



February 24, 2017

SENATE BILL No. 276

DIGEST OF SB 276 (Updated February 23, 2017 9:53 am - DI 120)

Citations Affected: IC 12-7; IC 12-17.2; IC 20-19; noncode.

Synopsis: Prekindergarten education. Provides that, after June 30, 2017, the early education grant pilot program (pilot program) includes eligible providers in any county in Indiana. Adds additional requirements for an eligible provider to participate in the pilot program. Adds additional requirements for an eligible child to qualify for or receive a grant under the pilot program. Provides that the office of the secretary of family and social services (office) may award a grant to a potential eligible provider or existing eligible provider for an expansion plan if certain requirements are met. Requires a potential eligible provider or existing eligible provider to repay to the office the total amount of the grant awarded if the potential eligible provider or existing eligible provider fails to use the grant funds in accordance with the expansion plan or in compliance with the agreement with the office. Requires the office to: (1) monitor the educational outcomes resulting from the implementation of expansion plans; and (2) annually provide the governor and legislative council a report of the findings of the office concerning the educational outcomes. Requires the office to make at least two onsite inspections of facilities of eligible providers and potential eligible providers or existing eligible providers each year.
(Continued next page)

Effective: Upon passage; July 1, 2017.

**Holdman, Bassler, Head,
Ruckelshaus, Kruse, Stoops, Freeman,
Melton**

January 9, 2017, read first time and referred to Committee on Education and Career Development.
February 16, 2017, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 23, 2017, amended, reported favorably — Do Pass.

SB 276—LS 6568/DI 110



Digest Continued

Provides that the office may determine that an eligible provider or potential eligible provider or existing eligible provider is no longer eligible under the pilot program. Requires the division of family resources to develop a provider rate reimbursement schedule that uses money appropriated by the general assembly as an incentive for providers eligible to receive voucher payments under the federal Child Care and Development fund voucher program to meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating. Requires the department of education to approve an early learning development framework for prekindergarten. Requires the office to apply for waivers from all applicable federal agencies to receive any federal funding for child care or prekindergarten education in one block grant to use for child care and prekindergarten programs in the state. Establishes the prekindergarten pilot program fund (fund). Allows the office to develop and implement a reimbursement program to reimburse costs incurred by parents to provide technology based, in-home early education services to a child. Allows money in the fund to be used to pay for the reimbursements. Makes an appropriation to the fund of \$16,000,000 in both state fiscal years 2017 and 2018. Specifies that of the \$16,000,000 appropriated in a state fiscal year, \$1,000,000 of that amount must be used for reimbursement of in-home early education services. Repeals the provisions concerning the early education matching grant program.

SB 276—LS 6568/DI 110



February 24, 2017

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 276

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

- 1 SECTION 1. IC 12-7-2-35, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:
4 Sec. 35. "Committee", ~~means the following:~~
5 (1) for purposes of IC 12-15-33, **has** the meaning set forth in
6 IC 12-15-33-1.
7 (2) For purposes of IC 12-17.2-3.6, the meaning set forth in
8 IC 12-17.2-3.6-1.
9 (3) For purposes of IC 12-21-4.5, the meaning set forth in
10 IC 12-21-4.5-1.
11 SECTION 2. IC 12-7-2-75.7 IS REPEALED [EFFECTIVE JULY
12 1, 2017]. Sec. 75.7: "Eligible child", for purposes of IC 12-17.2-3.6, has
13 the meaning set forth in IC 12-17.2-3.6-2.
14 SECTION 3. IC 12-7-2-76.2 IS REPEALED [EFFECTIVE JULY
15 1, 2017]. Sec. 76.2: "Eligible provider", for purposes of IC 12-17.2-3.6,
16 has the meaning set forth in IC 12-17.2-3.6-3.
17 SECTION 4. IC 12-7-2-76.3 IS REPEALED [EFFECTIVE JULY

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1 1, 2017]. ~~Sec. 76.3. "Eligible services"; for purposes of IC 12-17.2-3.6;~~
 2 ~~has the meaning set forth in IC 12-17.2-3.6-4.~~

3 SECTION 5. IC 12-7-2-91, AS AMENDED BY P.L.2-2014,
 4 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2017]: Sec. 91. "Fund" means the following:

6 (1) For purposes of IC 12-12-1-9, the fund described in
 7 IC 12-12-1-9.

8 (2) For purposes of IC 12-15-20, the meaning set forth in
 9 IC 12-15-20-1.

10 (3) For purposes of IC 12-17-12, the meaning set forth in
 11 IC 12-17-12-4.

12 ~~(4) For purposes of IC 12-17.2-3.6, the meaning set forth in~~
 13 ~~IC 12-17.2-3.6-5.~~

14 ~~(5)~~ (4) For purposes of IC 12-17.6, the meaning set forth in
 15 IC 12-17.6-1-3.

16 ~~(6)~~ (5) For purposes of IC 12-23-2, the meaning set forth in
 17 IC 12-23-2-1.

18 ~~(7)~~ (6) For purposes of IC 12-23-18, the meaning set forth in
 19 IC 12-23-18-4.

20 ~~(8)~~ (7) For purposes of IC 12-24-6, the meaning set forth in
 21 IC 12-24-6-1.

22 ~~(9)~~ (8) For purposes of IC 12-24-14, the meaning set forth in
 23 IC 12-24-14-1.

24 ~~(10)~~ (9) For purposes of IC 12-30-7, the meaning set forth in
 25 IC 12-30-7-3.

26 SECTION 6. IC 12-7-2-93.7 IS REPEALED [EFFECTIVE JULY
 27 1, 2017]. ~~Sec. 93.7. "Grant"; for purposes of IC 12-17.2-3.6; has the~~
 28 ~~meaning set forth in IC 12-17.2-3.6-6.~~

29 SECTION 7. IC 12-7-2-135.8, AS AMENDED BY P.L.2-2014,
 30 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2017]: Sec. 135.8. (a) "Paths to QUALITY program", for
 32 purposes of IC 12-17.2-2-14.2, ~~and IC 12-17.2-3.6~~; refers to the
 33 program established in IC 12-17.2-2-14.2(b).

