



Reprinted  
February 27, 2018

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## ENGROSSED HOUSE BILL No. 1314

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DIGEST OF HB 1314 (Updated February 26, 2018 3:16 pm - DI 110)

**Citations Affected:** IC 20-19; IC 20-20; IC 20-27.

**Synopsis:** Students in foster care and homeless students. Requires the state board of education to, in collaboration with the department of education (department) and the department of child services, annually prepare and submit the following: (1) A report on foster care youth educational outcomes. (2) A report on homeless youth educational outcomes. Requires the department to develop and submit a copy of the following: (1) A remediation plan concerning foster care youth. (2) A remediation plan concerning homeless youth. Requires certain information regarding students in foster care to be included in a school  
(Continued next page)

**Effective:** July 1, 2018.

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### DeVon, Behning, Frizzell, Summers

(SENATE SPONSORS — ZAY, RAATZ, KRUSE, STOOPS,  
RANDOLPH LONNIE M)

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January 11, 2018, read first time and referred to Committee on Education.  
January 18, 2018, amended, reported — Do Pass.  
January 25, 2018, read second time, amended, ordered engrossed.  
January 26, 2018, engrossed.  
January 29, 2018, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 1, 2018, read first time and referred to Committee on Education and Career Development.  
February 22, 2018, amended, reported favorably — Do Pass.  
February 26, 2018, read second time, amended, ordered engrossed.

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Digest Continued

corporation's annual performance report. Requires the department and the department of child services to enter into a memorandum of understanding that, at a minimum, requires the department of child services to share with the department, at least one time each month, disaggregated information regarding youth in foster care that is sufficient to allow the department to identify students in foster care. Repeals, for purposes of provisions concerning the transportation of a homeless student to a school of origin, a provision that provides "homeless student" includes a student who is awaiting placement in foster care.



Reprinted  
February 27, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1314

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-19-3-17 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2018]: **Sec. 17. (a) As used in this section, "foster care" has the**  
4 **meaning set forth in IC 31-9-2-46.7.**  
5 **(b) As used in this section, "foster care youth" means students**  
6 **in foster care.**  
7 **(c) As used in this section, "graduation rate" has the meaning**  
8 **set forth in IC 20-26-13-6.**  
9 **(d) The state board shall, in collaboration with the department**  
10 **and the department of child services, annually prepare a report on**  
11 **foster care youth educational outcomes that includes the following:**  
12 **(1) The annual graduation rate of foster care youth, including**  
13 **the following information:**  
14 **(A) The graduation rate for each of the following:**  
15 **(i) Foster care youth who received a graduation waiver**  
16 **under IC 20-32-4-4.**  
17 **(ii) Foster care youth who did not receive a graduation**

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- 1 waiver under IC 20-32-4-4.
- 2 (B) The number and percentage of foster care youth who
- 3 received each type of diploma.
- 4 (2) The adjusted cohort graduation rate for foster care youth,
- 5 including the adjusted cohort graduation rate for each of the
- 6 following:
- 7 (A) Foster care youth who received a graduation waiver
- 8 under IC 20-32-4-4.
- 9 (B) Foster care youth who did not receive a graduation
- 10 waiver under IC 20-32-4-4.
- 11 (3) The number and percentage for each of the following:
- 12 (A) Foster care youth who were promoted to the next
- 13 grade level at the end of the school year.
- 14 (B) Foster care youth who were retained in the same grade
- 15 level for the next school year.
- 16 (C) Foster care youth who were suspended during the
- 17 school year.
- 18 (D) Foster care youth who were expelled during the school
- 19 year.
- 20 (E) Foster care youth who met academic standards on
- 21 statewide assessment program tests (as defined in
- 22 IC 20-32-2-2.3) administered during the school year.
- 23 The information reported under this subdivision must also be
- 24 disaggregated by race, grade, gender, free or reduced price
- 25 lunch status, and eligibility for special education.
- 26 (4) The number and percentage of eligible foster care youth
- 27 who are enrolled in the prekindergarten pilot program under
- 28 IC 12-17.2-7.2.
- 29 (5) The number and percentage of foster care youth who
- 30 passed the reading skills evaluation administered under
- 31 IC 20-32-8.5-2.
- 32 (6) The number and percentage of foster care youth enrolled
- 33 in schools, disaggregated by the category or designation of the
- 34 school under IC 20-31-8-3.
- 35 (7) The number and percentage of foster care youth enrolled
- 36 in schools, disaggregated by the type of school, including
- 37 public schools, charter schools, accredited nonpublic schools,
- 38 and secure private facilities (as defined in IC 31-9-2-115).
- 39 (e) Not later than June 30, 2019, the department shall:
- 40 (1) after consulting with the department of child services,
- 41 develop a remediation plan concerning foster care youth; and
- 42 (2) submit a copy of the remediation plan to the following:



