax levies).
- 28 (18) IC 20-46 (levies other than general fund levies).
- 29 (19) IC 20-47 (related entities; holding companies; lease
 30 agreements).
- 31 (20) IC 20-48 (borrowing and bonds).
- 32 (21) IC 20-49 (state management of common school funds; state
 33 advances and loans).
- 34 (22) IC 20-50 (homeless children and foster care children).

35 (c) A coalition member must comply with the postsecondary
 36 readiness competency requirements under IC 20-32-4-1.5(b)(1).
 37 However, notwithstanding any other law, a coalition member may
 38 replace high school courses on the high school transcript with courses
 39 on the same subject matter with equal or greater rigor to the required
 40 high school course and may count such a course as satisfying the
 41 equivalent diploma requirements established by IC 20 and any
 42 applicable state board administrative rules or requirements. If the



1 coalition member school offers courses that are not aligned with
 2 requirements adopted by the state board under IC 20-30-10, a parent of
 3 a student and the student who intends to enroll in a course that is not
 4 aligned with requirements adopted by the state board under
 5 IC 20-30-10 must provide consent to the coalition member school to
 6 enroll in the course. The consent form used by the coalition, which
 7 shall be developed in collaboration with the commission for higher
 8 education, must notify the parent and the student that enrollment in the
 9 course may affect the student's ability to attend a particular
 10 postsecondary educational institution or enroll in a particular course at
 11 a particular postsecondary educational institution because the course
 12 does not align with requirements established by the state board under
 13 IC 20-30-10.

14 SECTION 9. IC 20-33-5-3, AS AMENDED BY P.L.286-2013,
 15 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) If a parent of a child or an
 17 emancipated minor who is enrolled in a public school in kindergarten
 18 or grades 1 through 12 meets the financial eligibility standard under
 19 section 2 of this chapter, the parent or the emancipated minor may not
 20 be required to pay the fees for ~~curricular materials~~, supplies or other
 21 required class fees. The fees shall be paid by the school corporation
 22 that the child attends.

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

26 (c) ~~To the extent the reimbursement received by the school~~
 27 ~~corporation is less than the rental fee assessed for curricular materials,~~
 28 ~~the school corporation may request that the parent or emancipated~~
 29 ~~minor pay the balance of this amount.~~

30 SECTION 10. IC 20-33-5-5, AS ADDED BY P.L.1-2005,
 31 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2021]: Sec. 5. All school corporations must give notice in
 33 nontechnical language and in a manner that can be reasonably expected
 34 to reach parents of students, before the collection of any fees for
 35 ~~schoolbooks and supplies~~ **or other required class fees that are not**
 36 **curricular materials.** This notice must inform the parents of the
 37 following:

- 38 (1) The availability of assistance.
- 39 (2) The eligibility standards.
- 40 (3) The procedure for obtaining assistance, including the right and
 41 method of appeal.
- 42 (4) The availability of application forms at a designated school



1 office.

2 SECTION 11. IC 20-33-5-7, AS AMENDED BY P.L.286-2013,
3 SECTION 113, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2021]: Sec. 7. (a) If a determination is made
5 that the applicant is eligible for assistance, the school corporation shall
6 pay the cost of the student's required fees.

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

11 ~~(c)~~ ~~(b)~~ To be guaranteed some level of reimbursement from the
12 department, the governing body of a school corporation shall request
13 the reimbursement before November 1 of a school year.

14 ~~(d)~~ ~~(c)~~ In its request, the governing body shall certify to the
15 department:

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

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

19 ~~(A)~~ curricular materials (including curricular materials used in
20 special education and high ability classes) to these students;

21 ~~(B)~~ workbooks, digital content, and consumable curricular
22 materials (including workbooks, consumable curricular
23 materials, and other consumable instructional materials that
24 are used in special education and high ability classes) that are
25 used by students for not more than one (1) school year; and

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

30 ~~(3)~~ that the curricular materials described in subdivision ~~(2)~~(A)
31 (except curricular materials used in special education classes and
32 high ability classes) have been adopted by the governing body;
33 and

34 ~~(4)~~ ~~(2)~~ any other information required by the department.