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

36 SECTION 8. IC 12-7-2-139.3 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: **Sec. 139.3. "Pilot fund", for**
 39 **purposes of IC 12-17.2-7.2, has the meaning set forth in**
 40 **IC 12-17.2-7.2-4.7.**

41 SECTION 9. IC 12-7-2-143.1 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2017]: **Sec. 143.1. "Potential eligible provider**
 2 **or existing eligible provider"**, for purposes of IC 12-17.2-7.2, has
 3 **the meaning set forth in IC 12-17.2-7.2-5.5.**

4 SECTION 10. IC 12-7-2-146, AS AMENDED BY P.L.149-2016,
 5 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2017]: Sec. 146. "Program" refers to the following:

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

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

11 (3) For purposes of IC 12-10-10.5, the meaning set forth in
 12 IC 12-10-10.5-4.

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

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

17 ~~(6)~~ (5) For purposes of IC 12-17.2-3.8, the meaning set forth in
 18 IC 12-17.2-3.8-2.

19 ~~(7)~~ (6) For purposes of IC 12-17.6, the meaning set forth in
 20 IC 12-17.6-1-5.

21 SECTION 11. IC 12-17.2-3.5-14.5 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. Not later than July 1,**
 24 **2017, the division shall develop a provider rate reimbursement**
 25 **schedule that uses money appropriated by the general assembly as**
 26 **an incentive for providers that are eligible to receive voucher**
 27 **payments under this chapter to meet the standards of quality**
 28 **recognized by a Level 3 or Level 4 Paths to QUALITY program**
 29 **rating.**

30 SECTION 12. IC 12-17.2-3.6 IS REPEALED [EFFECTIVE JULY
 31 1, 2017]. (Early Learning Advisory Committee; Early Education
 32 Matching Grant Program).

33 SECTION 13. IC 12-17.2-7.2-2, AS AMENDED BY P.L.169-2016,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2017]: Sec. 2. As used in this chapter, "eligible provider"
 36 refers to a provider that satisfies the following conditions:

37 (1) The provider is:

38 (A) a:

39 (i) public school, including a charter school;

40 (ii) child care center licensed under IC 12-17.2-4;

41 (iii) child care home licensed under IC 12-17.2-5; or

42 (iv) child care ministry registered under IC 12-17.2-6;



- 1 that meets the standards of quality recognized by a Level 3 or
 2 Level 4 paths to QUALITY program rating;
 3 (B) a school that is accredited by the state board of education
 4 or a national or regional accreditation agency that is
 5 recognized by the state board of education; or
 6 (C) a school that is accredited to provide qualified early
 7 education services by an accrediting agency approved by the
 8 office of the secretary.
- 9 (2) The provider:
 10 (A) provides qualified early education services to eligible
 11 children; **and**
 12 **(B) complies with the agreement with the office concerning**
 13 **the delivery of qualified education services and the use of**
 14 **a grant provided under this chapter.**
- 15 (3) The provider is located in a county in which the pilot program
 16 is implemented.
- 17 SECTION 14. IC 12-17.2-7.2-4.7 IS ADDED TO THE INDIANA
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: **Sec. 4.7. As used in this chapter,**
 20 **"pilot fund" refers to the prekindergarten pilot program fund**
 21 **established by section 13.5 of this chapter.**
- 22 SECTION 15. IC 12-17.2-7.2-5.5 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. As used in this chapter,**
 25 **"potential eligible provider or existing eligible provider" refers to**
 26 **an entity that qualifies as a potential eligible provider or existing**
 27 **eligible provider under section 7.4(a) of this chapter.**
- 28 SECTION 16. IC 12-17.2-7.2-6, AS ADDED BY P.L.202-2014,
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2017]: Sec. 6. As used in this chapter, "qualified early
 31 education services" refers to a program of early education services that:
 32 (1) is provided by an eligible provider to an eligible child;
 33 (2) includes a parental engagement and involvement component
 34 **provided by the eligible provider; in the delivery of early**
 35 **education services that is based on the requirements and**
 36 **guidelines established by the office;**
 37 (3) administers the kindergarten readiness assessment ~~adopted by~~
 38 ~~the state board of education; and~~ **(ISTAR-KR) adopted by the**
 39 **department of education to children receiving early education**
 40 **services as required by the office;**
 41 **(4) aligns with the early learning development framework for**
 42 **prekindergarten approved by the department of education**



1 **under IC 20-19-3-16; and**

2 ~~(4)~~ **(5)** meets the design parameters for inclusion in the
3 longitudinal study described in section 12 of this chapter, as
4 determined by the office.

5 SECTION 17. IC 12-17.2-7.2-7, AS ADDED BY P.L.202-2014,
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2017]: Sec. 7. (a) The office may establish a pilot program to
8 provide grants for:

9 **(1)** qualified early education services in a manner consistent with
10 how funds are distributed under the Child Care and Development
11 Fund (CCDF) grant program; **and**

12 **(2) expansion plans as described in section 7.4(a)(2) of this**
13 **chapter.**

14 (b) The office shall administer the pilot program. The **pilot** program
15 may include:

16 **(1) eligible providers in not more than five (5) counties: as**
17 **provided in subsections (c) and (d); and**

18 **(2) potential eligible providers or existing eligible providers as**
19 **described in section 7.4 of this chapter.**

20 In determining which counties are designated as pilot counties, **eligible**
21 **providers and potential eligible providers or existing eligible**
22 **providers will receive a grant under this chapter**, the office shall
23 attempt to achieve diversity among the ~~designated~~ counties in **Indiana**
24 based on the geographical location of the counties, the population of
25 the counties, and whether the counties are **each county in which an**
26 **eligible provider is located** is primarily rural or urban. The office shall
27 ensure that the counties selected include a population of eligible
28 children sufficient to conduct the longitudinal study under section 12
29 of this chapter.

30 **(c) Before July 1, 2017, the pilot program includes eligible**
31 **providers in the following pilot counties:**

32 **(1) Allen.**

33 **(2) Jackson.**

34 **(3) Lake.**

35 **(4) Marion.**

36 **(5) Vanderburgh.**

37 **(d) After June 30, 2017, in addition to the counties listed under**
38 **subsection (c), the pilot program includes:**

39 **(1) eligible providers in any county in Indiana that is not listed**
40 **in subsection (c); and**

41 **(2) potential eligible providers or existing eligible providers in**
42 **any county in Indiana that meet the requirements under**



1 **section 7.4 of this chapter.**

2 ~~(e)~~ (e) Subject to the requirements of this chapter, the office shall
3 determine:

4 (1) the eligibility requirements, application process, and selection
5 process for awarding grants under the pilot program;

6 (2) the administration and reporting requirements for:

7 (A) eligible providers; **and**

8 (B) **potential eligible providers or existing eligible**
9 **providers;**

10 participating in the pilot program; and

11 (3) with the assistance of the early learning advisory committee,
12 an appropriate outcomes based accountability system for:

13 (A) eligible providers; **and**

14 (B) **potential eligible providers or existing eligible**
15 **providers.**

16 ~~(d)~~ (f) Before implementing the pilot program, the office shall
17 submit the provisions of the pilot program to the state board of
18 education for the state board of education's review and comment.

