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or regional accreditation agency that is recognized by the state board for purposes of IC 20-31-4 [IC 20-31-4 was repealed by P.L.92-2020, SECTION 68, effective March 18, 2020.].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