35 ~~(e)~~ ~~(d)~~ Each school within a school corporation shall maintain
36 complete and accurate information concerning the number of students
37 determined to be eligible for assistance under this chapter. This
38 information shall be provided to the department upon request.

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



- 1 chapter.
- 2 ~~(g)~~ (f) The amount of reimbursement that a school corporation is
 3 entitled to receive shall be determined as provided in section 9.5 of this
 4 chapter.
- 5 SECTION 12. IC 20-33-5-9, AS AMENDED BY P.L.286-2013,
 6 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) If a parent of a child or an
 8 emancipated minor who is enrolled in an accredited nonpublic school
 9 meets the financial eligibility standard under section 2 of this chapter,
 10 the parent or the emancipated minor may receive a reimbursement from
 11 the department as provided in this chapter for the costs or some of the
 12 costs incurred by the parent or emancipated minor ~~in~~ **for the costs of**
 13 **curricular materials and** fees that are reimbursable under section 7
 14 of this chapter.
- 15 (b) The department shall provide each accredited nonpublic school
 16 with sufficient application forms for assistance, prescribed by the state
 17 board of accounts.
- 18 (c) Each accredited nonpublic school shall provide the parents or
 19 emancipated minors who wish to apply for assistance with:
- 20 (1) the appropriate application forms; and
 21 (2) any assistance needed in completing the application form.
- 22 (d) The parent or emancipated minor shall submit the application to
 23 the accredited nonpublic school. The accredited nonpublic school shall
 24 make a determination of financial eligibility subject to appeal by the
 25 parent or emancipated minor.
- 26 (e) If a determination is made that the applicant is eligible for
 27 assistance, subsection (a) applies.
- 28 (f) To be guaranteed some level of reimbursement from the
 29 department, the principal or other designee shall submit the
 30 reimbursement request before November 1 of a school year.
- 31 (g) In its request, the principal or other designee shall certify to the
 32 department:
- 33 (1) the number of students who are enrolled in the accredited
 34 nonpublic school and who are eligible for assistance under this
 35 chapter;
 36 (2) the costs incurred in providing:
- 37 (A) curricular materials (including curricular materials used in
 38 special education and high ability classes); and
 39 (B) workbooks, digital content, and consumable curricular
 40 materials (including workbooks, consumable curricular
 41 materials, and other consumable teaching materials that are
 42 used in special education and high ability classes) that are



- 1 used by students for not more than one (1) school year;
 2 (3) that the curricular materials described in subdivision (2)(A)
 3 (except any curricular materials used in special education classes
 4 and high ability classes) have been adopted by the governing
 5 body; and
 6 (4) any other information required by the department.

7 (h) The amount of reimbursement that a parent or emancipated
 8 minor is entitled to receive shall be determined as provided in section
 9 9.5 of this chapter.

10 (i) The accredited nonpublic school shall distribute the money
 11 received under this chapter to the appropriate eligible parents or
 12 emancipated minors.

13 (j) Section ~~7(f)~~ 7(e) of this chapter applies to parents or emancipated
 14 minors as described in this section.

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

18 (l) The state board shall adopt rules under IC 4-22-2 to implement
 19 this section.

20 SECTION 13. IC 20-33-5-11, AS AMENDED BY P.L.251-2017,
 21 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2021]: Sec. 11. (a) A school corporation may not:

- 23 (1) withhold ~~curricular materials and~~ supplies;
 24 (2) require any special services from a child; or
 25 (3) deny the child any benefit or privilege;

26 because the parent fails to pay required fees.

27 (b) Notwithstanding subsection (a), a school corporation may take
 28 any action authorized by law to collect unpaid fees from parents who
 29 are determined to be ineligible for assistance, including recovery of
 30 reasonable attorney's fees and court costs in addition to a judgment
 31 award against those parents.

32 (c) A school corporation may designate a full-time employee of the
 33 school corporation to represent the school corporation in a small claims
 34 court action under subsection (b) if the claim does not exceed one
 35 thousand five hundred dollars (\$1,500). The employee designated
 36 under this subsection is not required to be an attorney.