19 ~~(e)~~ (g) The office shall, subject to the availability of funding,
20 determine the number of eligible children who will participate in the
21 pilot program.

22 SECTION 18. IC 12-17.2-7.2-7.2 IS ADDED TO THE INDIANA
23 CODE AS A NEW SECTION TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2017]: **Sec. 7.2. (a) Except as provided in**
25 **subsection (b), for an eligible child to qualify for a grant under this**
26 **chapter, the eligible child must reside with a parent or guardian**
27 **who is:**

28 (1) **working or attending a job training or an educational**
29 **program; or**

30 (2) **actively seeking employment.**

31 (b) **An eligible child may meet the requirements under**
32 **subsection (a) if the parent or guardian of the eligible child is**
33 **unable to:**

34 (1) **work or attend a job training or educational program; or**

35 (2) **actively seek employment;**

36 **because the parent or guardian provides full-time care to a child**
37 **who is less than five (5) years of age.**

38 (c) **Before the office may award a grant to an eligible child**
39 **under this chapter, the office shall require that a parent or**
40 **guardian of the eligible child agree to the following:**

41 (1) **The eligible child will attend the prekindergarten program**
42 **of an eligible provider selected by the parent or guardian for**



- 1 the full duration of the prekindergarten program year.
- 2 (2) The parent or guardian will not transfer to another
- 3 prekindergarten program during the prekindergarten
- 4 program year.
- 5 (3) The eligible child will attend the prekindergarten program
- 6 at least eighty-five percent (85%) of the days that the
- 7 prekindergarten program is provided.
- 8 (4) The parent or guardian will allow the eligible child to
- 9 participate in an external evaluation conducted by
- 10 researchers, including the kindergarten readiness assessment
- 11 and measuring of developmental and academic progress.
- 12 (5) The parent or guardian will participate in family
- 13 engagement and involvement activities offered by the selected
- 14 prekindergarten program, including meetings with the
- 15 eligible child's teacher to discuss the eligible child's progress
- 16 or any other conference concerning the eligible child that is
- 17 requested by the eligible provider.
- 18 (6) The parent or guardian will complete the necessary forms
- 19 for the eligible child to receive a student test number from the
- 20 department of education.
- 21 (7) The parent or guardian will send the eligible child to
- 22 kindergarten.
- 23 (8) The parent or guardian will read to the eligible child each
- 24 week.
- 25 (d) Priority may be given to an eligible child under this section
- 26 if a parent or guardian of the eligible child is:
- 27 (1) involved in activities that improve the parent's or
- 28 guardian's education; or
- 29 (2) involved in job training.
- 30 SECTION 19. IC 12-17.2-7.2-7.3 IS ADDED TO THE INDIANA
- 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 32 [EFFECTIVE JULY 1, 2017]: Sec. 7.3. The office shall require, for
- 33 an eligible provider to enroll in the pilot program, that the eligible
- 34 provider agree to the following:
- 35 (1) Comply on a continuing basis with the requirements under
- 36 this chapter and rules for participation established by the
- 37 office.
- 38 (2) Maintain eligibility under this chapter throughout the
- 39 prekindergarten program year.
- 40 (3) Report immediately any changes in eligibility status to the
- 41 office, including the eligible provider's loss of national or
- 42 regional accreditation.



- 1 (4) Participate in any training and mandatory meetings
2 required by the office.
- 3 (5) Participate in all onsite visits conducted by the office,
4 including fiscal auditing activities with regard to the pilot
5 program and prekindergarten program activity monitoring.
- 6 (6) Allow families of eligible children enrolled in the
7 prekindergarten program of the eligible provider to visit at
8 any time the prekindergarten program is in operation.
- 9 (7) Maintain accurate online attendance records through the
10 attendance portal for eligible children enrolled in the pilot
11 program and submit attendance records as required by the
12 office.
- 13 (8) Offer parental engagement and involvement activities in
14 the prekindergarten program of the eligible provider in
15 alignment with the family engagement framework adopted by
16 the early learning advisory committee established by
17 IC 12-17.2-3.8-5.
- 18 (9) Complete, within the time period established by the office,
19 the Indiana early childhood family engagement toolkit,
20 including the family engagement self-assessment, adopted by
21 the early learning advisory committee.
- 22 (10) Share information on the family engagement
23 self-assessment described in subdivision (9) as required by the
24 office.
- 25 (11) Participate in research studies as required by the office.
- 26 (12) Enforce minimum attendance requirements of at least
27 eighty-five percent (85%) of the days that the
28 prekindergarten program of the eligible provider is offered to
29 an eligible child.
- 30 (13) Inform the office that an eligible child has withdrawn
31 from the prekindergarten program of the eligible provider
32 not later than five (5) days after the eligible child is
33 withdrawn.
- 34 (14) That retroactive repayment to Indiana may be required
35 or future payments may be adjusted as a result of the
36 withdrawal of an eligible child or to changes in the law.
- 37 (15) Maintain records of participation by a family of an
38 eligible child in family engagement activities and submit
39 records as required by the office.
- 40 (16) Promote an eligible child's social, emotional, and
41 behavioral health and eliminate or severely limit the use of
42 expulsion, suspension, and other exclusionary discipline



