



March 29, 2013

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# ENGROSSED HOUSE BILL No. 1004

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DIGEST OF HB 1004 (Updated March 27, 2013 6:08 pm - DI 71)

**Citations Affected:** IC 12-7; IC 12-17.2.

**Synopsis:** Early education evaluation program. Establishes the early education evaluation program to gather data concerning the school readiness of low income children who have received early education services through providers with programs of demonstrated quality that require parental involvement in the children's education. Establishes the early learning advisory committee.

**Effective:** Upon passage.

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## Behning, Crouch, VanDenburgh, Bosma

(SENATE SPONSORS — MILLER PETE, KRUSE, BRODEN)

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January 15, 2013, read first time and referred to Committee on Education.  
February 11, 2013, amended, reported — Do Pass.  
February 14, 2013, read second time, amended, ordered engrossed.  
February 15, 2013, engrossed.  
February 18, 2013, read third time, recommitted to Committee of One, amended; passed.  
Yeas 92, nays 6.  
February 19, 2013, re-engrossed.  
SENATE MOTION  
February 27, 2013, read first time, referred to Committee on Education and Career Development.  
March 28, 2013, amended, reported favorably — Do Pass.

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EH 1004—LS 7057/DI 97+



March 29, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

## ENGROSSED 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 12-7-2-135.8 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE UPON PASSAGE]: **Sec. 135.8. "Paths to QUALITY**  
4 **program", for purposes of IC 12-17.2-3.7, has the meaning set**  
5 **forth in IC 12-17.2-3.7-4.**
- 6 SECTION 2. IC 12-7-2-146, AS AMENDED BY P.L.110-2010,  
7 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 UPON PASSAGE]: Sec. 146. "Program" refers to the following:
- 9 (1) For purposes of IC 12-8-12.5, the meaning set forth in  
10 IC 12-8-12.5-1.
- 11 (2) For purposes of IC 12-10-7, the adult guardianship services  
12 program established by IC 12-10-7-5.
- 13 (3) For purposes of IC 12-10-10, the meaning set forth in  
14 IC 12-10-10-5.
- 15 (4) **For purposes of IC 12-17.2-3.7, the meaning set forth in**  
16 **IC 12-17.2-3.7-5.**
- 17 (4) (5) For purposes of IC 12-17.6, the meaning set forth in

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1 IC 12-17.6-1-5.  
 2 SECTION 3. IC 12-17.2-3.7 IS ADDED TO THE INDIANA CODE  
 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 4 UPON PASSAGE]:

5 **Chapter 3.7. Early Education Evaluation Program**

6 **Sec. 1. As used in this chapter, "Paths to QUALITY program"**  
 7 **refers to a voluntary quality rating and improvement system for**  
 8 **child care administered:**

- 9 (1) statewide by the division; and  
 10 (2) under the trademark "Paths to QUALITY".

11 **Sec. 2. As used in this chapter, "program" refers to the early**  
 12 **education evaluation program established by section 3 of this**  
 13 **chapter.**

14 **Sec. 3. (a) The early education evaluation program is established**  
 15 **to gather data concerning the school readiness of low income**  
 16 **children who have received early education services through**  
 17 **providers with programs of demonstrated quality that require**  
 18 **parental involvement in the children's education.**

19 **Sec. 4. (a) The division shall conduct a study of the school**  
 20 **readiness of low income children receiving early education services**  
 21 **from providers that:**

- 22 (1) meet the standards of quality recognized by a Level 3 or  
 23 Level 4 Paths to QUALITY program rating; and  
 24 (2) require parental involvement based on the guidelines  
 25 developed under section 7 of this chapter.

26 (b) The division shall select representative providers in multiple  
 27 locations across Indiana who administer kindergarten readiness  
 28 assessments and other indicators of school readiness to children  
 29 receiving services from the providers to participate in the  
 30 program. The division shall work with the department of education  
 31 to assign student testing numbers to low income children  
 32 completing kindergarten readiness assessments.

33 (c) Not later than October 1 of each year, the division shall  
 34 prepare an annual report of the results of the program and provide  
 35 the report to the governor, to the department of education, and, in  
 36 an electronic format under IC 5-14-6, to the legislative council.

37 (d) The division shall administer the program, which must begin  
 38 on July 1, 2013.

