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January 14, 2014

HOUSE BILL No. 1004

DIGEST OF HB 1004 (Updated January 13, 2014 5:38 pm - DI 71)

Citations Affected: IC 12-7; IC 12-17.2; IC 20-51.

Synopsis: Early education vouchers. Makes changes to the qualification requirements of an eligible child for purposes of administering the early education matching grant program. Establishes the early education scholarship pilot program (program) to provide supplemental funding for eligible children receiving eligible services from certain early education providers. Provides that, after June 30, 2015, an eligible child may receive a scholarship through the program. Provides that a child or a sibling of a child who receives an early education scholarship and meets certain other criteria is eligible for the choice scholarship program. Makes technical corrections and conforming amendments.

Effective: July 1, 2014.

Behning, Bosma

January 7, 2014, read first time and referred to Committee on Education.
January 9, 2014, amended, reported — Do Pass.
January 13, 2014, read second time, amended, ordered engrossed.

HB 1004—LS 6868/DI 116



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

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 12-7-2-75.7, AS ADDED BY P.L.205-2013,
2 SECTION 173, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 75.7. "Eligible child" **means the**
4 **following:**
5 (1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the
6 meaning set forth in ~~IC 12-17.2-3.7-2~~. **IC 12-17.2-3.6-2.**
7 (2) **For purposes of IC 12-17.2-7, the meaning set forth in**
8 **IC 12-17.2-7-1.**
9 SECTION 2. IC 12-7-2-76.2, AS ADDED BY P.L.205-2013,
10 SECTION 174, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: Sec. 76.2. "Eligible provider" **means the**
12 **following:**
13 (1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the
14 meaning set forth in ~~IC 12-17.2-3.7-3~~. **IC 12-17.2-3.6-3.**
15 (2) **For purposes of IC 12-17.2-7, the meaning set forth in**
16 **IC 12-17.2-7-2.**

HB 1004—LS 6868/DI 116



SECTION 3. IC 12-7-2-76.3, AS ADDED BY P.L.205-2013, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 76.3. "Eligible services" **means the following:**

(1) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the meaning set forth in ~~IC 12-17.2-3.7-4~~. **IC 12-17.2-3.6-4.**

(2) **For purposes of IC 12-17.2-7, the meaning set forth in IC 12-17.2-7-3.**

SECTION 4. IC 12-7-2-135.8, AS ADDED BY P.L.205-2013, SECTION 178, AND AS ADDED BY P.L.267-2013, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 135.8. (a) "Paths to QUALITY program", for purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, and ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, *refers to the paths to QUALITY program and IC 12-17.2-7, refers to the program established in IC 12-17.2-2-14.2(b).*

(b) "Paths to QUALITY program", for purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.8**, *has the meaning set forth in ~~IC 12-17.2-3.7-4~~. IC 12-17.2-3.8-1.*

SECTION 5. IC 12-7-2-146, AS AMENDED BY P.L.205-2013, SECTION 179, AND AS AMENDED BY P.L.267-2013, SECTION 2, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 146. "Program" refers to the following:

(1) For purposes of IC 12-8-12.5, the meaning set forth in IC 12-8-12.5-1.

(2) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.

(3) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.

(4) *For purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, the meaning set forth in ~~IC 12-17.2-2-14~~. **IC 12-17.2-2-14.2(a).***

(5) *For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, the meaning set forth in ~~IC 12-17.2-3.7-7~~. **IC 12-17.2-3.6-7.***

~~(4)~~ (6) *For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.8**, the meaning set forth in ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.8-2.***

(7) **For purposes of IC 12-17.2-7, the meaning set forth in IC 12-17.2-7-5.**

~~(5)~~ (6) (8) *For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.*

SECTION 6. IC 12-7-2-169.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2014]: **Sec. 169.7. "Scholarship", for purposes of IC 12-17.2-7, has the meaning set forth in IC 12-17.2-7-6.**

SECTION 7. IC 12-17.2-3.6-9, AS ADDED BY SEA 24-2014, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) The committee shall do the following:

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

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

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

(A) professional development and career advancement plans; and

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

(4) Recommend to the division procedures, policies, and eligibility criteria for the program.