- 1 practices.
- 2 (17) Use the exclusionary discipline practices described in
- 3 subdivision (16) only as a last resort in extraordinary
- 4 circumstances when there is a determination of a serious
- 5 safety threat that cannot otherwise be reduced or eliminated
- 6 by the provision of reasonable modifications.
- 7 (18) Inform and receive approval from the office before the
- 8 eligible provider expels, suspends, or uses other exclusionary
- 9 discipline practices.
- 10 (19) Assist a parent or guardian, upon request by the parent
- 11 or guardian, in obtaining information from, referral to, or
- 12 both information from and referral to the public school that
- 13 serves the attendance area in which the parent or guardian
- 14 resides for an educational evaluation and determination of
- 15 eligibility for special education services if developmental
- 16 delays or reasons to suspect a disability are observed by the
- 17 parent, guardian, or teacher of an eligible child during the
- 18 prekindergarten program year.
- 19 SECTION 20. IC 12-17.2-7.2-7.4 IS ADDED TO THE INDIANA
- 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2017]: Sec. 7.4. (a) To qualify as a potential
- 22 eligible provider or existing eligible provider, an applicant must:
- 23 (1) be an entity other than an individual;
- 24 (2) provide an expansion plan to the office that details the
- 25 potential eligible provider's or existing eligible provider's plan
- 26 to:
- 27 (A) increase the capacity of providers of qualified early
- 28 education services to serve a greater number of eligible
- 29 children;
- 30 (B) increase the number of providers of qualified early
- 31 education services; or
- 32 (C) increase the capacity as described in clause (A) and
- 33 increase the number as described in clause (B);
- 34 (3) comply with the agreement with the office concerning the
- 35 plan under subdivision (2) and the use of a grant awarded
- 36 under this chapter;
- 37 (4) agree:
- 38 (A) to operate as an eligible provider; or
- 39 (B) that the applicant intends to operate as an eligible
- 40 provider; and
- 41 (5) comply with any other standards and procedures
- 42 established under this chapter.



1 (b) Subject to subsection (c), the office may award a grant to an
2 applicant that meets the requirements of subsection (a).

3 (c) The office may not use more than a total of ten percent
4 (10%) of the money in the pilot fund each state fiscal year for
5 grants awarded under this chapter to potential eligible providers
6 and existing eligible providers for expansion plans.

7 (d) If a potential eligible provider or existing eligible provider
8 fails to:

9 (1) use the grant funds in accordance with the expansion plan
10 described in subsection (a); or

11 (2) comply with the agreement entered into with the office
12 under subsection (a);

13 the potential eligible provider or existing eligible provider shall
14 repay to the office the total amount of the grant awarded to the
15 potential eligible provider or existing eligible provider under this
16 chapter.

17 SECTION 21. IC 12-17.2-7.2-7.6 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2017]: **Sec. 7.6. (a) The office shall monitor**
20 **the educational outcomes resulting from the implementation of**
21 **expansion plans described in section 7.4(a) of this chapter by**
22 **potential eligible providers or existing eligible providers that**
23 **receive a grant under this chapter over the period established by**
24 **the office to evaluate the contribution that the expansion plans**
25 **make toward improved educational outcomes.**

26 (b) Beginning in 2018, the office shall annually provide the:

27 (1) governor; and

28 (2) legislative council in an electronic format under IC 5-14-6;
29 a report of the findings of the office concerning the educational
30 outcomes under subsection (a).

31 SECTION 22. IC 12-17.2-7.2-7.8 IS ADDED TO THE INDIANA
32 CODE AS A NEW SECTION TO READ AS FOLLOWS
33 [EFFECTIVE UPON PASSAGE]: **Sec. 7.8. (a) The office shall make**
34 **at least two (2) onsite inspections each year at the facility of:**

35 (1) an eligible provider; or

36 (2) a potential eligible provider or existing eligible provider;
37 that receives a grant under this chapter.

38 (b) The office may determine that an eligible provider or
39 potential eligible provider or existing eligible provider is not
40 eligible to receive a grant under the pilot program if the eligible
41 provider or potential eligible provider or existing eligible provider:

42 (1) fails to comply with this chapter; or



1 **(2) refuses to allow, during normal business hours, the office**
2 **or an agent of the office to inspect the facility at which the**
3 **eligible provider or potential eligible provider or existing**
4 **eligible provider operates a child care program for eligible**
5 **children.**

6 SECTION 23. IC 12-17.2-7.2-8, AS AMENDED BY THE
7 TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL
8 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2017]: Sec. 8. (a) The office shall determine:

- 10 (1) which applicants shall be awarded a grant; and
11 (2) subject to subsection (b) and to the availability of funding, the
12 amount of each grant.

13 (b) At least ten percent (10%) but not more than fifty percent (50%)
14 of the:

- 15 (1) tuition for eligible children under the pilot program; **or**
16 **(2) expansion plan described in section 7.4(a) of this chapter;**
17 during the state fiscal year must be paid from donations, gifts, grants,
18 bequests, and other funds received from a private entity or person, from
19 the United States government, or from other sources (excluding funds
20 from a grant provided under this chapter and excluding other state
21 funding). The office may receive and administer grants on behalf of the
22 pilot program. The grants shall be distributed by the office to fulfill the
23 requirements of this subsection.

24 (c) The amount of a grant made under the pilot program to an
25 eligible child:

- 26 (1) must equal at least two thousand five hundred dollars (\$2,500)
27 during the state fiscal year; and
28 (2) may not exceed six thousand eight hundred dollars (\$6,800)
29 during the state fiscal year.

30 (d) The total amount of grants provided from the funding under
31 section 9(a) of this chapter (before its repeal) that are awarded under
32 the pilot program in a state fiscal year may not exceed ten million
33 dollars (\$10,000,000):

34 SECTION 24. IC 12-17.2-7.2-9 IS REPEALED [EFFECTIVE
35 UPON PASSAGE]. Sec. 9: (a) The pilot program, including the
36 longitudinal study under section 12 of this chapter, must be funded
37 from one (1) or both of the following:

- 38 (1) After review by the budget committee and approval by the
39 budget agency; from Child Care and Development Fund (CCDF)
40 grant funding received from the United States government that is
41 designated by the budget agency as available for funding the pilot
42 program.



1 (2) After review by the budget committee and approval by the
 2 budget agency, from amounts reverted in a state fiscal year from
 3 funds appropriated to the divisions, departments, and bureaus
 4 administered by the office that are designated by the budget
 5 agency as available for funding the pilot program:

6 This subsection expires June 30, 2015.

7 (b) The amounts necessary to make the grants and pay the expenses
 8 of the longitudinal study under section 12 of this chapter from funds
 9 designated under subsection (a) are appropriated from the sources
 10 described in subsection (a) for the state fiscal year beginning July 1,
 11 2014, and ending June 30, 2015, for the purposes of the pilot program:

12 SECTION 25. IC 12-17.2-7.2-12, AS AMENDED BY THE
 13 TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL
 14 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2017]: Sec. 12. (a) The office shall carry out a longitudinal
 16 study of students who participate in the pilot program **in the counties:**

17 **(1) listed under section 7(c) of this chapter; and**

18 **(2) selected under section 7(d)(1) of this chapter;**

19 to determine the achievement levels of those students in kindergarten
 20 and later grades.

