

# COMMITTEE REPORT

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## MR. PRESIDENT:

**The Senate Committee on Judiciary, to which was referred Senate Bill No. 81, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 2, after line 25, begin a new paragraph and insert:  
2           "SECTION 3. P.L.55-1997, SECTION 38, IS AMENDED TO  
3           READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: (a) The  
4           commissioner of the state department of health shall conduct a fiscal  
5           study of the special education institutions under the authority of the  
6           department and alternatives available elsewhere at non-state facilities.  
7           (b) The purpose of the fiscal study is to develop recommendations  
8           regarding in-state placement for treatment of delinquent children and  
9           children in need of services in a manner designed to maximize the  
10          resources available and to be cost effective with respect to the  
11          resources utilized on each child.  
12          (c) The fiscal study must address the following:  
13           (1) The full cost of treatment, including educational programs,  
14           at each institution and residential costs at each institution, taking  
15           into consideration the number of students, levels of disability,  
16           and the length of time that educational services and residential  
17           services are offered.  
18           (2) A comparison of student gains, educational attainment, and

- 1 educational costs paid from federal, state, and local funding  
 2 sources at the special education institutions with the student  
 3 gains, educational attainment, and educational costs paid from  
 4 federal, state, and local funding sources at public schools having  
 5 students with similar disabilities and receiving similar services.
- 6 (3) A comparison of student gains, educational attainment, and  
 7 educational costs at the special education institutions with the  
 8 student gains, educational attainment, and educational costs of  
 9 similar institutions in other states.
- 10 (4) The full cost of maintaining a child at each institution  
 11 detailed by treatment types and the full cost of alternatives  
 12 available elsewhere at non-state facilities.
- 13 (5) The cost of consolidating one (1) or more special education  
 14 facilities at a current or alternative site, taking into consideration  
 15 the specific learning and living environments necessary for blind  
 16 children and deaf children as well as student learning outcomes  
 17 in other states that have consolidated similar institutions.
- 18 (6) Whether the Indiana Soldier's and Sailor's Children's Home  
 19 qualifies for federal funds under the Title IV-E federal program.
- 20 (7) The feasibility of converting a special education institution  
 21 into a juvenile corrections facility, including an estimate of  
 22 capital costs.
- 23 (8) Personnel requirements and costs and capital costs necessary  
 24 to operate a special education institution at full capacity.
- 25 (9) The number of children and the levels of disability that can  
 26 be served effectively at the institutions with current physical  
 27 plant and personnel resources.
- 28 (10) Cost effective ways to ensure that the caretakers of children  
 29 in Indiana whose needs can be met at the special education  
 30 institutions are made aware of the services available at the  
 31 special education institutions.
- 32 (d) The commissioner shall enter a contract with a qualified  
 33 individual or firm to conduct the study. ~~The contract must be signed~~  
 34 ~~before August 30, 1997.~~
- 35 (e) The study must be completed before ~~June 30, 1998.~~ **December**  
 36 **1, 1998.** Not later than ~~July 1, 1998;~~ **January 1, 1999,** the  
 37 commissioner shall provide copies of the final report to the following:  
 38 (1) The advisory committee of each special education institution

- 1 established under IC 16-19-6-9.
- 2 (2) The state budget committee.
- 3 (3) The governor.
- 4 (4) The special education advisory committee.
- 5 (f) The division and the following agencies shall develop a
- 6 comprehensive plan for the identification, evaluation, placement, and
- 7 treatment of delinquent children and children in need of services and
- 8 the manner of funding for these services.
- 9 (1) The Indiana department of health.
- 10 (2) The division of mental health.
- 11 (3) The department of correction, for incarcerated youths.
- 12 (4) The division of disability, aging, and rehabilitative services.
- 13 (5) The division of special education.
- 14 (6) Any public or private agency providing special education or
- 15 other programs for delinquent children and children in need of
- 16 services.
- 17 (7) Any other public agency that contracts with any of the
- 18 agencies described in this subsection.
- 19 The comprehensive plan shall include a section devoted to the
- 20 implementation of the recommendations contained in the fiscal study.
- 21 The comprehensive plan shall be completed and ready for distribution
- 22 not later than July 1, 1999.
- 23 (g) This SECTION expires July 1, 1999.
- 24 SECTION 4. **An emergency is declared for this act."**
- 25 Renumber all SECTIONS consecutively.
- (Reference is to SB 81 as introduced.)

**and when so amended that said Bill do pass.**

Committee Vote: Yeas 6, Nays 1.

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**Senator Bray, Chairperson**