

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 147 be amended to read as follows:

1	Delete the title and insert the following:
2	A BILL FOR AN ACT to amend the Indiana Code concerning
3	human services and to make an appropriation.
4	Page 7, between lines 37 and 38, begin a new paragraph and insert:
5	"SECTION 4. IC 12-17.2-3.4 IS ADDED TO THE INDIANA
6	CODE AS A NEW CHAPTER TO READ AS FOLLOWS
7	[EFFECTIVE JULY 1, 2024]:
8	Chapter 3.4. Child Care and Development Fund
9	Sec. 1. The definitions in IC 12-17.2-3.5 apply throughout this
10	chapter.
11	Sec. 2. As used in this chapter, "CCDF" refers to the federal
12	Child Care and Development Fund voucher program administered
13	under 45 CFR 98 and 45 CFR 99.
14	Sec. 3. A child who:
15	(1) receives child care paid for by a CCDF voucher payment;
16	and
17	(2) otherwise meets the eligibility criteria under 45 CFR 98.20
18	for continued payment under CCDF;
19	remains eligible to continue to receive child care paid for by a
20	CCDF voucher payment unless the child's family income exceeds
21	one hundred eighty-five percent (185%) of the federal income
22	poverty level.
23	SECTION 5. IC 12-17.2-7.2-1, AS AMENDED BY P.L.201-2023,
24	SECTION 138, IS AMENDED TO READ AS FOLLOWS
25	[EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this chapter, "eligible
26	child" refers to an individual who:
27	(1) is at least four (4) years of age and less than five (5) years of

1	age on August 1 of the state fiscal year for which a grant is sought
2	under the prekindergarten pilot program;
3	(2) is a resident of Indiana or otherwise has legal settlement in
4	Indiana, as determined under IC 20-26-11;
5	(3) is a member of a household with an annual income that does
6	not exceed one hundred fifty percent (150%) one hundred
7	eighty-five percent (185%) of the federal poverty level;
8	(4) receives qualified early education services from an eligible
9	provider, as determined by the office;
10	(5) has a parent or guardian who participates in a parental
11	engagement and involvement component provided by the eligible
12	provider;
13	(6) has a parent or guardian who agrees to ensure that the child
14	meets the attendance requirements determined by the office; and
15	(7) meets the requirements under section 7.2(a) and $\frac{7.2(c)}{7.2(b)}$
16	of this chapter.
17	SECTION 6. IC 12-17.2-7.2-2, AS AMENDED BY P.L.268-2019.
18	SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19	JULY 1, 2024]: Sec. 2. As used in this chapter, "eligible provider'
20	refers to a provider that satisfies the following conditions:
	(1) The provider is:
21 22 23	(A) a:
23	(i) public school, including a charter school;
24	(ii) child care center licensed under IC 12-17.2-4;
25	(iii) child care home licensed under IC 12-17.2-5; or
25 26	(iv) child care ministry registered under IC 12-17.2-6;
27	that meets the standards of quality recognized by a Level 3 or
28	Level 4 paths to QUALITY program rating;
29	(B) a school that is accredited by the state board of education
30	or a national or regional accreditation agency that is
31	recognized by the state board of education; or
32	(C) a school that is accredited to provide qualified early
33	education services by an accrediting agency approved by the
34	office of the secretary.
35	(2) The provider:
36	(A) provides qualified early education services to eligible and
37	limited eligibility children; and
38	(B) complies with the agreement with the office concerning
39	the delivery of qualified education services and the use of a
40	grant provided under this chapter.
41	SECTION 7. IC 12-17.2-7.2-2.1 IS REPEALED [EFFECTIVE
42	JULY 1, 2024]. Sec. 2.1. As used in this chapter, "extended enrollment
43	period" refers to the period set forth by the office beginning not later
44	than June 1 of each calendar year.
45	SECTION 8. IC 12-17.2-7.2-2.5 IS REPEALED [EFFECTIVE
46	IIII.Y 1 2024] See 2.5 As used in this chanter "limited elioihility

