



Michael R. Pence, Governor
Mary Beth Bonaventura, Director

Indiana Department of Child Services
Room E306 – MS47
302 W. Washington Street
Indianapolis, Indiana 46204-2738

317-234-KIDS
FAX: 317-234-4497

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

February 4, 2015

Dear Relative¹ or Foster Parent:

As a valued partner, the Department of Child Services (DCS) strives to share information that affects your efforts to care for children placed with you by DCS. Recently, DCS has received questions relating to fees charged by school systems for textbooks/devices and related items. Specifically, we have been asked whether relative and foster parents are required to pay these fees on behalf of foster children placed with them. This letter will provide guidance on this important issue.

There are three (3) main categories of items that have come to our attention:

- Textbooks, supplies or other required class fees,
- Alternative Education enrollment fees/tuition, and
- Free/Reduced Lunch Program.

For textbooks, supplies and other required class fees, a school system cannot legally collect fees charged for a foster child. This is because a foster child meets the financial aid standard set out in Indiana law. “Textbook” is defined in Indiana statute to include books, hardware, computer software or digital content. Thus, Indiana statute does not permit a school system to charge relative or foster parents for books, hardware, computer software, digital content, and supplies required for completion of enrolled courses like workbooks, art supplies, P.E. uniforms, or other required class fees for a foster child that is placed in the relative or foster parent’s care.² Additionally, public school systems are not permitted to withhold school books or supplies, require any special services from a child or deny the child any benefit or privilege because the fees are not paid.

Fees associated with the repair or replacement of textbooks, devices, or musical instruments *only*, will now be paid directly to the school corporation by DCS. If you receive a bill for this type of fee, please be sure to submit it to your Family Case Manager so the appropriate payment process can be followed.

¹ The term “relative” applies to all related and non-related placements per DCS policy, Chapter 8, Section 48, version 2.

² See IC 20-33-5-2 (stating that the financial aid for students standard is the same as the federal free or reduced price lunch standard; foster children are categorically eligible for the federal free and reduced lunch program). See also IC 20-33-5-3, 20-33-5-7, 20-33-5-11 and *Gohn v. Akron School*, 562 N.E.2d 1291, 1292 (Ind. Ct. App. 1990) (which discuss textbook, supplies and other required class fees).



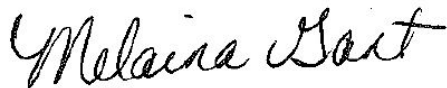
All Out-of-Home foster youth (including relatives) are categorically eligible for the free/reduced lunch program.³ Please note that your school system receives a listing of foster children from the Department of Education on a regular basis. Your school system should utilize this listing to determine who is exempt from paying the above fees.

For Alternative Education⁴ enrollment fees/tuition, the Indiana Constitution mandates a uniform system of public schools where tuition is not charged. If a public school system offers an alternative education program, that program is considered a “public school.” Absent specific statutory authority, tuition and enrollment fees cannot be charged to a student or parent for participation in a publicly funded education and in turn an alternative education program.⁵ Thus, Indiana statute does not permit a school system to charge an enrollment fee or tuition for a child to attend an alternative school.⁶

DCS plans to share this letter with school corporations across Indiana. If you receive an invoice from your school corporation for textbooks, supplies or other required class fees or for Alternative Education enrollment fees/tuition, please feel free to also share this letter with them.

If you have any questions regarding this letter or receive an invoice from the school and need assistance, please contact your Family Case Manager or your Regional Foster Care Specialist for assistance. Thank you for all you do on behalf of Indiana’s children and families.

Sincerely,



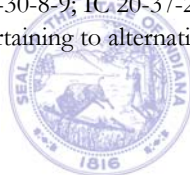
Mrs. Melaina Gant, M.Ed.
Director, Education Services
Indiana Department of Child Services
(317) 515-7331 Cell

³ See the USDA Eligibility Manual for School Meals: Determining and Verifying Eligibility, August 2014 (pg. 30).

⁴ The legislature has established criteria for which a student would be eligible for an alternative education program. Specifically, an eligible student would be one who intends to withdraw or has withdrawn from school before graduation, who has failed to comply academically, who is a parent or expected parent and is unable to regularly attend traditional school, who is employed and the employment is necessary to support the student’s family and the employment interferes with the schedule at a traditional school, or who is a disruptive student. IC 20-30-8-10.

⁵ The legislature has specified that school corporations have the ability to offer certain classes for industrial or manual training and charge tuition for these specific courses.

⁶ See Indiana Constitution, Article 8, Section 1; IC 20-30-8-9; IC 20-37-2-1; and *Nagy v. Evansville-Vanderburgh School Corporation*, 844 N.E.2d 481, 491 (2006) (pertaining to alternative education enrollment fee/tuition).





CLAIM FOR SUPPORT OF CHILDREN
Payable from Family and Children Funds

State Form 28808 (R15 / 9-14) / DCS 0327
 Approved by State Board of Accounts, 2014
 INDIANA DEPARTMENT OF CHILD SERVICES

1. Name of vendor ABC School Corporation		2. Last four digits of Tax ID/SSN 1234	3. ST number ST012345	4. Invoice number JDoe1	5. Date of invoice 2/1/2015
6. Address (number and street, city, state, and ZIP code) 123 Maple Street, Anytown, IN 45678		7. Invoice Type <input checked="" type="checkbox"/> First Bill <input type="checkbox"/> Rate Adjust <input type="checkbox"/> Re-Bill <input type="checkbox"/> Appeal		8. Page <u>1</u> of <u>1</u> Pages	
9. Invoice Service Type <input type="checkbox"/> Residential <input type="checkbox"/> LCPA <input type="checkbox"/> Relative <input type="checkbox"/> Foster Parent <input checked="" type="checkbox"/> Family Preservation <input type="checkbox"/> Independent Living <input type="checkbox"/> Adoption <input type="checkbox"/> Home Builders <input type="checkbox"/> CMHC <input type="checkbox"/> Medicaid <input type="checkbox"/> Group <input type="checkbox"/> Court <input type="checkbox"/> Reports					
10. For the period: From: <u>Jan 1</u> , Year <u>2015</u> to <u>Jan31</u> , Year <u>2015</u>				11. Total of Claim \$ 441.51	