21 (b) The longitudinal study must include a comparison of test and
 22 assessment results in grade 3 of:

23 (1) the eligible children who participated in the pilot program;
 24 and

25 (2) a control group determined by the office that consists of
 26 children who did not participate in the pilot program.

27 (c) The office may, after consulting with the state board of
 28 education, enter into a contract with one (1) or more persons to carry
 29 out the longitudinal study under this section. The office may expend
 30 not more than one million dollars (\$1,000,000) from the funds
 31 appropriated under section 9 of this chapter (**repealed**) to carry out the
 32 longitudinal study. ~~The amount expended to carry out the longitudinal~~
 33 ~~study under this section is in addition to the ten million dollar~~
 34 ~~(\$10,000,000) limit under section 8(d) of this chapter on the amount of~~
 35 ~~grants under the pilot program in a state fiscal year.~~

36 SECTION 26. IC 12-17.2-7.2-13.5 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: **Sec. 13.5. (a) The prekindergarten**
 39 **pilot program fund is established to:**

40 **(1) provide grants for qualified early education services in**
 41 **counties described in section 7(c) and 7(d)(1) of this chapter;**

42 **(2) carry out the longitudinal studies described in section 12**



- 1 of this chapter and IC 12-17.2-7.5-5;
 2 (3) provide grants to potential eligible providers and existing
 3 eligible providers as set forth in section 7.4 of this chapter;
 4 and
 5 (4) make payments to reimburse costs incurred to provide
 6 in-home early education services under IC 12-17.2-7.5.
 7 (b) The fund consists of:
 8 (1) money appropriated to the fund by the general assembly;
 9 and
 10 (2) grants or gifts to the fund.
 11 (c) The fund shall be administered by the office.
 12 (d) The expenses of administering the fund shall be paid from
 13 money in the fund.
 14 (e) Money in the fund at the end of a state fiscal year does not
 15 revert to the state general fund.
 16 (f) The treasurer of state shall invest the money in the fund not
 17 currently needed to meet the obligations of the fund in the same
 18 manner as other public funds may be invested.
 19 SECTION 27. IC 12-17.2-7.5 IS ADDED TO THE INDIANA
 20 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2017]:
 22 **Chapter 7.5. Technology Based In-Home Early Education**
 23 **Sec. 1. As used in this chapter, "in-home early education**
 24 **services" mean a technology based program of early education**
 25 **that:**
 26 (1) is designed to improve a child's transition into elementary
 27 education;
 28 (2) includes a parental engagement and involvement
 29 component;
 30 (3) is provided to a child at the child's home or a similar home
 31 setting; and
 32 (4) meets the design parameters for inclusion in the
 33 longitudinal study described in section 5 of this chapter, as
 34 determined by the office.
 35 **Sec. 2. As used in this chapter, "office" means the office of the**
 36 **secretary of family and social services.**
 37 **Sec. 3. The office shall review in-home early education services**
 38 **that are available in Indiana.**
 39 **Sec. 4. (a) After completing the review under section 3 of this**
 40 **chapter, the office may develop and implement a reimbursement**
 41 **program to reimburse costs that are incurred by a parent or**
 42 **guardian of a child to provide in-home early education services to**



- 1 the child.
- 2 (b) The office may develop reimbursement rates for the
3 reimbursement of in-home early education services.
- 4 (c) Reimbursement by the office under this section may be
5 funded from any of the following sources:
- 6 (1) Federal grants.
- 7 (2) State appropriations.
- 8 (3) Money from a political subdivision (as defined in
9 IC 36-1-2-13).
- 10 (4) Money from the prekindergarten pilot program fund
11 established under IC 12-17.2-7.2-13.5.
- 12 **Sec. 5. (a) If the office implements a reimbursement program
13 under section 4(a) of this chapter, the office shall carry out a
14 longitudinal study of students who receive in-home early education
15 services to determine the achievement levels of those students in
16 kindergarten and later grades.**
- 17 (b) The longitudinal study under this section must include a
18 comparison of test and assessment results in grade 3 of:
- 19 (1) the children who received in-home early education
20 services; and
- 21 (2) a control group determined by the office that consists of
22 children who did not receive in-home early education services.
- 23 (c) The office may, after consulting with the state board of
24 education, enter into a contract with one (1) or more persons to
25 carry out the longitudinal study under this section.
- 26 SECTION 28. IC 20-19-3-16 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE UPON PASSAGE]: **Sec. 16. The department shall:**
- 29 (1) approve an early learning development framework for
30 prekindergarten; and
- 31 (2) post the framework described in subdivision (1) on the
32 department's Internet web site.
- 33 SECTION 29. [EFFECTIVE UPON PASSAGE] (a) There is
34 appropriated to the prekindergarten pilot program fund
35 established by IC 12-17.2-7.2-13.5, as added by this act, from the
36 state general fund the following:
- 37 (1) For the state fiscal year beginning July 1, 2017, and ending
38 June 30, 2018, sixteen million dollars (\$16,000,000). Of the
39 sixteen million dollars (\$16,000,000) appropriated under this
40 subdivision, one million dollars (\$1,000,000) of that amount
41 must be used for reimbursement of in-home early education
42 services under IC 12-17.2-17.5.



1 **(2) For the state fiscal year beginning July 1, 2018, and ending**
2 **June 30, 2019, sixteen million dollars (\$16,000,000). Of the**
3 **sixteen million dollars (\$16,000,000) appropriated under this**
4 **subdivision, one million dollars (\$1,000,000) of that amount**
5 **must be used for reimbursement of in-home early education**
6 **services under IC 12-17.2-17.5.**
7 **(b) This SECTION expires July 1, 2019.**
8 SECTION 30. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
9 **SECTION, "office" refers to the office of the secretary of family**
10 **and social services.**
11 **(b) The office shall apply for waivers from all applicable federal**
12 **agencies to receive any federal funding for child care or**
13 **prekindergarten education in one (1) block grant to use for child**
14 **care and prekindergarten programs in Indiana.**
15 **(c) This SECTION expires July 1, 2022.**
16 SECTION 31. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 276, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-35, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 35. "Committee", ~~means the following:~~

(~~1~~) for purposes of IC 12-15-33, ~~has~~ the meaning set forth in IC 12-15-33-1.

(~~2~~) For purposes of IC ~~12-17.2-3.6~~, the meaning set forth in ~~IC 12-17.2-3.6-1~~.

(~~3~~) For purposes of IC ~~12-21-4.5~~, the meaning set forth in ~~IC 12-21-4.5-1~~.

