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Reprinted
January 14, 2014

HOUSE BILL No. 1004

DIGEST OF HB 1004 (Updated January 13, 2014 5:38 pm - DI 71)

Citations Affected: IC 12-7; IC 12-17.2; IC 20-51.

Synopsis: Early education vouchers. Makes changes to the qualification requirements of an eligible child for purposes of administering the early education matching grant program. Establishes the early education scholarship pilot program (program) to provide supplemental funding for eligible children receiving eligible services from certain early education providers. Provides that, after June 30, 2015, an eligible child may receive a scholarship through the program. Provides that a child or a sibling of a child who receives an early education scholarship and meets certain other criteria is eligible for the choice scholarship program. Makes technical corrections and conforming amendments.

Effective: July 1, 2014.

Behning, Bosma

January 7, 2014, read first time and referred to Committee on Education.
January 9, 2014, amended, reported — Do Pass.
January 13, 2014, read second time, amended, ordered engrossed.

HB 1004—LS 6868/DI 116



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.

HOUSE BILL No. 1004

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-7-2-75.7, AS ADDED BY P.L.205-2013,
2 SECTION 173, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 75.7. "Eligible child" **means the**
4 **following:**
5 (1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the
6 meaning set forth in ~~IC 12-17.2-3.7-2~~. **IC 12-17.2-3.6-2.**
7 (2) **For purposes of IC 12-17.2-7, the meaning set forth in**
8 **IC 12-17.2-7-1.**
9 SECTION 2. IC 12-7-2-76.2, AS ADDED BY P.L.205-2013,
10 SECTION 174, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: Sec. 76.2. "Eligible provider" **means the**
12 **following:**
13 (1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the
14 meaning set forth in ~~IC 12-17.2-3.7-3~~. **IC 12-17.2-3.6-3.**
15 (2) **For purposes of IC 12-17.2-7, the meaning set forth in**
16 **IC 12-17.2-7-2.**

HB 1004—LS 6868/DI 116



1 SECTION 3. IC 12-7-2-76.3, AS ADDED BY P.L.205-2013,
 2 SECTION 175, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2014]: Sec. 76.3. "Eligible services" **means the**
 4 **following:**

5 (1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the
 6 meaning set forth in ~~IC 12-17.2-3.7-4~~. **IC 12-17.2-3.6-4.**

7 (2) **For purposes of IC 12-17.2-7, the meaning set forth in**
 8 **IC 12-17.2-7-3.**

9 SECTION 4. IC 12-7-2-135.8, AS ADDED BY P.L.205-2013,
 10 SECTION 178, AND AS ADDED BY P.L.267-2013, SECTION 1, IS
 11 CORRECTED AND AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2014]: Sec. 135.8. (a) "Paths to QUALITY
 13 program", for purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, *and*
 14 ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, *refers to the paths to QUALITY*
 15 *program and IC 12-17.2-7, refers to the program established in*
 16 **IC 12-17.2-2-14.2(b).**

17 (b) "Paths to QUALITY program", for purposes of ~~IC 12-17.2-3.7~~,
 18 **IC 12-17.2-3.8**, *has the meaning set forth in* ~~IC 12-17.2-3.7-4~~.
 19 **IC 12-17.2-3.8-1.**

20 SECTION 5. IC 12-7-2-146, AS AMENDED BY P.L.205-2013,
 21 SECTION 179, AND AS AMENDED BY P.L.267-2013, SECTION 2,
 22 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2014]: Sec. 146. "Program" refers to the
 24 following:

25 (1) For purposes of IC 12-8-12.5, the meaning set forth in
 26 IC 12-8-12.5-1.

27 (2) For purposes of IC 12-10-7, the adult guardianship services
 28 program established by IC 12-10-7-5.

29 (3) For purposes of IC 12-10-10, the meaning set forth in
 30 IC 12-10-10-5.