39 **Sec. 5. (a) The early learning advisory committee is established**  
 40 **to do the following:**

- 41 (1) Conduct periodic statewide needs assessments concerning  
 42 the quality and availability of early education programs for

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1 children from birth to the age of school entry, including the  
 2 availability of high quality prekindergarten education for low  
 3 income children in Indiana.

4 (2) Identify opportunities for, and barriers to, collaboration  
 5 and coordination among federally and state funded child  
 6 development, child care, and early childhood education  
 7 programs and services, including governmental agencies that  
 8 administer the programs and services.

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

13 (A) professional development and career advancement  
 14 plans; and

15 (B) practice or internships with Head Start or  
 16 prekindergarten programs.

17 (4) Other duties as determined necessary by the chairperson  
 18 of the committee.

19 (5) Not later than June 30 of each year, develop and make  
 20 recommendations to the governor and, in an electronic format  
 21 under IC 5-14-6, to the legislative council concerning the  
 22 results of the committee's work under subdivisions (1)  
 23 through (4).

24 (b) The committee consists of six (6) members appointed by the  
 25 governor as follows:

26 (1) A representative of the department of education.

27 (2) A representative of the division.

28 (3) A representative of a Head Start program under 42 U.S.C.  
 29 9831 et seq.

30 (4) A representative of a family advocacy group that has an  
 31 interest in early childhood education.

32 (5) An early childhood education provider.

33 (6) A representative of business with an interest in early  
 34 childhood education.

35 (c) The governor shall appoint the chairperson of the committee.

36 (d) The division shall staff the committee.

37 (e) The expenses of the committee shall be paid from the funds  
 38 of the division.

39 (f) Each member of the committee who is not a state employee  
 40 is entitled to the minimum salary per diem provided by  
 41 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
 42 for traveling expenses as provided under IC 4-13-1-4 and other

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1 expenses actually incurred in connection with the member's duties  
2 as provided in the state policies and procedures established by the  
3 Indiana department of administration and approved by the budget  
4 agency.

5 (g) Each member of the committee who is a state employee but  
6 who is not a member of the general assembly is entitled to  
7 reimbursement for traveling expenses as provided under  
8 IC 4-13-1-4 and other expenses actually incurred in connection  
9 with the member's duties as provided in the state policies and  
10 procedures established by the Indiana department of  
11 administration and approved by the budget agency.

12 (h) Each member of the committee who is a member of the  
13 general assembly is entitled to receive the same per diem, mileage,  
14 and travel allowances paid to legislative members of interim study  
15 committees established by the legislative council. Per diem,  
16 mileage, and travel allowances paid under this section shall be paid  
17 from appropriations made to the legislative council or the  
18 legislative services agency.

19 (i) The affirmative votes of a majority of the voting members  
20 appointed to the committee are required for the committee to take  
21 action on any measure, including final reports.

22 Sec. 6. The division shall provide the department of education  
23 with information necessary for the department of education to  
24 assign a child who receives early education services from a  
25 provider who participates in the program under this chapter a  
26 student testing number. Upon receipt of the information, the  
27 department of education shall assign the child a student testing  
28 number to track the child's educational growth and development.

29 Sec. 7. The division shall develop and maintain guidelines for the  
30 inclusion in every provider's services under this chapter of a  
31 component increasing parental engagement and involvement in the  
32 child's education.

33 SECTION 4. An emergency is declared for this act.

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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 3, delete lines 1 through 5 and insert "**program of early education services that:**

- (1) meets the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating;**
- (2) is nationally accredited by an accrediting body recognized by the division or the state board of education;**
- (3) is accredited by the state board of education;**
- (4) is provided, before July 1, 2014, by an eligible school (as defined in IC 20-51-1-4.7); or**
- (5) is provided, before July 1, 2014, by a participating school (as defined in IC 20-51-1-6)."**

and when so amended that said bill do pass.

(Reference is to HB 1004 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 2.

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HOUSE MOTION

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

Page 2, line 25, delete "three (3)" and insert "**four (4)**".

(Reference is to HB 1004 as printed February 12, 2013.)

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## HOUSE MOTION

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

Page 5, line 30, delete "five (5)" and insert "**six (6)**".

Page 5, between lines 38 and 39, begin a new line block indented and insert:

**"(6) A representative of business with an interest in early childhood education."**

(Reference is to HB 1004 as printed February 12, 2013.)

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 HOUSE MOTION

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

Page 6, between lines 25 and 26, begin a new paragraph and insert:

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

Page 6, line 26, delete "15." and insert "**16.**".