(5) Determine a passage rate on the kindergarten readiness assessment selected under subsection (b) that must be achieved by the children who attend an eligible provider for the eligible provider to continue to participate in the early education scholarship pilot program under IC 12-17.2-7.

(6) Determine an attendance rate that an eligible child must meet to continue to participate in the early education scholarship pilot program under IC 12-17.2-7.

~~(5)~~ (7) Other duties as determined necessary by the chairperson of the committee.

(b) Before July 1, 2015, the committee shall review the kindergarten readiness assessment (ISTAR-KR) adopted by the department of education and other kindergarten readiness assessments and select a kindergarten readiness assessment to be administered by an eligible provider (as defined in IC 12-17.2-7-2) to measure whether an eligible child (as defined in IC 12-17.2-7-1) is ready for kindergarten under the early education scholarship



pilot program established in IC 12-17.2-7-7.

~~(b)~~ **(c)** Not later than June 30 of each year, the committee shall develop and make recommendations to the governor and, in an electronic format under IC 5-14-6, to the legislative council concerning the results of the committee's work under this section.

SECTION 8. IC 12-17.2-3.6-15, AS ADDED BY SEA 24-2014, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. To qualify:

(1) before August 1, 2014, as an eligible child, the child must be:

~~(1)~~ **(A)** a member of a household with an annual income that does not exceed one hundred percent (100%) of the federal poverty level;

~~(2)~~ **(B)** at least four (4) years of age and less than five (5) years of age when the child receives eligible services; and

~~(3)~~ **(C)** a resident of Indiana or otherwise have legal settlement in Indiana, as determined under IC 20-26-11;

(2) after July 31, 2014, as an eligible child, the child must:

(A) be at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which the matching grant is awarded to the eligible provider;

(B) be a resident of Indiana or otherwise have legal settlement in Indiana, as determined under IC 20-26-11;

(C) be a member of a household with an annual income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level;

(D) receive at least one hundred eighty (180) days of eligible services per year from an eligible provider or the equivalent number of instructional hours, as determined by the division;

(E) have a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider;

(F) have a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program; and

(G) have a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under section 9(a)(5) of this chapter.

SECTION 9. IC 12-17.2-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 7. Early Education Scholarship Pilot Program



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

- 3 (1) is at least four (4) years of age and less than five (5) years
 4 of age on August 1 of the state fiscal year for which a
 5 scholarship is sought;
 6 (2) is a resident of Indiana or otherwise has legal settlement
 7 in Indiana, as determined under IC 20-26-11;
 8 (3) is a member of a household with an annual income that
 9 does not exceed one hundred eighty-five percent (185%) of the
 10 federal poverty level;
 11 (4) receives at least one hundred eighty (180) days of eligible
 12 services per year from an eligible provider or the equivalent
 13 number of instructional hours, as determined by the division;
 14 (5) has a parent, guardian, or custodian who participates in a
 15 parental engagement and involvement component provided
 16 by the eligible provider;
 17 (6) has a parent or guardian who agrees to enroll the child in
 18 kindergarten under IC 20-33-2-7 after the child completes an
 19 early education program; and
 20 (7) has a parent or guardian who agrees to ensure that the
 21 child meets the attendance requirements determined under
 22 IC 12-17.2-3.6-9(a)(5).

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

- 25 (1) provides eligible services;
 26 (2) is located in a county in which the program is
 27 implemented; and
 28 (3) administers the kindergarten readiness assessment
 29 adopted by the department of education.

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

- 32 (1) that:
 33 (A) meets the standards of quality recognized by a Level 3
 34 or Level 4 paths to QUALITY program rating;
 35 (B) is nationally accredited by an accrediting body
 36 recognized by the division or the state board of education;
 37 (C) is provided by a school that is accredited by the state
 38 board of education;
 39 (D) is provided, before July 1, 2015, by an eligible school
 40 (as defined in IC 20-51-1-4.7); or
 41 (E) is provided, before July 1, 2015, by a participating
 42 school (as defined in IC 20-51-1-6);



(2) that includes a parental engagement and involvement component based on the guidelines established under section 15 of this chapter; and

(3) that administers the kindergarten readiness assessment (ISTAR-KR) adopted by the department of education or another kindergarten readiness assessment selected by the early learning advisory committee under IC 12-17.2-3.6-9(b) to children receiving eligible services as required by the division.