37 SECTION 14. IC 20-33-5-14, AS AMENDED BY P.L.286-2013,
 38 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2021]: Sec. 14. (a) The school curricular
 40 materials reimbursement contingency fund is established to reimburse
 41 ~~school corporations~~, eligible parents of children who attend accredited
 42 nonpublic schools, and emancipated minors who attend accredited



1 nonpublic schools as provided in section 9 of this chapter for assistance
 2 provided under this chapter. The fund consists of money appropriated
 3 to the fund by the general assembly. The state superintendent shall
 4 administer the fund.

5 (b) The treasurer of state shall invest the money in the school
 6 curricular materials reimbursement contingency fund not currently
 7 needed to meet the obligations of the fund in the same manner as other
 8 public funds may be invested.

9 SECTION 15. IC 20-40-9-7, AS AMENDED BY P.L.140-2018,
 10 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2021]: Sec. 7. (a) Money in the fund may be used for payment
 12 of all ~~unreimbursed~~ costs of curricular materials for the school
 13 corporation's students ~~who were eligible for free or reduced lunches in~~
 14 ~~the previous school year. that are not advanced or reimbursed from~~
 15 **the curricular materials fund established by IC 20-40-22-3.**

16 (b) Money in the fund may not be used for payment of debt service,
 17 lease payments, or similar obligations for a controlled project that is
 18 approved by the voters in a referendum under IC 6-1.1-20.

19 (c) The governing body may transfer **for each school of the school**
 20 **corporation** the amount levied to cover ~~unreimbursed~~ costs of
 21 curricular materials under this section to the **school's** curricular
 22 materials ~~rental fund~~ **account established in accordance with**
 23 **IC 20-40-22-7**, the extracurricular account, or the education fund.

24 SECTION 16. IC 20-40-22 IS ADDED TO THE INDIANA CODE
 25 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2020]:

27 **Chapter 22. Curricular Materials Fund**

28 **Sec. 1. As used in this chapter, "fund" refers to the curricular**
 29 **materials fund established by section 3 of this chapter.**

30 **Sec. 2. As used in this chapter, "public school" means a:**

- 31 (1) school maintained by a school corporation; or
 32 (2) charter school.

33 **Sec. 3. (a) The curricular materials fund is established. The**
 34 **purpose of the fund is to provide funding for state advancements**
 35 **or reimbursements of costs incurred by public schools to provide**
 36 **curricular materials to students at no cost as required under**
 37 **IC 20-26-12-1. The fund shall be administered by the department.**

38 **(b) The fund consists of the following:**

- 39 (1) Appropriations by the general assembly.
 40 (2) Donations.
 41 (3) Federal grants or other federal appropriations.
 42 (4) Interest and other earnings derived from investment of



- 1 money in the fund.
- 2 (c) Money in the fund at the end of the state fiscal year does not
3 revert to the state general fund.
- 4 (d) For a state fiscal year beginning after June 30, 2021, money
5 in the fund is continually appropriated for the purposes of this
6 chapter.
- 7 (e) Money in the fund may not be used for the costs of
8 administering this chapter.
- 9 Sec. 4. Money in the fund may be used only for the:
- 10 (1) advancement of costs; or
11 (2) reimbursement of expenditures;
12 incurred by a public school to purchase curricular materials that
13 are provided to each student at no cost as required by
14 IC 20-26-12-1.
- 15 Sec. 5. The department shall annually determine an average cost
16 amount per student for curricular materials for each public school
17 to determine the distribution amount under this chapter. The
18 amount determined by the department under this section must be
19 identical for all public schools.
- 20 Sec. 6. (a) The department shall annually determine the total
21 amount that may be distributed from the fund in a state fiscal year.
- 22 (b) Beginning July 15, 2021, and July 15 each year thereafter,
23 the department shall distribute to each public school from the
24 curricular materials fund an amount equal to the average cost
25 amount per student for curricular materials as determined under
26 section 5 of this chapter multiplied by the fall count of ADM for the
27 public school.
- 28 (c) If the total amount that may be distributed from the fund is
29 less than the amount needed to pay the cost of all curricular
30 materials provided to each student at all public schools, the
31 department shall make distributions from the fund to each public
32 school based on the cost of curricular materials per student as
33 determined under section 5 of this chapter on a pro rata basis.
- 34 Sec. 7. (a) Each public school shall establish a separate
35 curricular materials account. A public school that receives a
36 distribution of money from the curricular materials fund under
37 this chapter shall deposit the distributed amount in the public
38 school's curricular materials account established for the purpose
39 of receiving funds for the costs to the public school for curricular
40 materials. Money in the account may be used only for the costs of
41 curricular materials.
- 42 (b) Money in the curricular materials fund at the end of a school



