

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001 be amended to read as follows:

- 1           Page 140, between lines 41 and 42, begin a new paragraph and  
2           insert:  
3           "SECTION 120. IC 12-7-2-75.3 IS ADDED TO THE INDIANA  
4           CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5           [EFFECTIVE UPON PASSAGE]: **Sec. 75.3. "Eligible child", for**  
6           **purposes of IC 12-17.2-3.7, has the meaning set forth in**  
7           **IC 12-17.2-3.7-1.**  
8           SECTION 121. IC 12-7-2-76.2 IS ADDED TO THE INDIANA  
9           CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
10          [EFFECTIVE UPON PASSAGE]: **Sec. 76.2. "Eligible provider", for**  
11          **purposes of IC 12-17.2-3.7, has the meaning set forth in**  
12          **IC 12-17.2-3.7-2.**  
13          SECTION 122. IC 12-7-2-76.3 IS ADDED TO THE INDIANA  
14          CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
15          [EFFECTIVE UPON PASSAGE]: **Sec. 76.3. "Eligible services", for**  
16          **purposes of IC 12-17.2-3.7, has the meaning set forth in**  
17          **IC 12-17.2-3.7-3.**  
18          SECTION 123. IC 12-7-2-135.8 IS ADDED TO THE INDIANA  
19          CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
20          [EFFECTIVE UPON PASSAGE]: **Sec. 135.8. "Paths to QUALITY**  
21          **program", for purposes of IC 12-17.2-3.7, has the meaning set**  
22          **forth in IC 12-17.2-3.7-4.**  
23          SECTION 124. IC 12-7-2-146, AS AMENDED BY P.L.110-2010,  
24          SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25          UPON PASSAGE]: Sec. 146. "Program" refers to the following:  
26               (1) For purposes of IC 12-8-12.5, the meaning set forth in  
27               IC 12-8-12.5-1.  
28               (2) For purposes of IC 12-10-7, the adult guardianship services  
29               program established by IC 12-10-7-5.  
30               (3) For purposes of IC 12-10-10, the meaning set forth in

- 1 IC 12-10-10-5.  
 2 **(4) For purposes of IC 12-17.2-3.7, the meaning set forth in**  
 3 **IC 12-17.2-3.7-5.**  
 4 ~~(4)~~ **(5) For purposes of IC 12-17.6, the meaning set forth in**  
 5 **IC 12-17.6-1-5.**

6 SECTION 125. IC 12-7-2-169.7 IS ADDED TO THE INDIANA  
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 8 [EFFECTIVE UPON PASSAGE]: **Sec. 169.7. "Scholarship", for**  
 9 **purposes of IC 12-17.2-3.7, has the meaning set forth in**  
 10 **IC 12-17.2-3.7-6."**

11 Page 165, between lines 32 and 33, begin a new paragraph and  
 12 insert:

13 "SECTION 152. IC 12-17.2-3.7 IS ADDED TO THE INDIANA  
 14 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 15 [EFFECTIVE UPON PASSAGE]:

16 **Chapter 3.7. Early Education Scholarship Pilot Program**

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

- 19 **(1) is at least four (4) years of age and less than five (5) years**  
 20 **of age on August 1 of the state fiscal year for which a**  
 21 **scholarship is sought;**  
 22 **(2) is a resident of Indiana or otherwise has legal settlement**  
 23 **in Indiana, as determined under IC 20-26-11;**  
 24 **(3) is a member of a household with an annual income that**  
 25 **does not exceed one hundred eighty-five percent (185%) of the**  
 26 **federal poverty level;**  
 27 **(4) receives at least one hundred eighty (180) days of eligible**  
 28 **services per year from an eligible provider; and**  
 29 **(5) has a parent or guardian who participates in a parental**  
 30 **involvement component provided by the eligible provider.**

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

- 33 **(1) provides eligible services;**  
 34 **(2) is located in a county in which the program is**  
 35 **implemented; and**  
 36 **(3) administers the kindergarten readiness assessment**  
 37 **adopted by the department of education.**

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

- 40 **(1) that:**  
 41 **(A) meets the standards of quality recognized by a Level 3**  
 42 **or Level 4 Paths to QUALITY program rating;**  
 43 **(B) is nationally accredited by an accrediting body**  
 44 **recognized by the division or the state board of education;**  
 45 **(C) is accredited by the state board of education;**  
 46 **(D) is provided, before July 1, 2014, by an eligible school**

- 1 (as defined in IC 20-51-1-4.7); or  
 2 (E) is provided, before July 1, 2014, by a participating  
 3 school (as defined in IC 20-51-1-6); and  
 4 (2) that includes a parental involvement component based on  
 5 the guidelines established under section 16 of this chapter.

6 **Sec. 4.** 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. 5.** As used in this chapter, "program" refers to the early  
 12 education scholarship pilot program established by section 7 of this  
 13 chapter.

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

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

23 **(b)** The division shall administer the program, which must begin  
 24 on July 1, 2013, in not more than five (5) counties in Indiana,  
 25 chosen by the division.

26 **Sec. 8. (a)** An eligible child may receive a scholarship through  
 27 the program in accordance with this chapter.

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

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

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

39 **(e)** To qualify for a scholarship, a parent, guardian, or custodian  
 40 must apply for the scholarship in the manner prescribed by the  
 41 division.

