

SENATE BILL No. 162

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-5; IC 20-51-4.

Synopsis: Curricular materials and school vouchers. Requires a new application form to be used to receive financial assistance for curricular material fees or to receive a choice scholarship. Requires schools to submit the individual applications to the department of education. Requires the department of education to submit 10% of the applications each year to the department of state revenue for income verification.

Effective: July 1, 2014.

Kenley

January 8, 2014, read first time and referred to Committee on Education and Career Development.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 162



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 20-33-5-4, AS ADDED BY P.L. 1-2005, SECTION
2 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2014]: Sec. 4. **(a)** The department shall provide each school
4 corporation with sufficient application forms for assistance under this
5 chapter. **The department, in consultation with the department of**
6 **state revenue, shall prescribe the application form to be used.** The
7 state board of accounts shall ~~prescribe the forms to be used:~~ **approve**
8 **the application form. The application form must require at least**
9 **the following information:**
10 **(1) Personal identification information for the applicant and**
11 **student, including a copy of either a:**
12 **(A) current and valid photo identification; or**
13 **(B) current utility bill, bank statement, government check,**
14 **paycheck, or government document;**
15 **that shows the name and residence address of the applicant as**
16 **stated on the application.**



- 1 **(2) Sufficient documentation verifying the applicant's income.**
 2 **(3) A notice to the applicant:**
 3 **(A) that the information in the application and supporting**
 4 **documentation will be shared with the department of state**
 5 **revenue for income verification purposes; and**
 6 **(B) that the applicant is verifying, under penalties for**
 7 **perjury, that the information in the application and**
 8 **supporting documentation is true, accurate, and complete.**
 9 **(4) A place for the applicant to acknowledge that the applicant**
 10 **understands the content of the notice required by subdivision**
 11 **(3).**
 12 **(b) A school corporation shall:**
 13 **(1) retain each application and the supporting documentation**
 14 **under subsection (a) submitted to the school corporation; and**
 15 **(2) submit to the department a copy of all applications and the**
 16 **supporting documentation under subsection (a) submitted to**
 17 **the school corporation along with the school corporation's**
 18 **request for a curricular materials fee reimbursement under**
 19 **this chapter.**
 20 SECTION 2. IC 20-33-5-7, AS AMENDED BY P.L.286-2013,
 21 SECTION 113, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) If a determination is made
 23 that the applicant is eligible for assistance, the school corporation shall
 24 pay the cost of the student's required fees.
 25 (b) A school corporation shall receive a reimbursement from the
 26 department for some or all of the costs incurred by a school corporation
 27 during a school year in providing curricular materials assistance to
 28 students who are eligible under section 2 of this chapter.
 29 (c) To be guaranteed some level of reimbursement from the
 30 department, the governing body of a school corporation shall request
 31 the reimbursement before ~~November~~ **October** 1 of a school year.
 32 (d) In its request, the governing body shall certify to the department:
 33 (1) the number of students who are enrolled in that school
 34 corporation and who are eligible for assistance under this chapter;
 35 (2) the costs incurred by the school corporation in providing:
 36 (A) curricular materials (including curricular materials used in
 37 special education and high ability classes) to these students;
 38 (B) workbooks, digital content, and consumable curricular
 39 materials (including workbooks, consumable curricular
 40 materials, and other consumable instructional materials that
 41 are used in special education and high ability classes) that are
 42 used by students for not more than one (1) school year; and



- 1 (C) instead of the purchase of curricular materials,
 2 developmentally appropriate material for instruction in
 3 kindergarten through the grade 3 level, laboratories, and
 4 children's literature programs;
- 5 (3) that the curricular materials described in subdivision (2)(A)
 6 (except curricular materials used in special education classes and
 7 high ability classes) have been adopted by the governing body;
 8 and
- 9 (4) any other information required by the department.
- 10 (e) Each school within a school corporation **and the department**
 11 shall maintain complete and accurate information concerning the
 12 number of students determined to be eligible for assistance under this
 13 chapter. ~~This information shall be provided to the department upon~~
 14 ~~request.~~
- 15 (f) Parents receiving other governmental assistance or aid that
 16 considers educational needs in computing the entire amount of
 17 assistance granted may not be denied assistance if the applicant's total
 18 family income does not exceed the standards established by this
 19 chapter.
- 20 (g) The amount of reimbursement that a school corporation is
 21 entitled to receive shall be determined as provided in section 9.5 of this
 22 chapter.
- 23 SECTION 3. IC 20-33-5-9, AS AMENDED BY P.L.286-2013,
 24 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) If a parent of a child or an
 26 emancipated minor who is enrolled in an accredited nonpublic school
 27 meets the financial eligibility standard under section 2 of this chapter,
 28 the parent or the emancipated minor may receive a reimbursement from
 29 the department as provided in this chapter for the costs or some of the
 30 costs incurred by the parent or emancipated minor in fees that are
 31 reimbursable under section 7 of this chapter.
- 32 (b) The department shall provide each accredited nonpublic school
 33 with sufficient application forms for assistance, **as prescribed by the**
 34 **department under section 4 of this chapter and approved** by the
 35 state board of accounts.
- 36 (c) Each accredited nonpublic school shall provide the parents or
 37 emancipated minors who wish to apply for assistance with:
- 38 (1) the appropriate application forms; and
 39 (2) any assistance needed in completing the application form.
- 40 (d) The parent or emancipated minor shall submit the application to
 41 the accredited nonpublic school. The accredited nonpublic school shall
 42 make a determination of financial eligibility subject to appeal by the