31 (4) *For purposes of* ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, *the*
 32 *meaning set forth in* ~~IC 12-17.2-2-14~~. **IC 12-17.2-2-14.2(a).**

33 (5) *For purposes of* ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, *the meaning*
 34 *set forth in* ~~IC 12-17.2-3.7-7~~. **IC 12-17.2-3.6-7.**

35 (4) (6) *For purposes of* ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.8**, *the*
 36 *meaning set forth in* ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.8-2.**

37 (7) **For purposes of IC 12-17.2-7, the meaning set forth in**
 38 **IC 12-17.2-7-5.**

39 (5) (6) (8) For purposes of IC 12-17.6, the meaning set forth in
 40 IC 12-17.6-1-5.

41 SECTION 6. IC 12-7-2-169.7 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2014]: **Sec. 169.7. "Scholarship", for**
 2 **purposes of IC 12-17.2-7, has the meaning set forth in**
 3 **IC 12-17.2-7-6.**

4 SECTION 7. IC 12-17.2-3.6-9, AS ADDED BY SEA 24-2014,
 5 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 9. (a) The committee shall do the following:

7 (1) Conduct periodic statewide needs assessments concerning the
 8 quality and availability of early education programs for children
 9 from birth to the age of school entry, including the availability of
 10 high quality prekindergarten education for low income children
 11 in Indiana.

12 (2) Identify opportunities for, and barriers to, collaboration and
 13 coordination among federally and state funded child development,
 14 child care, and early childhood education programs and services,
 15 including governmental agencies that administer the programs
 16 and services.

17 (3) Assess the capacity and effectiveness of two (2) and four (4)
 18 year public and private higher education institutions in Indiana for
 19 the support of development of early educators, including:

20 (A) professional development and career advancement plans;
 21 and

22 (B) practice or internships with Head Start or prekindergarten
 23 programs.

24 (4) Recommend to the division procedures, policies, and
 25 eligibility criteria for the program.

26 **(5) Determine a passage rate on the kindergarten readiness**
 27 **assessment selected under subsection (b) that must be**
 28 **achieved by the children who attend an eligible provider for**
 29 **the eligible provider to continue to participate in the early**
 30 **education scholarship pilot program under IC 12-17.2-7.**

31 **(6) Determine an attendance rate that an eligible child must**
 32 **meet to continue to participate in the early education**
 33 **scholarship pilot program under IC 12-17.2-7.**

34 ~~(5)~~ (7) Other duties as determined necessary by the chairperson
 35 of the committee.

36 **(b) Before July 1, 2015, the committee shall review the**
 37 **kindergarten readiness assessment (ISTAR-KR) adopted by the**
 38 **department of education and other kindergarten readiness**
 39 **assessments and select a kindergarten readiness assessment to be**
 40 **administered by an eligible provider (as defined in IC 12-17.2-7-2)**
 41 **to measure whether an eligible child (as defined in IC 12-17.2-7-1)**
 42 **is ready for kindergarten under the early education scholarship**



1 **pilot program established in IC 12-17.2-7-7.**

2 ~~(b)~~ (c) Not later than June 30 of each year, the committee shall
3 develop and make recommendations to the governor and, in an
4 electronic format under IC 5-14-6, to the legislative council concerning
5 the results of the committee's work under this section.

6 SECTION 8. IC 12-17.2-3.6-15, AS ADDED BY SEA 24-2014,
7 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2014]: Sec. 15. To qualify:

9 **(1) before August 1, 2014, as an eligible child, the child must be:**

10 ~~(1)~~ (A) a member of a household with an annual income that
11 does not exceed one hundred percent (100%) of the federal
12 poverty level;

13 ~~(2)~~ (B) at least four (4) years of age and less than five (5) years
14 of age when the child receives eligible services; and

15 ~~(3)~~ (C) a resident of Indiana or otherwise have legal settlement
16 in Indiana, as determined under IC 20-26-11;

17 **(2) after July 31, 2014, as an eligible child, the child must:**

18 (A) be at least four (4) years of age and less than five (5)
19 years of age on August 1 of the state fiscal year for which
20 the matching grant is awarded to the eligible provider;