1	child" refers to an individual who:
2	(1) is at least four (4) years of age and less than five (5) years of
3	age on August 1 of the state fiscal year for which a grant is sought
4	under the prekindergarten program;
5	(2) is a resident of Indiana or otherwise has legal settlement in
6	Indiana, as determined under IC 20-26-11;
7	(3) receives qualified early education services from an eligible
8	provider, as determined by the office;
9	(4) has a parent or guardian who agrees to ensure that the child
10	meets the attendance requirements determined by the office;
11	(5) has a parent or guardian who participates in a parental
12	engagement and involvement component provided by the eligible
13	provider;
14	(6) is a member of a household with an annual income that does
15	not exceed one hundred eighty-five percent (185%) of the federal
16	poverty level;
17	(7) meets the requirements of section 7.2(b) and 7.2(c) of this
18	chapter; and
19	(8) is not an eligible child.
20	SECTION 9. IC 12-17.2-7.2-6, AS AMENDED BY P.L.268-2019,
21	SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22	JULY 1, 2024]: Sec. 6. As used in this chapter, "qualified early
23	education services" refers to a program of early education services that:
24	(1) is provided by an eligible provider to an eligible or limited
25	eligibility child;
26	(2) includes a parental engagement and involvement component
27	in the delivery of early education services that is based on the
28	requirements and guidelines established by the office;
29	(3) administers the kindergarten readiness assessment adopted by
30	the state board of education;
31	(4) aligns with the early learning development framework for
32	prekindergarten approved by the department of education under
33	IC 20-19-3-16; and
34	(5) meets the design parameters for inclusion in the longitudinal
35	study described in section 12 of this chapter, as determined by the
36	office.
37	SECTION 10. IC 12-17.2-7.2-7, AS AMENDED BY P.L.246-2023,
38	SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39	JULY 1, 2024]: Sec. 7. (a) The prekindergarten program is established
40	to provide grants for:
41	(1) qualified early education services in a manner consistent with
42	how funds are distributed under the Child Care and Development
43	Fund (CCDF) grant program; and
44	(2) expansion plans as described in section 7.4(a)(2) of this
45	chapter.
46	(b) The office shall administer the prekindergarten program. The
	(5) The office shall administer the prekindergulen program. The

1	prekindergarten program may include:
2	(1) eligible providers in Indiana; and
3	(2) potential eligible providers or existing eligible providers as
4	described in section 7.4 of this chapter.
5	(c) Beginning July 1, 2020, the total number of grants during the
6	immediately preceding state fiscal year shall include the number of
7	grants issued under a preschool program established in March 2015
8	that operates in a consolidated city.
9	(d) The prekindergarten program includes eligible providers in any
10	county in Indiana.
11	(e) Subject to the requirements of this chapter, the office shall
12	determine:
13	(1) the eligibility requirements, application process, and selection
14	process for awarding grants under the prekindergarten program;
15	(2) the administration and reporting requirements for:
16	(A) eligible providers; and
17	(B) potential eligible providers or existing eligible providers;
18	participating in the prekindergarten program; and
19	(3) with the assistance of the early learning advisory committee,
20	an appropriate outcomes based accountability system for:
21	(A) eligible providers; and
22	(B) potential eligible providers or existing eligible providers.
23	(f) The office shall, subject to the availability of funding, determine
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25	the number of eligible children who will participate in the
26	prekindergarten program. After December 31, 2019, the office shall,
	subject to the availability of funding, determine the number of limited
27	eligibility children who will participate in the prekindergarten program.
28	SECTION 11. IC 12-17.2-7.2-7.2, AS AMENDED BY
29	P.L.268-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS
30	[EFFECTIVE JULY 1, 2024]: Sec. 7.2. (a) For an eligible child to
31	qualify for a grant under this chapter, the eligible child must reside
32	with a parent or guardian who is:
33	(1) working or attending a job training or an educational program;
34	or
35	(2) actively seeking employment, subject to the approval by the
36	United States Department of Health and Human Services as
37	provided in 45 CFR 98.21.
38	(b) For a limited eligibility child to qualify for a grant under this
39	chapter, the limited eligibility child must reside with a parent or
40	guardian who:
41	(1) is working or attending a job training or an educational
42	program;
43	(2) is actively seeking employment, subject to the approval by the
44	United States Department of Health and Human Services as
45	provided in 45 CFR 98.21; or
46	(3) receives Social Security Disability Insurance or Supplemental