Sec. 4. As used in this chapter, "paths to QUALITY program" has the meaning set forth in IC 12-17.2-2-14.2(b).

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

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

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

(b) The division shall administer the program, which must begin after June 30, 2015, in not more than five (5) counties in Indiana, as chosen by the division. The counties chosen must include both rural and urban counties.

Sec. 8. (a) After June 30, 2015, an eligible child may receive a scholarship through the program in accordance with this chapter.

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

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

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

(e) To qualify for a scholarship, a parent, guardian, or custodian must apply for the scholarship in the manner prescribed by the



1 division.

2 (f) An eligible child is not prohibited from receiving a
3 scholarship under this chapter if the eligible provider receives a
4 matching grant under IC 12-17.2-3.6-13.

5 Sec. 9. The maximum amount that may be awarded under this
6 chapter for all eligible services provided to an eligible child in a
7 state fiscal year is:

8 (1) six thousand eight hundred dollars (\$6,800), for an eligible
9 child who attends a full-day program at an eligible provider,
10 as determined by the division; or

11 (2) three thousand four hundred dollars (\$3,400), for an
12 eligible child who attends a half-day program at an eligible
13 provider, as determined by the division.

14 Sec. 10. The total amount of all scholarships awarded for
15 eligible services provided in a state fiscal year may not exceed the
16 amount appropriated for scholarships for that state fiscal year (less
17 any amount appropriated to administer the scholarship program).

18 Sec. 11. (a) Scholarships shall be awarded for eligible services
19 at the rates, in the manner, and in the amounts determined by the
20 division.

21 (b) The division shall distribute scholarship amounts on a
22 periodic basis determined by the division.

23 (c) An amount distributed under subsection (b) must be based
24 on the number and length of days of eligible services received by an
25 eligible child during the period for which the amount is distributed.

26 (d) The division may distribute any part of a scholarship to the
27 parent, guardian, or custodian of the eligible child. For a
28 distribution described in this subsection to be valid, the
29 distribution must be endorsed by both the parent, guardian, or
30 custodian of the eligible child and the eligible provider that
31 provides the eligible services.

32 Sec. 12. (a) To be eligible to receive scholarship payments, an
33 eligible provider:

34 (1) may be required by the division to register with the
35 division on a form prescribed by the division;

36 (2) may not discriminate on the basis of race, color, or
37 national origin; and

38 (3) must otherwise comply with all applicable laws and rules
39 governing the provider.

40 (b) The division may suspend or terminate an eligible provider's
41 participation in the program if the eligible provider fails to comply
42 with subsection (a).



1 **Sec. 13. (a) Each year an eligible provider shall administer to**
 2 **children receiving eligible services by an eligible provider a**
 3 **kindergarten readiness assessment selected by the early learning**
 4 **advisory committee under IC 12-17.2-3.6-9(b). If, in a particular**
 5 **year, the percentage of children who:**

6 **(1) attend an eligible provider; and**

7 **(2) pass the kindergarten readiness assessment selected under**
 8 **IC 12-17.2-3.6-9(b);**

9 **is less than the passage rate determined by the early learning**
 10 **advisory committee under IC 12-17.2-3.6-9(a)(5), the eligible**
 11 **provider may continue to participate in the program only on a**
 12 **probationary basis.**

13 **(b) An eligible provider may not participate in the program**
 14 **after the second consecutive year in which the percentage of**
 15 **children who:**

16 **(1) attend the eligible provider; and**

17 **(2) pass the kindergarten readiness assessment selected under**
 18 **IC 12-17.2-3.6-9(b);**

19 **is less than the passage rate determined by the early learning**
 20 **advisory committee under IC 12-17.2-3.6-9(a)(5).**

21 **Sec. 14. The division may adopt rules under IC 4-22-2 to**
 22 **implement this chapter.**