- 1           (A) The state board.  
 2           (B) The department of child services.  
 3           (C) The legislative council in an electronic format under  
 4           IC 5-14-6.  
 5           (f) Before April 1, 2019, and before April 1 each year thereafter,  
 6           the department shall submit the report described in subsection (d)  
 7           to the following:  
 8           (1) Department of child services.  
 9           (2) Legislative council in an electronic format under  
 10           IC 5-14-6.  
 11           SECTION 2. IC 20-19-3-18 IS ADDED TO THE INDIANA CODE  
 12           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13           1, 2018]: **Sec. 18. (a) As used in this section, "graduation rate" has**  
 14           **the meaning set forth in IC 20-26-13-6.**  
 15           **(b) The state board shall, in collaboration with the department**  
 16           **and the department of child services, annually prepare a report on**  
 17           **homeless youth educational outcomes that includes the following:**  
 18           **(1) The annual graduation rate of homeless youth, including**  
 19           **the following information:**  
 20           **(A) The graduation rate for each of the following:**  
 21           **(i) Homeless youth who received a graduation waiver**  
 22           **under IC 20-32-4-4.**  
 23           **(ii) Homeless youth who did not receive a graduation**  
 24           **waiver under IC 20-32-4-4.**  
 25           **(B) The number and percentage of homeless youth who**  
 26           **received each type of diploma.**  
 27           **(2) The adjusted cohort graduation rate for homeless youth,**  
 28           **including the adjusted cohort graduation rate for each of the**  
 29           **following:**  
 30           **(A) Homeless youth who received a graduation waiver**  
 31           **under IC 20-32-4-4.**  
 32           **(B) Homeless youth who did not receive a graduation**  
 33           **waiver under IC 20-32-4-4.**  
 34           **(3) The number and percentage of each of the following:**  
 35           **(A) Homeless youth who were promoted to the next grade**  
 36           **level at the end of the school year.**  
 37           **(B) Homeless youth who were retained in the same grade**  
 38           **level for the next school year.**  
 39           **(C) Homeless youth who were suspended during the school**  
 40           **year.**  
 41           **(D) Homeless youth who were expelled during the school**  
 42           **year.**



- 1           (E) Homeless youth who met academic standards on  
 2           statewide assessment program tests (as defined in  
 3           IC 20-32-2-2.3) administered during the school year.  
 4           The information reported under this subdivision must also be  
 5           disaggregated by race, grade, gender, free or reduced price  
 6           lunch status, and eligibility for special education.  
 7           (4) The number and percentage of eligible homeless youth  
 8           who are enrolled in the prekindergarten pilot program under  
 9           IC 12-17.2-7.2.  
 10          (5) The number and percentage of homeless youth who passed  
 11          the reading skills evaluation administered under  
 12          IC 20-32-8.5-2.  
 13          (6) The number and percentage of homeless youth enrolled in  
 14          schools, disaggregated by the category or designation of the  
 15          school under IC 20-31-8-3.  
 16          (7) The number and percentage of homeless youth enrolled in  
 17          schools, disaggregated by the type of school, including public  
 18          schools, charter schools, accredited nonpublic schools, and  
 19          secure private facilities (as defined in IC 31-9-2-115).  
 20          (c) Not later than August 31, 2019, the department shall:  
 21               (1) develop a remediation plan concerning homeless youth;  
 22               and  
 23               (2) submit a copy of the remediation plan to the following:  
 24                   (A) The state board.  
 25                   (B) The Indiana housing and community development  
 26                   authority established by IC 5-20-1-3.  
 27                   (C) The legislative council in an electronic format under  
 28                   IC 5-14-6.  
 29          (d) Before June 1, 2019, and before June 1 each year thereafter,  
 30          the department shall submit the report described in subsection (b)  
 31          to the following:  
 32               (1) The Indiana housing and community development  
 33               authority.  
 34               (2) The legislative council in an electronic format under  
 35               IC 5-14-6.  
 36          SECTION 3. IC 20-19-3-19 IS ADDED TO THE INDIANA CODE  
 37          AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 38          1, 2018]: **Sec. 19.** The department and the department of child  
 39          services shall, on or before October 1, 2018, enter into a  
 40          memorandum of understanding that, at a minimum, requires the  
 41          department of child services to share with the department, at least  
 42          one (1) time each month, disaggregated information regarding