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1	Security Income benefits.
2	(e) (b) Before the office may award a grant to an eligible or limited
3	eligibility child under this chapter, the office shall require that a parent
4	or guardian of the eligible or limited eligibility child agree to the
5	following:
6	(1) The eligible or limited eligibility child will attend the
7	prekindergarten program of an eligible provider selected by the
8	parent or guardian for the full duration of the prekindergarten
9	program year.
10	(2) The parent or guardian will not transfer to another
11	prekindergarten program during the prekindergarten program
12	year.
13	(3) The eligible or limited eligibility child will attend the
14	prekindergarten program at least eighty-five percent (85%) of the
15	days that the prekindergarten program is provided.
16	(4) The parent or guardian will allow the eligible or limited
17	eligibility child to participate in an external evaluation conducted
18	by researchers, including the kindergarten readiness assessment
19	and measuring of developmental and academic progress.
20	(5) The parent or guardian will participate in family engagement
21	and involvement activities offered by the selected prekindergarten
22	program, including meetings with the eligible or limited eligibility
23	child's teacher to discuss the eligible or limited eligibility child's
24	progress or any other conference concerning the eligible or
25	limited eligibility child that is requested by the eligible provider.
26	(6) The parent or guardian will complete the necessary forms for
27	the eligible child or limited eligibility ehild to receive a student
28	test number from the department of education.
29	(7) The parent or guardian will send the eligible or limited
30	eligibility child to kindergarten.
31	(8) The parent or guardian will read to the eligible or limited
32	eligibility child each week.
33	(9) Any other condition the office determines is appropriate.
34	(d) (c) Priority may be given to an eligible or limited eligibility child
35	under this section if a parent or guardian of the eligible or limited
36	cligibility child is:
37	(1) involved in activities that improve the parent's or guardian's
38	education; or
39	(2) involved in job training.
40	SECTION 12. IC 12-17.2-7.2-7.3, AS AMENDED BY
41	P.L.246-2023, SECTION 12, IS AMENDED TO READ AS
42	FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7.3. The office shall
43	require, for an eligible provider to enroll in the prekindergarten
44	program, that the eligible provider agree to the following:
45	(1) Comply on a continuing basis with the requirements under this
46	chapter and rules for participation established by the office.
	thapter and rates for participation established by the office.

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

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or limited eligibility child in family engagement activities and

(16) Promote an eligible or limited eligibility child's social,

emotional, and behavioral health and eliminate or severely limit

the use of expulsion, suspension, and other exclusionary

submit records as required by the office.

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1	discipline 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 safety
5	threat that cannot otherwise be reduced or eliminated by the
6	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 or
11	guardian, in obtaining information from, referral to, or both
12	information from and referral to, the public school that serves the
13	attendance area in which the parent or guardian resides for an
14	educational evaluation and determination of eligibility for special
15	education services if developmental delays or reasons to suspect
16	a disability are observed by the parent, guardian, or teacher of an
17	eligible or limited eligibility child during the prekindergarten
18	program year.
19	SECTION 13. IC 12-17.2-7.2-7.4, AS AMENDED BY
20	P.L.246-2023, SECTION 13, IS AMENDED TO READ AS
21	FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7.4. (a) To qualify as
22	a potential eligible provider or existing eligible provider, an applicant
23	must:
24	(1) provide an expansion plan to the office that details the
25	potential eligible provider's or existing eligible provider's plan to:
26	(A) increase the capacity of providers of qualified early
27	education services to serve a greater number of eligible or
28	limited eligibility children;
29	(B) increase the number of providers of qualified early
30	education services; or
31	(C) increase the capacity as described in clause (A) and
32	increase the number as described in clause (A) and
33	(2) comply with the agreement with the office concerning the plan
34	under subdivision (1) and the use of a grant awarded under this
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36	chapter;
37	(3) agree:
	(A) to operate as an eligible provider; or
38	(B) that the applicant intends to operate as an eligible
39	provider;
40	(4) agree that the applicant will not use any grant funds awarded
41	under this section for capital expenditures; and
42	(5) comply with any other standards and procedures established
43	under this chapter.
44	(b) Subject to subsections (c) and (d), the office may award a grant
45	to an applicant that meets the requirements of subsection (a).
46	(c) The office may not use more than a total of twenty percent (20%)