21 (B) be a resident of Indiana or otherwise have legal
22 settlement in Indiana, as determined under IC 20-26-11;

23 (C) be a member of a household with an annual income
24 that does not exceed one hundred eighty-five percent
25 (185%) of the federal poverty level;

26 (D) receive at least one hundred eighty (180) days of
27 eligible services per year from an eligible provider or the
28 equivalent number of instructional hours, as determined
29 by the division;

30 (E) have a parent or guardian who participates in a
31 parental engagement and involvement component
32 provided by the eligible provider;

33 (F) have a parent or guardian who agrees to enroll the
34 child in kindergarten under IC 20-33-2-7 after the child
35 completes an early education program; and

36 (G) have a parent or guardian who agrees to ensure that
37 the child meets the attendance requirements determined
38 under section 9(a)(5) of this chapter.

39 SECTION 9. IC 12-17.2-7 IS ADDED TO THE INDIANA CODE
40 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2014]:

42 **Chapter 7. Early Education Scholarship Pilot Program**



1 **Sec. 1. As used in this chapter, "eligible child" refers to an**
 2 **individual who:**

3 **(1) is at least four (4) years of age and less than five (5) years**
 4 **of age on August 1 of the state fiscal year for which a**
 5 **scholarship is sought;**

6 **(2) is a resident of Indiana or otherwise has legal settlement**
 7 **in Indiana, as determined under IC 20-26-11;**

8 **(3) is a member of a household with an annual income that**
 9 **does not exceed one hundred eighty-five percent (185%) of the**
 10 **federal poverty level;**

11 **(4) receives at least one hundred eighty (180) days of eligible**
 12 **services per year from an eligible provider or the equivalent**
 13 **number of instructional hours, as determined by the division;**

14 **(5) has a parent, guardian, or custodian who participates in a**
 15 **parental engagement and involvement component provided**
 16 **by the eligible provider;**

17 **(6) has a parent or guardian who agrees to enroll the child in**
 18 **kindergarten under IC 20-33-2-7 after the child completes an**
 19 **early education program; and**

20 **(7) has a parent or guardian who agrees to ensure that the**
 21 **child meets the attendance requirements determined under**
 22 **IC 12-17.2-3.6-9(a)(5).**

23 **Sec. 2. As used in this chapter, "eligible provider" refers to a**
 24 **person that:**

25 **(1) provides eligible services;**

26 **(2) is located in a county in which the program is**
 27 **implemented; and**

28 **(3) administers the kindergarten readiness assessment**
 29 **adopted by the department of education.**

30 **Sec. 3. As used in this chapter, "eligible services" refers to a**
 31 **program of early education services:**

32 **(1) that:**

33 **(A) meets the standards of quality recognized by a Level 3**
 34 **or Level 4 paths to QUALITY program rating;**

35 **(B) is nationally accredited by an accrediting body**
 36 **recognized by the division or the state board of education;**

37 **(C) is provided by a school that is accredited by the state**
 38 **board of education;**

39 **(D) is provided, before July 1, 2015, by an eligible school**
 40 **(as defined in IC 20-51-1-4.7); or**

41 **(E) is provided, before July 1, 2015, by a participating**
 42 **school (as defined in IC 20-51-1-6);**



1 (2) that includes a parental engagement and involvement
2 component based on the guidelines established under section
3 15 of this chapter; and

4 (3) that administers the kindergarten readiness assessment
5 (ISTAR-KR) adopted by the department of education or
6 another kindergarten readiness assessment selected by the
7 early learning advisory committee under IC 12-17.2-3.6-9(b)
8 to children receiving eligible services as required by the
9 division.

10 Sec. 4. As used in this chapter, "paths to QUALITY program"
11 has the meaning set forth in IC 12-17.2-2-14.2(b).

12 Sec. 5. As used in this chapter, "program" refers to the early
13 education scholarship pilot program established by section 7 of this
14 chapter.