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

30 **Sec. 16. The division shall develop and maintain guidelines for**
 31 **the inclusion in every eligible provider's eligible services under this**
 32 **chapter of a component increasing engagement and involvement of**
 33 **a child's parent, guardian, or custodian in the child's education.**

34 **Sec. 17. (a) This section applies to a state fiscal year beginning**
 35 **after June 30, 2015.**

36 **(b) The program may be funded only by an appropriation**
 37 **enacted by the general assembly. The amount of state tuition**
 38 **support a school receives under IC 20-43 may not be reduced by an**
 39 **appropriation enacted by the general assembly to fund the**
 40 **program established by this chapter.**

41 **SECTION 10. IC 20-51-1-4.3, AS ADDED BY P.L.205-2013,**
 42 **SECTION 310, IS AMENDED TO READ AS FOLLOWS**



[EFFECTIVE JULY 1, 2014]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7; and

(3) meets at least one (1) of the following conditions:

(A) The individual is:

(i) a child with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34; and

(ii) a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

(B) The individual is:

(i) an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under IC 20-31-8-4 (has been assigned an "F" grade); and

(ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under IC 20-31-8-4.

(C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and the individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.



(D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and satisfies ~~either~~ **any** of the following:

(i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(ii) The individual or a sibling of the individual receives for the first time after June 30, 2013, a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization under IC 20-51-3, or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3, or a choice scholarship under IC 20-51-4.

(iii) The individual or a sibling of the individual received a scholarship of at least five hundred dollars (\$500) for an early education scholarship under IC 12-17.2-7 before enrolling in school.

SECTION 11. IC 20-51-4-2.5, AS ADDED BY P.L.211-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), ~~or~~ IC 20-51-1-4.3(3)(D)(ii), **or IC 20-51-1-4.3(3)(D)(iii)**, an individual who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), ~~or~~ IC 20-51-1-4.3(3)(D)(ii), **or IC 20-51-1-4.3(3)(D)(iii)** and is a member of a household whose income subsequently increases is considered to meet the income requirements for as long as the individual is enrolled in a participating school and is a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.



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 5, line 18, after "is" insert "**provided by a school that is**".

Page 8, delete line 7.

and when so amended that said bill do pass.

(Reference is to HB 1004 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 3.

HOUSE MOTION

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

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine a passage rate on the kindergarten readiness assessment selected under subsection (b) that must be achieved by the children who attend an eligible provider for the eligible provider to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 6, line 7, after "division." insert "**The counties chosen must include both rural and urban counties.**".

Page 6, line 24, delete "may receive" and insert "**is not prohibited from receiving**".

Page 7, line 27, delete "less than seventy percent (70%) of children who attend an" and insert "**the percentage of children who:**

(1) attend an eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5),"

Page 7, delete lines 28 through 29.

Page 7, line 30, delete "IC 12-17.2-3.6-9,".

Page 7, line 33, delete "less than seventy" and insert "**the**



percentage of children who:

(1) attend the eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5).".

Page 7, delete lines 34 through 36.

(Reference is to HB 1004 as printed January 10, 2014.)

BEHNING

HOUSE MOTION

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

Page 4, line 21, delete "and".

Page 4, line 24, delete "." and insert "; and

(F) have a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

Page 4, delete line 42.

Page 5, line 3, delete "." and insert "; and

(6) has a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

(Reference is to HB 1004 as printed January 10, 2014.)

SMITH V



HOUSE MOTION

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

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine an attendance rate that an eligible child must meet to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 4, line 21, delete "and".

Page 4, line 24, delete "provider." and insert **"provider; and**

(F) have a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under section 9(a)(5) of this chapter."

Page 4, delete line 42.

Page 5, line 3, delete "provider." and insert **"provider; and**

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under IC 12-17.2-3.6-9(a)(5)."

(Reference is to HB 1004 as printed January 10, 2014.)

SMITH V

HOUSE MOTION

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

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 17. (a) This section applies to a state fiscal year beginning after June 30, 2015.

(b) The program may be funded only by an appropriation enacted by the general assembly. The amount of state tuition support a school receives under IC 20-43 may not be reduced by an



appropriation enacted by the general assembly to fund the program established by this chapter."

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