	CHILDREN FOR WHOSE SUPPORT AND ALLOWANCES ARE DUE AND PAYABLE					DATES OF SERVICE		19. UNIT	20. RATE	21. TOTAL COST
	12. COUNTY	13. BILLABLE UNIT REFERRAL ID	14. CASE ID	15. NAME / COMMENTS / DOCUMENTATION	16. BILLING CODE	17. BEGIN	18. END			
1	Marion	RF00123456	1234567	John Doe - iPad Replacement	30000.652	01/15/15	01/15/15	1.00	239.98	239.98
2										
3	Marion	RF00234567	1234567	John Doe - Textbook Replacement	30000.652	01/20/15	01/20/15	1.00	62.54	62.54
4										
5	Marion	RF00345678	1234567	John Doe - Clarinet Repair	30000.652	01/26/15	01/26/15	1.00	138.99	138.99
6										
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Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing invoice is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid. Page Total **441.51**

I hereby swear and affirm under the penalties of perjury the attached bill contains the actual placement and/or service costs provided for the individual listed on such bill. The dates, days, hours and units of time and costs for placement or service are true and accurate. I understand that in submitting this that I am under oath stating and affirming that these services were provided and fully understand that these services may be independently audited and that any discrepancy may be referred to a local prosecutor for criminal prosecution.

22. Signature of vendor <i>School Signature</i>	23. Telephone number of vendor 317-555-1234	24. E-mail address of vendor ABC.School.Admin@ABCSchool.edu	25. Date (month, day, year) 2/1/2015
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School Invoicing Process for Repair/Replacement of Textbooks, Electronic Devices & Musical Instruments

The following process has been developed to allow schools to Direct Bill the Department of Child Services for damage to textbooks, electronic devices & musical instruments, not considered “Property” of the school. For all “Property” damage imposed by DCS wards, outside of textbooks, electronic devices & musical instruments, the Tort Claim process must be followed, as identified by IC 34-13-3. (See attached **Exhibit A1 & A2**).

- A. The School will notify the FCM and the Education Liaison of any damage that has occurred.
- B. The Education Liaison will review the situation as to whether it involves “Non-Property” and is therefore appropriate for direct bill to DCS...OR...”Property” and therefore appropriate for the Tort Claim process. Once that determination has been made, the Education Liaison will make a recommendation to the FCM (and cc the Regional Finance Manager).
- C. If the agreed-upon decision is that the Tort Claim process is to be followed, the Education Liaison will advise the school of the Tort Claim process.
- D. If the decision is for direct bill to DCS, the following must occur:
 1. The Education Liaison will check KidTraks for vendor status of the school (or school corporation):
 - a) Login to KidTraks.
 - b) Click on “**Home**” (top-left of the screen).
 - c) Select “**Vendor Inquiry**” (right of next screen).
 - d) Enter school’s Tax ID in “**Tax ID**” field; or if unknown, enter a keyword from the school or school corporations name in the “**Vendor Name**” field.
 - e) Change both “**Status**” and “**DCS Use**” to blank.
 - f) Click on the gray “**Search**” button (bottom-left of the screen).
 - g) If school or school corporation is not found, then **W-9 & Direct Deposit forms** need to be completed and submitted to **DCS Resource Unit**. Processing generally takes about a week. (See attached **Exhibit B1, B2 & B3** for forms & instruction sheet).
 - h) If school or school corporation is found, click on the “**Vendor ID**” (left of the screen).
 - i) Click on the “**Addresses**” tab (left-center of the screen).
 - j) If “**PS Match**” = “**False**” for the Payment Address, then **W-9 & Direct Deposit forms** need to be completed and submitted to **DCS Resource Unit**.
 - k) If **Payment Address** is not marked (i.e. checked) for DCS use, then e-mail **DCS Resource Unit** requesting school be marked for DCS Use, including the **Vendor ID** in the request.

2. Once the school is determined to be an active vendor, the FCM will create a **Global Services** referral for repair or replacement, including a description of the repairs or replacement needed and the dollar amount to be covered, under **General Products / Other (Billing Code 30000.652)**.
3. Once the referral has been approved by the FCM Supervisor, the Education Liaison will send an e-mail to the school authorizing them to submit an invoice to DCS for the expense.
4. The school must then submit an invoice -- either their own invoice or a **Claim for Support of Children (Form 28808** attached **Exhibit C1 & C2** for blank & example claim forms). Receipt(s) related to repair or replacement costs must be attached, as well as a copy of the e-mail from the Education Liaison authorizing the expense.

Invoice, receipt(s) & Education Liaison authorization are then mailed to:

DCS KidTraks Invoicing
402 W. Washington Street, MS 54
Indianapolis, IN 46204

The school should expect to receive payment approximately 35-45 days from the date DCS KidTraks Invoicing receives the invoice.

Questions regarding invoicing or payments should be directed to DCS Payment Research Unit: DCSPaymentResearchUnit@dcs.in.gov

Questions regarding school vendor status should be directed to DCS Resource Unit: DCSResourceUnit@dcs.in.gov