1 **year or fiscal year does not revert to a public school's education**
 2 **fund (IC 20-40-2), operations fund (IC 20-40-18), or any other fund**
 3 **and remains available for the purposes of this chapter.**

4 SECTION 17. IC 20-41-1-2, AS AMENDED BY P.L.238-2019,
 5 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2021]: Sec. 2. Any self-supporting programs maintained by a
 7 school corporation, including

- 8 ~~(1) school lunch, and~~
 9 ~~(2) rental or sale of curricular materials;~~

10 may be established as a separate funds; **fund**, separate and apart from
 11 any other school corporation fund, if no local tax rate is established for
 12 the programs.

13 SECTION 18. IC 20-41-2-2 IS REPEALED [EFFECTIVE JULY 1,
 14 2021]. Sec. 2: Each township trustee in operating a curricular materials
 15 rental program may use either of the following accounting methods:

16 ~~(1) The township trustee may supervise and control the program~~
 17 ~~through its school corporation account by establishing a curricular~~
 18 ~~materials rental fund.~~

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

25 SECTION 19. IC 20-41-2-3, AS AMENDED BY P.L.286-2013,
 26 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) If a school lunch fund is
 28 established under section 1 of this chapter, ~~or a curricular materials~~
 29 ~~rental fund is established under section 2 of this chapter~~, the receipts
 30 and expenditures for ~~each the~~ program shall be made to and from the
 31 proper fund without appropriation or the application of other laws
 32 relating to the budgets of local governmental units.

33 (b) If ~~either a school lunch program or both programs~~ under
 34 ~~sections section 1 and 2 of this chapter are is~~ operated through the
 35 extracurricular account, the township trustee shall approve the amount
 36 of the bond of the treasurer of the extracurricular account in an amount
 37 the township trustee considers necessary to protect the account for all
 38 funds coming into the hands of the treasurer.

39 SECTION 20. IC 20-41-2-5, AS AMENDED BY P.L.140-2018,
 40 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2021]: Sec. 5. ~~(a)~~ A governing body in operating a curricular
 42 materials rental program under IC 20-26-5-4(a)(12) may use either of



1 the following accounting methods:

2 (1) The governing body may supervise and control the program
3 through the school corporation's curricular materials ~~rental~~ fund
4 or education fund.

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

11 ~~(b) If the governing body determines that a hardship exists due to~~
12 ~~the inability of a student's family to purchase or rent curricular~~
13 ~~materials; taking into consideration the income of the family and the~~
14 ~~demands on the family; the governing body may furnish curricular~~
15 ~~materials to the student without charge; without reference to the~~
16 ~~application of any other statute or rule except IC 20-26-1 through~~
17 ~~IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1.~~

18 SECTION 21. IC 20-41-2-6, AS AMENDED BY P.L.244-2017,
19 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2021]: Sec. 6. (a) If a school lunch fund is established under
21 section 4 of this chapter and the school corporation's education fund is
22 used under section 5 of this chapter, the receipts and expenditures from
23 a fund for the program to which the fund relates shall be made to and
24 from the appropriate fund without appropriation or the application of
25 other statutes and rules relating to the budgets of municipal
26 corporations.

27 (b) If either the lunch program or the curricular materials ~~rental~~
28 program is handled through the extracurricular account, the governing
29 body of the school corporation shall approve the amount of the bond of
30 the treasurer of the extracurricular account in an amount the governing
31 body considers sufficient to protect the account for all funds coming
32 into the hands of the treasurer of the account.

33 SECTION 22. IC 20-42-3-10, AS AMENDED BY P.L.286-2013,
34 SECTION 124, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2021]: Sec. 10. The trustee, with the advice and
36 consent of the township board, shall use the account for the following
37 educational purposes:

38 ~~(1) Each year the trustee shall pay, to the parent or legal guardian~~
39 ~~of any child whose residence is within the township, the initial~~
40 ~~cost for the rental of curricular materials used in any elementary~~
41 ~~or secondary school that has been accredited by the state. The~~
42 ~~reimbursement for the rental of curricular materials shall be for~~



1 the initial yearly rental charge only. Curricular materials
 2 subsequently lost or destroyed may not be paid for from this
 3 account.