(Reference is to HB 1004 as printed February 12, 2013.)

HUSTON

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1004 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 2, line 32, delete "and".

Page 2, line 34, delete "." and insert "; **and**

**(5) has a parent or guardian who participates in a parental involvement component provided by the eligible provider."**

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Page 3, line 1, after "services" insert ":",

Page 3, line 1, delete "that:".

Page 3, delete lines 2 through 10, begin a new line block indented and insert:

**"(1) that:**

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

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

**(C) is accredited by the state board of education;**

**(D) is provided, before July 1, 2014, by an eligible school (as defined in IC 20-51-1-4.7); or**

**(E) is provided, before July 1, 2014, by a participating school (as defined in IC 20-51-1-6); and**

**(2) that includes a parental involvement component based on the guidelines established under section 16 of this chapter."**

Page 6, between lines 34 and 35, begin a new paragraph and insert:

**"Sec. 16. The division shall develop and maintain guidelines for the inclusion in every eligible provider's eligible services under this chapter of a component increasing parental engagement and involvement in the child's education."**

Page 6, line 35, delete "16." and insert "17."

(Reference is to HB 1004 as reprinted February 15, 2013.)

BEHNING

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COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1004, begs leave to report that said bill has been amended as directed.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1004, 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:

Page 1, delete lines 1 through 12.

Page 2, delete lines 14 through 18.

Page 2, line 22, delete "Scholarship Pilot" and insert "**Evaluation**".

Page 2, delete lines 23 through 42.

Page 3, delete lines 1 through 15.

Page 3, line 16, delete "4." and insert "**1.**".

Page 3, line 21, delete "5." and insert "**2.**".

Page 3, line 22, delete "scholarship pilot" and insert "**evaluation**".

Page 3, line 22, delete "7" and insert "**3**".

Page 3, delete lines 24 through 25.

Page 3, line 26, delete "7." and insert "**3.**".

Page 3, line 26, delete "scholarship pilot" and insert "**evaluation**".

Page 3, line 27, delete "reduce the out-of-pocket fees that an eligible child or" and insert "**gather data concerning the school readiness of low income children who have received early education services through providers with programs of demonstrated quality that require parental involvement in the children's education.**"

**Sec. 4. (a) The division shall conduct a study of the school readiness of low income children receiving early education services from providers that:**

**(1) meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating; and**

**(2) require parental involvement based on the guidelines developed under section 7 of this chapter.**

**(b) The division shall select representative providers in multiple locations across Indiana who administer kindergarten readiness assessments and other indicators of school readiness to children receiving services from the providers to participate in the program. The division shall work with the department of education to assign student testing numbers to low income children completing kindergarten readiness assessments.**

**(c) Not later than October 1 of each year, the division shall prepare an annual report of the results of the program and provide the report to the governor, to the department of education, and, in an electronic format under IC 5-14-6, to the legislative council."**

Page 3, delete lines 28 through 32.

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Page 3, line 33, delete "(b)" and insert "**(d)**".  
Page 3, line 34, delete ", in not more than five (5) counties in Indiana," and insert ".".  
Page 3, delete lines 35 through 42.  
Delete page 4.  
Page 5, delete lines 1 through 3.  
Page 5, line 4, delete "14." and insert "**5.**".  
Page 5, delete lines 6 through 7.  
Page 5, line 8, delete "(2)" and insert "**(1)**".  
Page 5, line 13, delete "(3)" and insert "**(2)**".  
Page 5, line 18, delete "(4)" and insert "**(3)**".  
Page 5, line 26, delete "(5)" and insert "**(4)**".  
Page 5, line 28, delete "(6)" and insert "**(5)**".  
Page 5, line 30, after "concerning the" insert "**results of the committee's work under subdivisions (1) through (4).**".  
Page 5, delete lines 31 through 34.  
Page 6, line 33, delete "15." and insert "**6.**".  
Page 6, line 35, delete "an eligible child who receives a scholarship" and insert "**a child who receives early education services from a provider who participates in the program**".  
Page 6, line 37, delete "eligible".  
Page 6, line 38, delete "eligible".  
Page 6, line 40, delete "16." and insert "**7.**".  
Page 6, line 41, delete "eligible provider's eligible" and insert "**provider's**".  
Page 7, delete lines 2 through 32.  
Re-number all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to HB 1004 as reprinted February 19, 2013.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 4.

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