SECTION 2. IC 12-7-2-75.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. ~~75.7~~: "Eligible child", for purposes of IC ~~12-17.2-3.6~~, has the meaning set forth in ~~IC 12-17.2-3.6-2~~.

SECTION 3. IC 12-7-2-76.2 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. ~~76.2~~: "Eligible provider", for purposes of IC ~~12-17.2-3.6~~, has the meaning set forth in ~~IC 12-17.2-3.6-3~~.

SECTION 4. IC 12-7-2-76.3 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. ~~76.3~~: "Eligible services", for purposes of IC ~~12-17.2-3.6~~, has the meaning set forth in ~~IC 12-17.2-3.6-4~~.

SECTION 5. IC 12-7-2-91, AS AMENDED BY P.L.2-2014, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 91. "Fund" means the following:

(1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.

(2) For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.

(3) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.

(~~4~~) For purposes of IC ~~12-17.2-3.6~~, the meaning set forth in ~~IC 12-17.2-3.6-5~~.

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

(~~6~~) (5) For purposes of IC 12-23-2, the meaning set forth in



IC 12-23-2-1.

~~(7)~~ **(6)** For purposes of IC 12-23-18, the meaning set forth in IC 12-23-18-4.

~~(8)~~ **(7)** For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

~~(9)~~ **(8)** For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

~~(10)~~ **(9)** For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

SECTION 6. IC 12-7-2-93.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 93.7. "Grant", for purposes of IC 12-17.2-3.6, has the meaning set forth in IC 12-17.2-3.6-6.~~

SECTION 7. IC 12-7-2-135.8, AS AMENDED BY P.L.2-2014, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 135.8. (a) "Paths to QUALITY program", for purposes of IC 12-17.2-2-14.2, ~~and IC 12-17.2-3.6~~, refers to the program established in IC 12-17.2-2-14.2(b).

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

SECTION 8. IC 12-7-2-139.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 139.3. "Pilot fund", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-4.7.**

SECTION 9. IC 12-7-2-143.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 143.1. "Potential eligible provider or existing eligible provider", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-5.5.**

SECTION 10. IC 12-7-2-146, AS AMENDED BY P.L.149-2016, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 146. "Program" refers to the following:

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

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

(3) For purposes of IC 12-10-10.5, the meaning set forth in IC 12-10-10.5-4.

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

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



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

~~(7)~~ (6) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

SECTION 11. IC 12-17.2-3.5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. Not later than July 1, 2017, the division shall develop a provider rate reimbursement schedule that uses money appropriated by the general assembly as an incentive for providers that are eligible to receive voucher payments under this chapter to meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating.**

SECTION 12. IC 12-17.2-3.6 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Early Learning Advisory Committee; Early Education Matching Grant Program).

SECTION 13. IC 12-17.2-7.2-2, AS AMENDED BY P.L.169-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. As used in this chapter, "eligible provider" refers to a provider that satisfies the following conditions:

(1) The provider is:

(A) a:

- (i) public school, including a charter school;
- (ii) child care center licensed under IC 12-17.2-4;
- (iii) child care home licensed under IC 12-17.2-5; or
- (iv) child care ministry registered under IC 12-17.2-6;

that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating;

(B) a school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education; or

(C) a school that is accredited to provide qualified early education services by an accrediting agency approved by the office of the secretary.

(2) The provider:

(A) provides qualified early education services to eligible children; **and**

(B) **complies with the agreement with the office concerning the delivery of qualified education services and the use of a grant provided under this chapter.**

(3) The provider is located in a county in which the pilot program is implemented."



Page 1, delete lines 6 through 17, begin a new paragraph and insert:
 "SECTION 15. IC 12-17.2-7.2-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. As used in this chapter, "potential eligible provider or existing eligible provider" refers to an entity that qualifies as a potential eligible provider or existing eligible provider under section 7.4(a) of this chapter.**

SECTION 16. IC 12-17.2-7.2-6, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. As used in this chapter, "qualified early education services" refers to a program of early education services that:

- (1) is provided by an eligible provider to an eligible child;
- (2) includes a parental engagement and involvement component ~~provided by the eligible provider;~~ **in the delivery of early education services that is based on the requirements and guidelines established by the office;**
- (3) administers the kindergarten readiness assessment ~~adopted by the state board of education;~~ **and (ISTAR-KR) adopted by the department of education to children receiving early education services as required by the office;**
- (4) **aligns with the early learning development framework for prekindergarten approved by the department of education under IC 20-19-3-16; and**
- ~~(4)~~ (5) meets the design parameters for inclusion in the longitudinal study described in section 12 of this chapter, as determined by the office.

SECTION 17. IC 12-17.2-7.2-7, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The office may establish a pilot program to provide grants for:

- (1) qualified early education services in a manner consistent with how funds are distributed under the Child Care and Development Fund (CCDF) grant program; **and**
- (2) **expansion plans as described in section 7.4(a)(2) of this chapter.**

(b) The office shall administer the pilot program. The **pilot** program may include:

- (1) eligible providers ~~in not more than five (5) counties;~~ **as provided in subsections (c) and (d); and**
- (2) **potential eligible providers or existing eligible providers as described in section 7.4 of this chapter.**

In determining which counties are designated as pilot counties; **eligible**



providers and potential eligible providers or existing eligible providers will receive a grant under this chapter, the office shall attempt to achieve diversity among the ~~designated~~ counties **in Indiana** based on the geographical location of ~~the~~ counties, the population of ~~the~~ counties, and whether ~~the~~ counties are **each county in which an eligible provider is located** is primarily rural or urban. ~~The office shall~~ ensure that the counties selected include a population of eligible children sufficient to conduct the longitudinal study under section 12 of this chapter.

(c) **Before July 1, 2017, the pilot program includes eligible providers in the following pilot counties:**

- (1) **Allen.**
- (2) **Jackson.**
- (3) **Lake.**
- (4) **Marion.**
- (5) **Vanderburgh.**

(d) **After June 30, 2017, in addition to the counties listed under subsection (c), the pilot program includes:**

- (1) **eligible providers in any county in Indiana that is not listed in subsection (c); and**
- (2) **potential eligible providers or existing eligible providers in any county in Indiana that meet the requirements under section 7.4 of this chapter.**

(e) ~~(e)~~ Subject to the requirements of this chapter, the office shall determine:

- (1) the eligibility requirements, application process, and selection process for awarding grants under the pilot program;
- (2) the administration and reporting requirements for:
 - (A) **eligible providers; and**
 - (B) **potential eligible providers or existing eligible providers;**
 participating in the pilot program; and
- (3) with the assistance of the early learning advisory committee, an appropriate outcomes based accountability system for:
 - (A) **eligible providers; and**
 - (B) **potential eligible providers or existing eligible providers.**

(f) ~~(f)~~ Before implementing the pilot program, the office shall submit the provisions of the pilot program to the state board of education for the state board of education's review and comment.