15 Sec. 6. As used in this chapter, "scholarship" refers to an early
16 education scholarship awarded under this chapter.

17 Sec. 7. (a) The early education scholarship pilot program is
18 established to reduce the out-of-pocket fees that an eligible child or
19 an eligible child's parent, guardian, or custodian would otherwise
20 be required to pay to an eligible provider for the eligible child to
21 receive eligible services after the application of the maximum
22 amount of all other state and federal grants and distributions
23 available for reimbursement for the eligible services.

24 (b) The division shall administer the program, which must begin
25 after June 30, 2015, in not more than five (5) counties in Indiana,
26 as chosen by the division. The counties chosen must include both
27 rural and urban counties.

28 Sec. 8. (a) After June 30, 2015, an eligible child may receive a
29 scholarship through the program in accordance with this chapter.

30 (b) A scholarship that has been awarded for an eligible child
31 may be terminated any time the eligible child fails to comply with
32 the requirements for eligibility established by or under this
33 chapter.

34 (c) A scholarship is not a grant to or contract with a provider
35 but must be considered assistance to the eligible child and the
36 parent, guardian, or custodian of the eligible child.

37 (d) The amount of a scholarship provided for an eligible child
38 may not be treated as income or a resource for purposes of
39 qualifying for any other federal or state grant or program
40 administered by the state or a political subdivision.

41 (e) To qualify for a scholarship, a parent, guardian, or custodian
42 must apply for the scholarship in the manner prescribed by the



1 division.

2 (f) An eligible child is not prohibited from receiving a
3 scholarship under this chapter if the eligible provider receives a
4 matching grant under IC 12-17.2-3.6-13.

5 Sec. 9. The maximum amount that may be awarded under this
6 chapter for all eligible services provided to an eligible child in a
7 state fiscal year is:

8 (1) six thousand eight hundred dollars (\$6,800), for an eligible
9 child who attends a full-day program at an eligible provider,
10 as determined by the division; or

11 (2) three thousand four hundred dollars (\$3,400), for an
12 eligible child who attends a half-day program at an eligible
13 provider, as determined by the division.

14 Sec. 10. The total amount of all scholarships awarded for
15 eligible services provided in a state fiscal year may not exceed the
16 amount appropriated for scholarships for that state fiscal year (less
17 any amount appropriated to administer the scholarship program).

18 Sec. 11. (a) Scholarships shall be awarded for eligible services
19 at the rates, in the manner, and in the amounts determined by the
20 division.

21 (b) The division shall distribute scholarship amounts on a
22 periodic basis determined by the division.

23 (c) An amount distributed under subsection (b) must be based
24 on the number and length of days of eligible services received by an
25 eligible child during the period for which the amount is distributed.

26 (d) The division may distribute any part of a scholarship to the
27 parent, guardian, or custodian of the eligible child. For a
28 distribution described in this subsection to be valid, the
29 distribution must be endorsed by both the parent, guardian, or
30 custodian of the eligible child and the eligible provider that
31 provides the eligible services.

32 Sec. 12. (a) To be eligible to receive scholarship payments, an
33 eligible provider:

34 (1) may be required by the division to register with the
35 division on a form prescribed by the division;

36 (2) may not discriminate on the basis of race, color, or
37 national origin; and

38 (3) must otherwise comply with all applicable laws and rules
39 governing the provider.

40 (b) The division may suspend or terminate an eligible provider's
41 participation in the program if the eligible provider fails to comply
42 with subsection (a).



1 **Sec. 13. (a)** Each year an eligible provider shall administer to
 2 children receiving eligible services by an eligible provider a
 3 kindergarten readiness assessment selected by the early learning
 4 advisory committee under IC 12-17.2-3.6-9(b). If, in a particular
 5 year, the percentage of children who:

6 (1) attend an eligible provider; and

7 (2) pass the kindergarten readiness assessment selected under
 8 IC 12-17.2-3.6-9(b);

9 is less than the passage rate determined by the early learning
 10 advisory committee under IC 12-17.2-3.6-9(a)(5), the eligible
 11 provider may continue to participate in the program only on a
 12 probationary basis.