1 **youth in foster care that is sufficient to allow the department to**  
 2 **identify students in foster care.**

3 SECTION 4. IC 20-20-8-8, AS AMENDED BY P.L.242-2017,  
 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2018]: Sec. 8. (a) The report must include the following  
 6 information:

- 7 (1) Student enrollment.  
 8 (2) Graduation rate (as defined in IC 20-26-13-6) and the  
 9 graduation rate excluding students that receive a graduation  
 10 waiver under IC 20-32-4-4.  
 11 (3) Attendance rate.  
 12 (4) The following test scores, including the number and  
 13 percentage of students meeting academic standards:  
 14 (A) All state standardized assessment scores.  
 15 (B) Scores for assessments under IC 20-32-5-21 (before its  
 16 expiration on July 1, 2018), if appropriate.  
 17 (C) For a freeway school, scores on a locally adopted  
 18 assessment program, if appropriate.  
 19 (5) Average class size.  
 20 (6) The school's performance category or designation of school  
 21 improvement assigned under IC 20-31-8.  
 22 (7) The number and percentage of students in the following  
 23 groups or programs:  
 24 (A) Alternative education, if offered.  
 25 (B) Career and technical education.  
 26 (C) Special education.  
 27 (D) High ability.  
 28 (E) Limited English language proficiency.  
 29 (F) Students receiving free or reduced price lunch under the  
 30 national school lunch program.  
 31 **(G) Students in foster care.**  
 32 (8) Advanced placement, including the following:  
 33 (A) For advanced placement tests, the percentage of students:  
 34 (i) scoring three (3), four (4), and five (5); and  
 35 (ii) taking the test.  
 36 (B) For the Scholastic Aptitude Test:  
 37 (i) the average test scores for all students taking the test;  
 38 (ii) the average test scores for students completing the  
 39 academic honors diploma program; and  
 40 (iii) the percentage of students taking the test.  
 41 (9) Course completion, including the number and percentage of  
 42 students completing the following programs:



- 1 (A) Academic honors diploma.  
 2 (B) Core 40 curriculum.  
 3 (C) Career and technical programs.
- 4 (10) The percentage of graduates considered college and career  
 5 ready in a manner prescribed by the state board.
- 6 (11) School safety, including:  
 7 (A) the number of students receiving suspension or expulsion  
 8 for the possession of alcohol, drugs, or weapons;  
 9 (B) the number of incidents reported under IC 20-33-9; and  
 10 (C) the number of bullying incidents reported under  
 11 IC 20-34-6 by category.
- 12 (12) Financial information and various school cost factors  
 13 required to be provided to the office of management and budget  
 14 under IC 20-42.5-3-5.
- 15 (13) The number and percentage of each of the following within  
 16 the school corporation:  
 17 (A) Teachers who are certificated employees (as defined in  
 18 IC 20-29-2-4).  
 19 (B) Teachers who teach the subject area for which the teacher  
 20 is certified and holds a license.  
 21 (C) Teachers with national board certification.
- 22 (14) The percentage of grade 3 students reading at grade 3 level.
- 23 (15) The number of students expelled, including the percentage  
 24 of students expelled **disaggregated** by race, grade, gender, free  
 25 or reduced price lunch status, **and** eligibility for special education,  
 26 **and students in foster care.**
- 27 (16) Chronic absenteeism, which includes the number of students  
 28 who have been absent from school for ten percent (10%) or more  
 29 of a school year for any reason.
- 30 (17) Habitual truancy, which includes the number of students who  
 31 have been absent ten (10) days or more from school within a  
 32 school year without being excused or without being absent under  
 33 a parental request that has been filed with the school.
- 34 (18) The number of students who have dropped out of school,  
 35 including the:  
 36 (A) reasons for dropping out; ~~including the~~ **and**  
 37 (B) percentage of students who have dropped out,  
 38 **disaggregated** by race, grade, gender, free or reduced price  
 39 lunch status, **and** eligibility for special education, **and**  
 40 **students in foster care.**
- 41 (19) The number of out of school suspensions assigned, including  
 42 the percentage of students suspended **disaggregated** by race,