(g) ~~(g)~~ The office shall, subject to the availability of funding, determine the number of eligible children who will participate in the



pilot program.

SECTION 18. IC 12-17.2-7.2-7.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.2. (a) Except as provided in subsection (b), for an eligible child to qualify for a grant under this chapter, the eligible child must reside with a parent or guardian who is:**

- (1) working or attending a job training or an educational program; or**
- (2) actively seeking employment.**

(b) An eligible child may meet the requirements under subsection (a) if the parent or guardian of the eligible child is unable to:

- (1) work or attend a job training or educational program; or**
- (2) actively seek employment;**

because the parent or guardian provides full-time care to a child who is less than five (5) years of age.

(c) Before the office may award a grant to an eligible child under this chapter, the office shall require that a parent or guardian of the eligible child agree to the following:

- (1) The eligible child will attend the prekindergarten program of an eligible provider selected by the parent or guardian for the full duration of the prekindergarten program year.**
- (2) The parent or guardian will not transfer to another prekindergarten program during the prekindergarten program year.**
- (3) The eligible child will attend the prekindergarten program at least eighty-five percent (85%) of the days that the prekindergarten program is provided.**
- (4) The parent or guardian will allow the eligible child to participate in an external evaluation conducted by researchers, including the kindergarten readiness assessment and measuring of developmental and academic progress.**
- (5) The parent or guardian will participate in family engagement and involvement activities offered by the selected prekindergarten program, including meetings with the eligible child's teacher to discuss the eligible child's progress or any other conference concerning the eligible child that is requested by the eligible provider.**
- (6) The parent or guardian will complete the necessary forms for the eligible child to receive a student test number from the department of education.**



(7) The parent or guardian will send the eligible child to kindergarten.

(8) The parent or guardian will read to the eligible child each week.

SECTION 19. IC 12-17.2-7.2-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.3. The office shall require, for an eligible provider to enroll in the pilot program, that the eligible provider agree to the following:**

(1) Comply on a continuing basis with the requirements under this chapter and rules for participation established by the office.

(2) Maintain eligibility under this chapter throughout the prekindergarten program year.

(3) Report immediately any changes in eligibility status to the office, including the eligible provider's loss of national or regional accreditation.

(4) Participate in any training and mandatory meetings required by the office.

(5) Participate in all onsite visits conducted by the office, including fiscal auditing activities with regard to the pilot program and prekindergarten program activity monitoring.

(6) Allow families of eligible children enrolled in the prekindergarten program of the eligible provider to visit at any time the prekindergarten program is in operation.

(7) Maintain accurate online attendance records through the attendance portal for eligible children enrolled in the pilot program and submit attendance records as required by the office.

(8) Offer parental engagement and involvement activities in the prekindergarten program of the eligible provider in alignment with the family engagement framework adopted by the early learning advisory committee established by IC 12-17.2-3.8-5.

(9) Complete, within the time period established by the office, the Indiana early childhood family engagement toolkit, including the family engagement self-assessment, adopted by the early learning advisory committee.

(10) Share information on the family engagement self-assessment described in subdivision (9) as required by the office.

(11) Participate in research studies as required by the office.



(12) Enforce minimum attendance requirements of at least eighty-five percent (85%) of the days that the prekindergarten program of the eligible provider is offered to an eligible child.

(13) Inform the office that an eligible child has withdrawn from the prekindergarten program of the eligible provider not later than five (5) days after the eligible child is withdrawn.

(14) That retroactive repayment to Indiana may be required or future payments may be adjusted as a result of the withdrawal of an eligible child or to changes in the law.

(15) Maintain records of participation by a family of an eligible child in family engagement activities and submit records as required by the office.

(16) Promote an eligible child's social, emotional, and behavioral health and eliminate or severely limit the use of expulsion, suspension, and other exclusionary discipline practices.

(17) Use the exclusionary discipline practices described in subdivision (16) only as a last resort in extraordinary circumstances when there is a determination of a serious safety threat that cannot otherwise be reduced or eliminated by the provision of reasonable modifications.

(18) Inform and receive approval from the office before the eligible provider expels, suspends, or uses other exclusionary discipline practices.

(19) Assist a parent or guardian, upon request by the parent or guardian, in obtaining information from, referral to, or both information from and referral to the public school that serves the attendance area in which the parent or guardian resides for an educational evaluation and determination of eligibility for special education services if developmental delays or reasons to suspect a disability are observed by the parent, guardian, or teacher of an eligible child during the prekindergarten program year.

SECTION 20. IC 12-17.2-7.2-7.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7.4. (a) To qualify as a potential eligible provider or existing eligible provider, an applicant must:

- (1) be an entity other than an individual;
- (2) provide an expansion plan to the office that details the potential eligible provider's or existing eligible provider's plan



to:

- (A) increase the capacity of providers of qualified early education services to serve a greater number of eligible children;
- (B) increase the number of providers of qualified early education services; or
- (C) increase the capacity as described in clause (A) and increase the number as described in clause (B);
- (3) comply with the agreement with the office concerning the plan under subdivision (2) and the use of a grant awarded under this chapter;
- (4) agree:
 - (A) to operate as an eligible provider; or
 - (B) that the applicant intends to operate as an eligible provider; and
- (5) comply with any other standards and procedures established under this chapter.

(b) Subject to subsection (c), the office may award a grant to an applicant that meets the requirements of subsection (a).

(c) The office may not use more than a total of ten percent (10%) of the money in the pilot fund each state fiscal year for grants awarded under this chapter to potential eligible providers and existing eligible providers for expansion plans.

(d) If a potential eligible provider or existing eligible provider fails to:

- (1) use the grant funds in accordance with the expansion plan described in subsection (a); or
- (2) comply with the agreement entered into with the office under subsection (a);

the potential eligible provider or existing eligible provider shall repay to the office the total amount of the grant awarded to the potential eligible provider or existing eligible provider under this chapter.