4 ~~(2)~~ (1) Students who are residents of the township for the last two
 5 (2) years of their secondary education and who still reside within
 6 the township are entitled to receive financial assistance in an
 7 amount not to exceed an amount determined by the trustee and
 8 the township board during an annual review of postsecondary
 9 education fees and tuition costs of education at any accredited
 10 postsecondary educational institution. Amounts to be paid to each
 11 eligible student shall be set annually after this review. The
 12 amount paid each year must be:

13 (A) equitable for every eligible student without regard to race,
 14 religion, creed, sex, disability, or national origin; and

15 (B) based on the number of students and the amount of funds
 16 available each year.

17 ~~(3)~~ (2) A person who has been a permanent resident of the
 18 township continuously for at least two (2) years and who needs
 19 educational assistance for job training or retraining may apply to
 20 the trustee of the township for financial assistance. The trustee
 21 and the township board shall review each application and make
 22 assistance available according to the need of each applicant and
 23 the availability of funds.

24 ~~(4)~~ (3) If all the available funds are not used in any one (1) year,
 25 the unused funds shall be retained in the account by the trustee for
 26 use in succeeding years.

27 SECTION 23. [EFFECTIVE JULY 1, 2021] (a) **Not later than July**
 28 **15, 2021, each:**

29 (1) **township trustee that operates a school corporation; or**

30 (2) **governing body of a school corporation;**

31 **shall distribute an equal amount of the remaining balance from the**
 32 **school corporation's curricular materials rental fund, established**
 33 **under IC 20-41-2, into the curricular materials account of each**
 34 **public school of the school corporation that is established in**
 35 **accordance with IC 20-40-22-7, as added by this act.**

36 (b) **This SECTION expires January 1, 2022.**

37 SECTION 24. [EFFECTIVE JULY 1, 2020] (a) **As used in this**
 38 **SECTION, "curricular materials fund" refers to the curricular**
 39 **materials fund established by IC 20-40-22-3, as added by this act.**

40 (b) **Not later than November 1, 2020, the department of**
 41 **education shall submit to the budget committee and, in an**
 42 **electronic format under IC 5-14-6, to the general assembly an**



1 estimate of the amount of funding necessary to fully fund
 2 advancements and reimbursements from the curricular materials
 3 fund in the state budget for the biennium beginning July 1, 2021,
 4 and ending June 30, 2023.

5 (c) The state can and should appropriate from the state general
 6 fund an amount sufficient to fully fund advancements and
 7 reimbursements from the curricular materials fund in the state
 8 budget for the biennium beginning July 1, 2021, and ending June
 9 30, 2023.

10 (d) This SECTION expires July 1, 2022.

11 SECTION 25. [EFFECTIVE JULY 1, 2020] (a) As used in this
 12 SECTION, "MOE requirement" means the state maintenance of
 13 effort required under the federal Temporary Assistance for Needy
 14 Families (TANF) program.

15 (b) As used in this SECTION, "office" refers to the office of the
 16 secretary of family and social services.

17 (c) The office shall do the following:

18 (1) Prepare a report that includes the following:

19 (A) Information regarding whether there are any funds
 20 available that could meet the MOE requirement that are
 21 not currently being used to meet the MOE requirement.

22 (B) An estimate of the amount of additional funds that are
 23 needed to meet the MOE requirement because of the
 24 elimination of the textbook reimbursement program by
 25 this act.

26 (C) Recommendations regarding the appropriation of
 27 sufficient funds to meet the MOE requirement.

28 (2) Not later than November 1, 2020, submit the report
 29 prepared under subdivision (1) to the following:

30 (A) The budget committee.

31 (B) The general assembly in an electronic format under
 32 IC 5-14-6.

33 (d) The general assembly shall appropriate from the state
 34 general fund to the office an amount sufficient to meet MOE
 35 requirements in the state budget for the biennium beginning July
 36 1, 2021, and ending June 30, 2023.

37 (e) This SECTION expires July 1, 2023.