- 1 grade, gender, free or reduced price lunch status, ~~and~~ eligibility  
 2 for special education, **and students in foster care.**
- 3 (20) The number of in school suspensions assigned, including the  
 4 percentage of students suspended **disaggregated** by race, grade,  
 5 gender, free or reduced price lunch status, ~~and~~ eligibility for  
 6 special education, **and students in foster care.**
- 7 (21) The number of student work permits revoked.
- 8 (22) The number of students receiving an international  
 9 baccalaureate diploma.
- 10 (b) Section 3(a) of this chapter does not apply to the publication of  
 11 information required under this subsection. This subsection applies to  
 12 schools, including charter schools, located in a county having a  
 13 consolidated city, including schools located in excluded cities (as  
 14 defined in IC 36-3-1-7). A separate report including the information  
 15 reported under subsection (a) must be:
- 16 (1) disaggregated by race, grade, gender, free or reduced price  
 17 lunch status, ~~and~~ eligibility for special education, **and students in**  
 18 **foster care; and must be**
- 19 (2) made available on the Internet as provided in section 3(b) of  
 20 this chapter.
- 21 SECTION 5. IC 20-27-12-0.5 IS REPEALED [EFFECTIVE JULY  
 22 1, 2018]. ~~Sec. 0-5. (a) As used in this chapter, "homeless student"~~  
 23 ~~includes a student who is awaiting placement in foster care.~~
- 24 (b) The term does not include a student who is in foster care.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1314, 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 38, after "public" insert "**school**".

and when so amended that said bill do pass.

(Reference is to HB 1314 as introduced.)

BEHNING

Committee Vote: yeas 11, nays 0.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 1, line 3, delete "care youth".

Page 1, delete line 4 and insert "**care**" **has the meaning set forth in IC 31-9-2-46.7.**

**(b) As used in this section, "foster care youth" means students in foster care."**

Page 1, line 5, delete "(b)" and insert "**(c)**".

Page 1, line 7, delete "(c)" and insert "**(d)**".

Page 1, line 7, after "(c) The" delete "department" and insert "**state board**".

Page 1, line 7, after "with" delete "the department" and insert "**the department and the department**".

Page 1, line 8, delete "**IC 31-25-1-1**",

Page 2, line 32, delete "(d)" and insert "**(e)**".

Page 2, line 34, delete "(c)" and insert "**(d)**".

Page 2, delete lines 38 through 42.

Page 3, delete lines 1 through 6.

Page 3, line 35, delete "receiving foster care services." and insert "**in foster care**".

Page 4, line 30, delete "receiving foster care services." and insert "**in foster care**".

Page 5, line 2, delete "receiving foster care services." and insert "**in foster care**".

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Page 5, line 6, delete "receiving foster care".

Page 5, delete line 7 and insert "**in foster care.**".

Page 5, line 11, delete "receiving foster care services." and insert "**in foster care.**".

Page 5, line 22, after "students" insert "**in foster care;**".

Page 5, line 23, delete "receiving foster care services;".

Renumber all SECTIONS consecutively.

(Reference is to HB 1314 as printed January 19, 2018.)