SECTION 21. IC 12-17.2-7.2-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.6. (a) The office shall monitor the educational outcomes resulting from the implementation of expansion plans described in section 7.4(a) of this chapter by potential eligible providers or existing eligible providers that receive a grant under this chapter over the period established by the office to evaluate the contribution that the expansion plans make toward improved educational outcomes.**



(b) Beginning in 2018, the office shall annually provide the:
(1) governor; and
(2) legislative council in an electronic format under IC 5-14-6;
a report of the findings of the office concerning the educational outcomes under subsection (a).

SECTION 22. IC 12-17.2-7.2-7.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.8. (a) The office shall make at least two (2) onsite inspections each year at the facility of:**

(1) an eligible provider; or
(2) a potential eligible provider or existing eligible provider; that receives a grant under this chapter.

(b) The office may determine that an eligible provider or potential eligible provider or existing eligible provider is not eligible to receive a grant under the pilot program if the eligible provider or potential eligible provider or existing eligible provider:

(1) fails to comply with this chapter; or
(2) refuses to allow, during normal business hours, the office or an agent of the office to inspect the facility at which the eligible provider or potential eligible provider or existing eligible provider operates a child care program for eligible children.

SECTION 23. IC 12-17.2-7.2-8, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. (a) The office shall determine:**

(1) which applicants shall be awarded a grant; and
(2) subject to subsection (b) and to the availability of funding, the amount of each grant.

(b) At least ten percent (10%) but not more than fifty percent (50%) of the:

(1) tuition for eligible children under the pilot program; or
(2) expansion plan described in section 7.4(a) of this chapter;
 during the state fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, or from other sources (excluding funds from a grant provided under this chapter and excluding other state funding). The office may receive and administer grants on behalf of the pilot program. The grants shall be distributed by the office to fulfill the requirements of this subsection.

(c) The amount of a grant made under the pilot program to an eligible child:



(1) must equal at least two thousand five hundred dollars (\$2,500) during the state fiscal year; and

(2) may not exceed six thousand eight hundred dollars (\$6,800) during the state fiscal year.

(d) ~~The total amount of grants provided from the funding under section 9(a) of this chapter (before its repeal) that are awarded under the pilot program in a state fiscal year may not exceed ten million dollars (\$10,000,000):~~.

Delete page 2.

Page 3, delete lines 1 through 16.

Page 3, line 40, delete "UPON PASSAGE" and insert "JULY 1, 2017".

Page 4, line 2, delete "7(d)" and insert "**7(d)(1)**".

Page 4, line 25, delete "7(d)" and insert "**7(d)(1)**".

Page 4, line 25, delete "; and" and insert ";".

Page 4, line 27, delete "chapter." and insert "**chapter; and**

(3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter.".

Page 4, between lines 41 and 42, begin a new paragraph and insert:
"SECTION 27. IC 20-19-3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. The department shall:**

(1) approve an early learning development framework for prekindergarten; and

(2) post the framework described in subdivision (1) on the department's Internet web site.".

Page 5, line 5, delete "twenty million dollars (\$20,000,000)." and insert "**twenty-two million dollars (\$22,000,000).**".

Page 5, line 7, delete "twenty million dollars (\$20,000,000)." and insert "**twenty-two million dollars (\$22,000,000).**".

Page 5, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 29. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "office" refers to the office of the secretary of family and social services.**

(b) The office shall apply for waivers from all applicable federal agencies to receive any federal funding for child care or prekindergarten education in one (1) block grant to use for child care and prekindergarten programs in Indiana.

(c) This SECTION expires July 1, 2022.".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the



Senate Committee on Appropriations.

(Reference is to SB 276 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 3.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 276, 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 7, between lines 24 and 25, begin a new paragraph and insert:

"(d) Priority may be given to an eligible child under this section if a parent or guardian of the eligible child is:

(1) involved in activities that improve the parent's or guardian's education; or

(2) involved in job training."

Page 12, line 37, delete "study" and insert "studies".

Page 12, line 38, delete "; and" and insert "**and IC 12-17.2-7.5-5;**".

Page 12, line 40, delete "chapter." and insert "**chapter; and**".

Page 12, between lines 40 and 41, begin a new line block indented and insert:

"(4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5."

Page 13, delete lines 11 through 12, begin a new paragraph and insert:

"SECTION 27. IC 12-17.2-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 7.5. Technology Based In-Home Early Education

Sec. 1. As used in this chapter, "in-home early education services" mean a technology based program of early education that:

(1) is designed to improve a child's transition into elementary education;

(2) includes a parental engagement and involvement component;

(3) is provided to a child at the child's home or a similar home setting; and



(4) meets the design parameters for inclusion in the longitudinal study described in section 5 of this chapter, as determined by the office.

Sec. 2. As used in this chapter, "office" means the office of the secretary of family and social services.

Sec. 3. The office shall review in-home early education services that are available in Indiana.

Sec. 4. (a) After completing the review under section 3 of this chapter, the office may develop and implement a reimbursement program to reimburse costs that are incurred by a parent or guardian of a child to provide in-home early education services to the child.

(b) The office may develop reimbursement rates for the reimbursement of in-home early education services.

(c) Reimbursement by the office under this section may be funded from any of the following sources:

- (1) Federal grants.
- (2) State appropriations.
- (3) Money from a political subdivision (as defined in IC 36-1-2-13).
- (4) Money from the prekindergarten pilot program fund established under IC 12-17.2-7.2-13.5.

Sec. 5. (a) If the office implements a reimbursement program under section 4(a) of this chapter, the office shall carry out a longitudinal study of students who receive in-home early education services to determine the achievement levels of those students in kindergarten and later grades.

(b) The longitudinal study under this section must include a comparison of test and assessment results in grade 3 of:

- (1) the children who received in-home early education services; and
- (2) a control group determined by the office that consists of children who did not receive in-home early education services.

(c) The office may, after consulting with the state board of education, enter into a contract with one (1) or more persons to carry out the longitudinal study under this section."

Page 13, line 25, delete "twenty-two million dollars (\$22,000,000)." and insert "sixteen million dollars (\$16,000,000). Of the sixteen million dollars (\$16,000,000) appropriated under this subdivision, one million dollars (\$1,000,000) of that amount must be used for reimbursement of in-home early education services under IC 12-17.2-17.5."



Page 13, line 27, delete "twenty-two million dollars (\$22,000,000)." and insert "**sixteen million dollars (\$16,000,000). Of the sixteen million dollars (\$16,000,000) appropriated under this subdivision, one million dollars (\$1,000,000) of that amount must be used for reimbursement of in-home early education services under IC 12-17.2-17.5.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 276 as printed February 17, 2017.)

KENLEY, Chairperson

Committee Vote: Yeas 12, Nays 1.

