

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred House Bill No. 1003, 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 3, line 19, after "a" insert "**virtual**".
- 2 Page 3, line 24, after "received a scholarship" insert "**of at least one**
- 3 **thousand dollars (\$1,000)**".
- 4 Page 6, delete lines 36 through 42, begin a new paragraph and
- 5 insert:
- 6 "SECTION 11. IC 20-51-4-4, AS ADDED BY P.L.92-2011,
- 7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2013]: Sec. 4. The ~~maximum~~ amount to ~~which~~ an eligible
- 9 ~~individual~~ **choice scholarship student** is entitled to ~~receive~~ under this
- 10 chapter for a school year is equal to **the following**:
- 11 **(1)** The least of the following:
- 12 ~~(+)~~ **(A)** The sum of the tuition, transfer tuition, and fees
- 13 required for enrollment or attendance of the eligible **choice**
- 14 **scholarship** student at the eligible school selected by the
- 15 eligible ~~individual~~ **choice scholarship student** for a school
- 16 year that the eligible ~~individual~~ (or the parent of the eligible
- 17 ~~individual~~) **choice scholarship student** (or the parent of the
- 18 **eligible choice scholarship student**) would otherwise be
- 19 obligated to pay to the eligible school.
- 20 ~~(2)~~ **(B)** An amount equal to:
- 21 ~~(A)~~ **(i)** ninety percent (90%) of the state tuition support

1 amount determined under section 5 of this chapter if the
 2 eligible ~~individual~~ **choice scholarship student** is a member
 3 of a household with an annual income of not more than the
 4 amount required for the ~~individual~~ **eligible choice**
 5 **scholarship student** to qualify for the federal free or
 6 reduced price lunch program; and

7 ~~(B)~~ **(ii)** fifty percent (50%) of the state tuition support
 8 amount determined under section 5 of this chapter if the
 9 eligible ~~individual~~ **choice scholarship student** is a member
 10 of a household with an annual income of, **in the case of an**
 11 **individual not described in section 2.5 of this chapter**, not
 12 more than one hundred fifty percent (150%) of the amount
 13 required for the ~~individual~~ **eligible choice scholarship**
 14 **student** to qualify for the federal free or reduced price lunch
 15 program **or, in the case of an individual described in**
 16 **section 2.5 of this chapter, not more than two percent**
 17 **(200%) of the amount required for the eligible choice**
 18 **scholarship student to qualify for the federal free or**
 19 **reduced price lunch program.**

20 ~~(3)~~ **(C)** If the eligible ~~individual~~ **choice scholarship student**
 21 is enrolled in grade 1 through 8, the maximum choice
 22 scholarship that the eligible ~~individual~~ **choice scholarship**
 23 **student** may receive for a school year:

24 **(i) beginning before July 1, 2013**, is four thousand five
 25 hundred dollars (\$4,500);

26 **(ii) beginning after June 30, 2013, and before July 1,**
 27 **2014, four thousand six hundred dollars (\$4,600); and**

28 **(iii) beginning after June 30, 2014, four thousand seven**
 29 **hundred dollars (\$4,700).**

30 **(2) In addition, if applicable, any amount that a school**
 31 **corporation would receive under IC 20-43-7 for the student if**
 32 **the student attended the school corporation.**

33 SECTION 12. IC 20-51-4-4.5 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2013]: **Sec. 4.5. (a) Notwithstanding 511**
 36 **IAC 7-34-1(d)(4), a public school is not required to make available**
 37 **special education and related services to an eligible choice**
 38 **scholarship student who receives funds under section 4(2) of this**
 39 **chapter.**

40 **(b) A school corporation may not include an eligible choice**
 41 **scholarship student who receives an amount under section 4(2) of**
 42 **this chapter in the school corporation's count under IC 20-43-7.**

1 SECTION 13. IC 20-51-4-4.6 IS ADDED TO THE INDIANA
 2 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 3 **[EFFECTIVE UPON PASSAGE]: Sec. 4.6. (a) The state board shall**
 4 **adopt rules under IC 4-22-2, including emergency rules adopted in**
 5 **the manner provided under IC 4-22-2-37.1, for the provision of**
 6 **special education or related services to an eligible choice**
 7 **scholarship student who receives an amount under section 4(2) of**
 8 **this chapter. The rules adopted under this section shall include**
 9 **annual reporting requirements, monitoring, and consequences for**
 10 **noncompliance by an eligible school.**

11 (b) An emergency rule adopted by the state board under this
 12 section expires on the earliest of the following dates:

13 (1) The expiration date stated in the emergency rule.

14 (2) The date the emergency rule is amended or repealed by a
 15 later rule adopted under IC 4-22-2-22.5 through IC 4-22-2-36
 16 or under IC 4-22-2-37.1.

17 (3) One (1) year after the date the emergency rule is
 18 adopted."

19 Page 7, delete lines 1 through 30.

20 Page 7, line 42, strike "calendar" and insert "state fiscal".

21 Page 8, line 8, strike "calendar" and insert "state fiscal".

22 Page 9, line 1, after "10." insert "**The department shall distribute**
 23 **choice scholarships at least once each semester, or at equivalent**
 24 **intervals.**".

25 Page 9, between lines 17 and 18, begin a new paragraph and insert:

26 "SECTION 19. [EFFECTIVE UPON PASSAGE] (a) The
 27 legislative council shall assign to an interim study committee or
 28 statutory study committee, for study during the 2013 legislative
 29 interim, the following topics concerning choice scholarships:

30 (1) Whether the public schools that students left upon
 31 receiving the choice scholarships were failing schools.

32 (2) Whether the nonpublic schools that students attended
 33 after receiving choice scholarships are high performing
 34 schools.

35 (3) How many students attending a nonpublic school under a
 36 choice scholarship or a scholarship from a scholarship
 37 granting organization never attended a public school.

38 (4) How many additional students are being funded by the
 39 state, compared to the year before choice scholarships were
 40 first awarded.

41 (5) What is the poverty rate among families of children
 42 receiving choice scholarships.

- 1 **(6) How many students received a choice scholarship for a**
 2 **reason other than poverty.**
 3 **(7) How many special education students are receiving choice**
 4 **scholarships.**
 5 **(8) How many category 1-3 English language learner (ELL)**
 6 **students are receiving choice scholarships.**
 7 **(9) What is the appropriate limit for state funded scholarships**
 8 **for private education.**
 9 **(b) The interim study committee or statutory study committee**
 10 **to which the topics are assigned shall issue a final report to the**
 11 **legislative council containing the committee's findings and any**
 12 **recommendations, including any recommended legislation**
 13 **concerning the topics, not later than November 1, 2013.**
 14 **(c) This SECTION expires December 31, 2013."**
 15 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1003 as printed March 29, 2013.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 4.

Senator Hershman, Chairperson