BEHNING

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 2, between lines 18 and 19, begin a new line block indented and insert:

**"Included in the report for foster care youth under this subdivision, all state standardized assessment scores and scores for assessments under IC 20-32-5-21 (before its expiration on July 1, 2018), if appropriate, including the number and percentage of students meeting academic standards. The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education."**

(Reference is to HB 1314 as printed January 19, 2018.)

SMITH V



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1314 be amended to read as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

**"(d) If the department determines based on the information provided in the report prepared under subsection (c) that foster care youth are disproportionately:**

**(1) not meeting academic standards; or**

**(2) subject to school discipline;**

**compared to the overall school population, the department shall develop a remediation plan and shall include recommendations in the department's report prepared under subsection (e)."**

Page 2, line 32, delete "(d)" and insert "(e)".

Page 2, line 34, after "(c)" insert **"and include any policy recommendations described in subsection (d)"**.

(Reference is to HB 1314 as printed January 19, 2018.)

SMITH V

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 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1314, 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, line 10, delete "services" and insert **"services,"**

Page 2, delete lines 20 through 28, begin a new line double block indented and insert:

**"(E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.**

**The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education."**

Page 2, line 30, after "prekindergarten" insert **"pilot"**.

Page 3, delete lines 1 through 8, begin a new paragraph and insert: **"(e) Not later than June 30, 2019, the department shall:**

**(1) develop a remediation plan concerning foster care youth;**

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and

**(2) submit a copy of the remediation plan to the following:**

**(A) The state board.**

**(B) The department of child services.**

**(C) The legislative council in an electronic format under IC 5-14-6."**

Page 3, line 9, delete "November 1, 2018, and before November 1" and insert "**April 1, 2019, and before April 1**".

Page 3, line 11, delete "and include any policy recommendations described".

Page 3, line 12, delete "in subsection (e)".

Page 3, between lines 15 and 16, begin a new paragraph and insert:  
**"SECTION 2. IC 20-19-3-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. (a) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.**

**(b) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on homeless youth educational outcomes that includes the following:**

**(1) The annual graduation rate of homeless youth, including the following information:**

**(A) The graduation rate for each of the following:**

**(i) Homeless youth who received a graduation waiver under IC 20-32-4-4.**

**(ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.**

**(B) The number and percentage of homeless youth who received each type of diploma.**

**(2) The adjusted cohort graduation rate for homeless youth, including the adjusted cohort graduation rate for each of the following:**

**(A) Homeless youth who received a graduation waiver under IC 20-32-4-4.**

**(B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.**

**(3) The number and percentage of each of the following:**

**(A) Homeless youth who were promoted to the next grade level at the end of the school year.**

**(B) Homeless youth who were retained in the same grade level for the next school year.**

**(C) Homeless youth who were suspended during the school year.**



**(D) Homeless youth who were expelled during the school year.**

**(E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.**

**The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.**

**(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.**

**(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.**

**(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.**

**(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, accredited nonpublic schools, and secure private facilities (as defined in IC 31-9-2-115).**

**(c) Not later than August 31, 2019, the department shall:**

**(1) develop a remediation plan concerning homeless youth; and**

**(2) submit a copy of the remediation plan to the following:**

**(A) The state board.**

**(B) The Indiana housing and community development authority established by IC 5-20-1-3.**

**(C) The legislative council in an electronic format under IC 5-14-6.**

**(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:**

**(1) The Indiana housing and community development authority.**



**(2) The legislative council in an electronic format under IC 5-14-6."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1314 as reprinted January 26, 2018.)

KRUSE, Chairperson

Committee Vote: Yeas 11, Nays 0.

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1314 be amended to read as follows:

Page 2, line 40, after "(1)" insert "**after consulting with the department of child services,**".

Page 4, between lines 35 and 36, begin a new paragraph and insert: "SECTION 3. IC 20-19-3-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 19. The department and the department of child services shall, on or before October 1, 2018, enter into a memorandum of understanding that, at a minimum, requires the department of child services to share with the department, at least one (1) time each month, disaggregated information regarding youth in foster care that is sufficient to allow the department to identify students in foster care.**".

Page 7, delete lines 16 through 26.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1314 as printed February 23, 2018.)

ZAY