13 **(b)** An eligible provider may not participate in the program
 14 after the second consecutive year in which the percentage of
 15 children who:

16 (1) attend the eligible provider; and

17 (2) pass the kindergarten readiness assessment selected under
 18 IC 12-17.2-3.6-9(b);

19 is less than the passage rate determined by the early learning
 20 advisory committee under IC 12-17.2-3.6-9(a)(5).

21 **Sec. 14.** The division may adopt rules under IC 4-22-2 to
 22 implement this chapter.

23 **Sec. 15.** The division shall provide the department of education
 24 with information necessary for the department of education to
 25 assign an eligible child who receives a scholarship under this
 26 chapter a student testing number. Upon receipt of the information,
 27 the department of education shall assign the eligible child a student
 28 testing number to track the eligible child's educational growth and
 29 development.

30 **Sec. 16.** The division shall develop and maintain guidelines for
 31 the inclusion in every eligible provider's eligible services under this
 32 chapter of a component increasing engagement and involvement of
 33 a child's parent, guardian, or custodian in the child's education.

34 **Sec. 17. (a)** This section applies to a state fiscal year beginning
 35 after June 30, 2015.

36 **(b)** The program may be funded only by an appropriation
 37 enacted by the general assembly. The amount of state tuition
 38 support a school receives under IC 20-43 may not be reduced by an
 39 appropriation enacted by the general assembly to fund the
 40 program established by this chapter.

41 SECTION 10. IC 20-51-1-4.3, AS ADDED BY P.L.205-2013,
 42 SECTION 310, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2014]: Sec. 4.3. "Eligible choice scholarship
2 student" refers to an individual who:

- 3 (1) has legal settlement in Indiana;
4 (2) is at least five (5) years of age and less than twenty-two (22)
5 years of age on the date in the school year specified in
6 IC 20-33-2-7; and

7 (3) meets at least one (1) of the following conditions:

8 (A) The individual is:

9 (i) a child with a disability who requires special education
10 and for whom an individualized education program has been
11 developed under IC 20-35 or a service plan developed under
12 511 IAC 7-34; and

13 (ii) a member of a household with an annual income of not
14 more than two hundred percent (200%) of the amount
15 required for the individual to qualify for the federal free or
16 reduced price lunch program.

17 (B) The individual is:

18 (i) an individual who, because of the school corporation's
19 residency requirement, would be required to attend a
20 specific public school within a school corporation that has
21 been placed in the lowest category or designation of school
22 improvement under IC 20-31-8-4 (has been assigned an "F"
23 grade); and

24 (ii) except as provided in IC 20-51-4-2.5, is a member of a
25 household with an annual income of not more than one
26 hundred fifty percent (150%) of the amount required for the
27 individual to qualify for the federal free or reduced price
28 lunch program.

29 An individual to whom this clause applies is not required to
30 attend the public school before becoming eligible for a choice
31 scholarship, and may not be required to return to the public
32 school if the public school is placed in a higher category or
33 designation under IC 20-31-8-4.

34 (C) Except as provided in IC 20-51-4-2.5, the individual is a
35 member of a household with an annual income of not more
36 than one hundred fifty percent (150%) of the amount required
37 for the individual to qualify for the federal free or reduced
38 price lunch program and the individual was enrolled in
39 kindergarten through grade 12, in a public school, including a
40 charter school, in Indiana for at least two (2) semesters
41 immediately preceding the first semester for which the
42 individual receives a choice scholarship under IC 20-51-4.