42 **Sec. 9.** The maximum amount that may be awarded under this  
 43 chapter for all eligible services provided to an eligible child in a  
 44 state fiscal year is six thousand eight hundred dollars (\$6,800).

45 **Sec. 10.** The total amount of all scholarships awarded for  
 46 eligible services provided in a state fiscal year may not exceed the  
 47 amount appropriated for scholarships for that state fiscal year (less

1 any amount appropriated to administer the scholarship program).

2 **Sec. 11. (a) Scholarships shall be awarded for eligible services**  
 3 **at the rates, in the manner, and in the amounts determined by the**  
 4 **division.**

5 **(b) The division shall distribute scholarship amounts on a**  
 6 **periodic basis determined by the division.**

7 **(c) The amount distributed under subsection (b) must be based**  
 8 **on the number and length of days of eligible services received by an**  
 9 **eligible child during the period for which the amount is distributed.**

10 **(d) The division may distribute any part of a scholarship to the**  
 11 **parent, guardian, or custodian of the eligible child. For a**  
 12 **distribution described in this subsection to be valid, the**  
 13 **distribution must be endorsed by both the parent, guardian, or**  
 14 **custodian of the eligible child and the eligible provider that**  
 15 **provides the eligible services.**

16 **Sec. 12. (a) To be eligible to receive scholarship payments, an**  
 17 **eligible provider:**

18 **(1) may be required by the division to register with the**  
 19 **division on a form prescribed by the division;**

20 **(2) may not discriminate on the basis of race, color, or**  
 21 **national origin; and**

22 **(3) must otherwise comply with all applicable law and rules**  
 23 **governing the provider.**

24 **(b) The division may suspend or terminate an eligible provider's**  
 25 **participation in the program if the eligible provider fails to comply**  
 26 **with subsection (a).**

27 **Sec. 13. (a) The division may adopt rules under IC 4-22-2 to**  
 28 **implement this chapter.**

29 **(b) The division may adopt emergency rules in the manner**  
 30 **provided under IC 4-22-2-37.1 to implement this chapter.**

31 **Sec. 14. (a) The early learning advisory committee is established**  
 32 **to do the following:**

33 **(1) Create accountability measures for the program and**  
 34 **perform longitudinal review of the results of the measures.**

35 **(2) Conduct periodic statewide needs assessments concerning**  
 36 **the quality and availability of early education programs for**  
 37 **children from birth to the age of school entry, including the**  
 38 **availability of high quality prekindergarten education for low**  
 39 **income children in Indiana.**

40 **(3) Identify opportunities for, and barriers to, collaboration**  
 41 **and coordination among federally and state funded child**  
 42 **development, child care, and early childhood education**  
 43 **programs and services, including governmental agencies that**  
 44 **administer the programs and services.**

45 **(4) Assess the capacity and effectiveness of two (2) and four**  
 46 **(4) year public and private higher education institutions in**  
 47 **Indiana for the support of development of early educators,**

- 1 including:  
2 (A) professional development and career advancement  
3 plans; and  
4 (B) practice or internships with Head Start or  
5 prekindergarten programs.  
6 (5) Other duties as determined necessary by the chairperson  
7 of the committee.  
8 (6) Not later than June 30 of each year, develop and make  
9 recommendations to the governor and, in an electronic format  
10 under IC 5-14-6, to the legislative council concerning the  
11 following:  
12 (A) The results of the committee's work under subdivisions  
13 (1) through (5).  
14 (B) The results of the program.  
15 (b) The committee consists of six (6) members appointed by the  
16 governor as follows:  
17 (1) A representative of the department of education.  
18 (2) A representative of the division.  
19 (3) A representative of a Head Start program under 42 U.S.C.  
20 9831 et seq.  
21 (4) A representative of a family advocacy group that has an  
22 interest in early childhood education.  
23 (5) An early childhood education provider.  
24 (6) A representative of business with an interest in early  
25 childhood education.  
26 (c) The governor shall appoint the chairperson of the committee.  
27 (d) The division shall staff the committee.  
28 (e) The expenses of the committee shall be paid from the funds  
29 of the division.  
30 (f) Each member of the committee who is not a state employee  
31 is entitled to the minimum salary per diem provided by  
32 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
33 for traveling expenses as provided under IC 4-13-1-4 and other  
34 expenses actually incurred in connection with the member's duties  
35 as provided in the state policies and procedures established by the  
36 Indiana department of administration and approved by the budget  
37 agency.  
38 (g) Each member of the committee who is a state employee but  
39 who is not a member of the general assembly is entitled to  
40 reimbursement for traveling expenses as provided under  
41 IC 4-13-1-4 and other expenses actually incurred in connection  
42 with the member's duties as provided in the state policies and  
43 procedures established by the Indiana department of  
44 administration and approved by the budget agency.  
45 (h) Each member of the committee who is a member of the  
46 general assembly is entitled to receive the same per diem, mileage,  
47 and travel allowances paid to legislative members of interim study

1 committees established by the legislative council. Per diem,  
2 mileage, and travel allowances paid under this section shall be paid  
3 from appropriations made to the legislative council or the  
4 legislative services agency.

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

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

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

19 **Sec. 17. This chapter expires July 1, 2016."**

20 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed April 5, 2013.)

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Senator TALLIAN