1 parent or emancipated minor. **The accredited nonpublic school shall:**

2 **(1) retain each application and the supporting documentation;**

3 **and**

4 **(2) submit to the department a copy of all applications and the**
 5 **supporting documentation along with the accredited**
 6 **nonpublic school's request for a curricular materials fee**
 7 **reimbursement under this section.**

8 (e) If a determination is made that the applicant is eligible for
 9 assistance, subsection (a) applies.

10 (f) To be guaranteed some level of reimbursement from the
 11 department, the principal or other designee shall submit the
 12 reimbursement request before ~~November~~ **October** 1 of a school year.

13 (g) In its request, the principal or other designee shall certify to the
 14 department:

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

18 (2) the costs incurred in providing:

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

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

26 (3) that the curricular materials described in subdivision (2)(A)
 27 (except any curricular materials used in special education classes
 28 and high ability classes) have been adopted by the governing
 29 body; and

30 (4) any other information required by the department.

31 (h) The amount of reimbursement that a parent or emancipated
 32 minor is entitled to receive shall be determined as provided in section
 33 9.5 of this chapter.

34 (i) The accredited nonpublic school shall distribute the money
 35 received under this chapter to the appropriate eligible parents or
 36 emancipated minors.

37 (j) Section 7(f) of this chapter applies to parents or emancipated
 38 minors as described in this section.

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

42 (l) The state board shall adopt rules under IC 4-22-2 to implement



1 this section.

2 SECTION 4. IC 20-33-5-16 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2014]: **Sec. 16. (a) Before December 1 each school year, the
5 department shall submit to the department of state revenue a
6 random sample of applications consisting of ten percent (10%) of
7 the applications submitted under this chapter for that school year.**

8 **(b) The department of state revenue shall verify the accuracy of
9 the income information submitted in these applications and report
10 its findings to the department and to the office of management and
11 budget before March 1 of the following year. In addition, if the
12 department of state revenue finds that the income claimed on a
13 particular application is less than the applicant's income as verified
14 by the department of state revenue, the department of state
15 revenue shall report that information to the attorney general.**

16 SECTION 5. IC 20-51-4-8, AS ADDED BY P.L.92-2011,
17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2014]: **Sec. 8. The department, may in consultation with the
19 department of state revenue, shall prescribe forms the application
20 form and may prescribe additional methods for demonstrating
21 eligibility for a choice scholarship under this chapter. The state board
22 of accounts shall approve the application form. The application
23 form must require at least the following information:**

24 **(1) Personal identification information for the applicant and
25 student, including a copy of either a:**

26 **(A) current and valid photo identification; or**

27 **(B) current utility bill, bank statement, government check,
28 paycheck, or government document;**

29 **that shows the name and residence address of the applicant as
30 stated on the application.**

31 **(2) Sufficient documentation verifying the applicant's income.**

32 **(3) A notice to the applicant:**

33 **(A) that the information in the application and supporting
34 documentation will be shared with the department of state
35 revenue for income verification purposes; and**

36 **(B) that the applicant is verifying, under penalties for
37 perjury, that the information in the application and
38 supporting documentation is true, accurate, and complete.**

39 **(4) A place for the applicant to acknowledge that the applicant
40 understands the content of the notice required by subdivision**

41 **(3).**

42 **(b) An eligible school shall:**



- 1 **(1) retain each application and the supporting documentation;**
2 **and**
3 **(2) submit to the department a copy of all applications and the**
4 **supporting documentation under subsection (a) submitted to**
5 **the eligible school for each choice scholarship.**
6 SECTION 6. IC 20-51-4-12 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2014]: **Sec. 12. (a) Before December 1 each school year, the**
9 **department shall submit to the department of state revenue a**
10 **random sample of applications consisting of ten percent (10%) of**
11 **the applications submitted under this chapter for that school year.**
12 **(b) The department of state revenue shall verify the accuracy of**
13 **the income information submitted in these applications and report**
14 **its findings to the department and to the office of management and**
15 **budget before March 1 of the following year. In addition, if the**
16 **department of state revenue finds that the income claimed on a**
17 **particular application is less than the applicant's income as verified**
18 **by the department of state revenue, the department of state**
19 **revenue shall report that information to the attorney general.**