1 (D) The individual or a sibling of the individual who, except
 2 as provided in IC 20-51-4-2.5, is a member of a household
 3 with an annual income of not more than one hundred fifty
 4 percent (150%) of the amount required for the individual to
 5 qualify for the federal free or reduced price lunch program and
 6 satisfies ~~either~~ **any** of the following:

7 (i) The individual or a sibling of the individual received
 8 before July 1, 2013, a scholarship from a scholarship
 9 granting organization under IC 20-51-3 or a choice
 10 scholarship under IC 20-51-4 in a preceding school year,
 11 including a school year that does not immediately precede
 12 a school year in which the individual receives a scholarship
 13 from a scholarship granting organization under IC 20-51-3
 14 or a choice scholarship under IC 20-51-4.

15 (ii) The individual or a sibling of the individual receives for
 16 the first time after June 30, 2013, a scholarship of at least
 17 five hundred dollars (\$500) from a scholarship granting
 18 organization under IC 20-51-3, or a choice scholarship
 19 under IC 20-51-4 in a preceding school year, including a
 20 school year that does not immediately precede a school year
 21 in which the individual receives a scholarship from a
 22 scholarship granting organization under IC 20-51-3, or a
 23 choice scholarship under IC 20-51-4.

24 **(iii) The individual or a sibling of the individual received**
 25 **a scholarship of at least five hundred dollars (\$500) for**
 26 **an early education scholarship under IC 12-17.2-7 before**
 27 **enrolling in school.**

28 SECTION 11. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013,
 29 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2014]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B),
 31 IC 20-51-1-4.3(3)(C), ~~or~~ IC 20-51-1-4.3(3)(D)(ii), ~~or~~
 32 **IC 20-51-1-4.3(3)(D)(iii)**, an individual who initially meets the income
 33 requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), ~~or~~
 34 IC 20-51-1-4.3(3)(D)(ii), ~~or~~ **IC 20-51-1-4.3(3)(D)(iii)** and is a member
 35 of a household whose income subsequently increases is considered to
 36 meet the income requirements for as long as the individual is enrolled
 37 in a participating school and is a member of a household with an
 38 annual income of not more than two hundred percent (200%) of the
 39 amount required for the individual to qualify for the federal free or
 40 reduced price lunch program.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1004, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 18, after "is" insert "**provided by a school that is**".

Page 8, delete line 7.

and when so amended that said bill do pass.

(Reference is to HB 1004 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 3.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine a passage rate on the kindergarten readiness assessment selected under subsection (b) that must be achieved by the children who attend an eligible provider for the eligible provider to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 6, line 7, after "division." insert "**The counties chosen must include both rural and urban counties.**".

Page 6, line 24, delete "may receive" and insert "**is not prohibited from receiving**".

Page 7, line 27, delete "less than seventy percent (70%) of children who attend an" and insert "**the percentage of children who:**

(1) attend an eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5),"

Page 7, delete lines 28 through 29.

Page 7, line 30, delete "IC 12-17.2-3.6-9,".

Page 7, line 33, delete "less than seventy" and insert "**the**



percentage of children who:

(1) attend the eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5)."

Page 7, delete lines 34 through 36.

(Reference is to HB 1004 as printed January 10, 2014.)

BEHNING

HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 4, line 21, delete "and".

Page 4, line 24, delete "." and insert "; and

(F) have a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

Page 4, delete line 42.

Page 5, line 3, delete "." and insert "; and

(6) has a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

(Reference is to HB 1004 as printed January 10, 2014.)

SMITH V



HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine an attendance rate that an eligible child must meet to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 4, line 21, delete "and".

Page 4, line 24, delete "provider." and insert **"provider; and**

(F) have a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under section 9(a)(5) of this chapter."

Page 4, delete line 42.

Page 5, line 3, delete "provider." and insert **"provider; and**

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under IC 12-17.2-3.6-9(a)(5)."

(Reference is to HB 1004 as printed January 10, 2014.)

SMITH V

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 17. (a) This section applies to a state fiscal year beginning after June 30, 2015.

(b) The program may be funded only by an appropriation enacted by the general assembly. The amount of state tuition support a school receives under IC 20-43 may not be reduced by an



appropriation enacted by the general assembly to fund the program established by this chapter."

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

