

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

**MR. SPEAKER:**

I move that House Bill 1373 be amended to read as follows:

- 1 Page 2, delete lines 37 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 2. IC 20-8.1-6.1-6.1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6.1. (a) ~~This section~~
- 5 ~~applies only:~~
- 6 ~~(1) to children described in subsection (c)(2)(D);~~
- 7 ~~(2) after the school corporation has made extensive efforts to~~
- 8 ~~provide a suitable educational program within the school~~
- 9 ~~corporation to the child described in subsection (c)(2)(D); and~~
- 10 ~~(3) after the school corporation determines that the child cannot~~
- 11 ~~be served by the school corporation and as a last resort can be~~
- 12 ~~best served by placement with the not-for-profit corporation.~~
- 13 (b) The school corporation shall maintain records concerning the
- 14 efforts made by the school corporation to provide the educational
- 15 program within the school corporation to the child as required under
- 16 subsection (a):
- 17 (c) (a) A school corporation may enter into an agreement with:
- 18 (1) a not-for-profit corporation that operates a federally approved
- 19 education program; or
- 20 (2) a not-for-profit corporation that:
- 21 (A) is exempt from federal income taxation under Section
- 22 501(c)(3) of the Internal Revenue Code;
- 23 (B) for its classroom instruction, employs teachers who are
- 24 certified by the ~~state board of education;~~ **professional**

1                   **standards board;**  
2                   (C) employs other professionally and state licensed staff as  
3                   appropriate; and  
4                   (D) educates children who:  
5                         (i) have been suspended, expelled, or excluded from a  
6                         public school in that school corporation and have been  
7                         found to be emotionally disturbed;  
8                         (ii) have been placed with the not-for-profit  
9                         corporation by court order; ~~or~~  
10                        (iii) have been referred by a local health department;  
11                        **or**  
12                        **(iv) have been placed in a state licensed private or**  
13                        **public health care or child care facility as described**  
14                        **in section 5(b) of this chapter;**  
15                   in order to provide a student with an individualized education program  
16                   that is the most suitable educational program available.  
17                   ~~(c)~~ **(b)** If a school corporation enters into an agreement as  
18                   described in subsection ~~(c)~~; **(a)**, the school corporation shall pay **to the**  
19                   **not-for-profit corporation** an amount agreed upon:  
20                        **(1)** from the transfer tuition of the student; ~~to the not-for-profit~~  
21                        ~~corporation; and~~  
22                        **(2) which may not exceed the transfer tuition costs that**  
23                        **otherwise would be payable to a transferee corporation, if**  
24                        **the school corporation entering into the agreement is the**  
25                        **school corporation in which the student has legal**  
26                        **settlement."**  
27                   Delete page 3.  
28                   Renumber all SECTIONS consecutively.  
                      (Reference is to HB 1373 as printed January 28, 1998.)

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Representative Porter