1	of the money in the fund each state fiscal year:
2	(1) for grants awarded under this chapter to potential eligible
3	providers and existing eligible providers for expansion plans; and
4	(2) to meet any state match amounts required for a federal grant
5	described in subsection (f).
6	(d) The office may not award grant funds under this section to an
7	applicant for any of the following:
8	(1) The purchase of land or a building.
9	(2) The construction or expansion of a building.
10	(e) If a potential eligible provider or existing eligible provider fails
11	to:
12	(1) use the grant funds in accordance with the expansion plan
13	described in subsection (a); or
14	(2) comply with the agreement entered into with the office under
15	subsection (a);
16	the potential eligible provider or existing eligible provider shall repay
17	to the office the total amount of the grant awarded to the potential
18	eligible provider or existing eligible provider under this chapter.
19	(f) The office may use money in the fund that is allocated for
20	expansion plans under this section for a state fiscal year to meet any
21	state match amounts required for a federal grant if the purpose of the
22	federal grant is that the grant money be used for increasing:
23	(1) the capacity;
24	(2) the number; or
25	(3) both the capacity and number;
26	of providers of early education services for children four (4) years of
27	age.
28	SECTION 14. IC 12-17.2-7.2-7.8, AS AMENDED BY
29	P.L.246-2023, SECTION 15, IS AMENDED TO READ AS
30	FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7.8. (a) The office shall
31	make random onsite inspections each year, as determined necessary by
32	the office, at the facility of:
33	(1) an eligible provider; or
34	(2) a potential eligible provider or existing eligible provider;
35	that receives a grant under this chapter.
36	(b) The office may determine that an eligible provider or potential
37	eligible provider or existing eligible provider is not eligible to receive
38	a grant under the prekindergarten program if the eligible provider or
39	potential eligible provider or existing eligible provider:
40	(1) fails to comply with this chapter; or
41	(2) refuses to allow, during normal business hours, the office or
42	an agent of the office to inspect the facility at which the eligible
43	provider or potential eligible provider or existing eligible provider
44	operates a child care program for eligible or limited eligibility
45	children.
46	SECTION 15. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019,

1 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 2 JULY 1, 2024]: Sec. 8. (a) The office shall determine: 3 (1) which applicants shall be awarded a grant; and 4 (2) subject to subsection (b) and to the availability of funding, the 5 amount of each grant. 6 (b) At least five percent (5%) but not more than fifty percent (50%) 7 of the: 8 (1) tuition for eligible or limited eligibility children under the 9 prekindergarten pilot program; or 10 (2) expansion plan described in section 7.4(a) of this chapter; during the state fiscal year must be paid from donations, gifts, grants, 11 12 bequests, and other funds received from a private entity or person, from 13 the United States government, or from other sources (excluding funds 14 from a grant provided under this chapter and excluding other state 15 funding). The office may receive and administer grants on behalf of the 16 prekindergarten pilot program. The grants shall be distributed by the 17 office to fulfill the requirements of this subsection. 18 (c) The amount of a grant made under the pilot program to an 19 eligible or limited eligibility child: 20 (1) who attends a prekindergarten program full time must equal 21 at least two thousand five hundred dollars (\$2,500) during the 22 state fiscal year; and 23 (2) may not exceed six ten thousand eight hundred dollars 24 (\$6,800) (\$10,000) from state money provided under this chapter 25 during the state fiscal year. 26 SECTION 16. IC 12-17.2-7.2-8.1, AS AMENDED BY 27 P.L.246-2023, SECTION 16, IS AMENDED TO READ AS 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.1. (a) If funds are 29 appropriated by the general assembly, grants to limited eligibility 30 children may not exceed: 31 (1) twenty percent (20%) of the amount appropriated for a 32 particular state fiscal year if families with children four (4) years of age are on the waiting list for funds available under the Child 33 34 Care Development Fund; or 35 (2) forty percent (40%) of the amount appropriated for a 36 particular state fiscal year if there is no waiting list for children 37 four (4) years of age for funds available under the Child Care 38 Development Fund. 39 (b) During the priority enrollment period, the office shall provide 40 grants to eligible children in the prekindergarten program on a 41 first-come, first-served basis. The office shall date stamp and reserve

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grants to eligible children and limited eligibility children in the

applications for limited eligibility children received during the priority

enrollment period for processing during the extended enrollment

(c) During the extended enrollment period, the office shall provide

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period.

prekindergarten program on a first-come, first-served basis to the extent of available funding and in accordance with the limit established by subsection (a).

SECTION 17. IC 12-17.2-7.2-13.5, AS AMENDED BY P.L.246-2023, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13.5. (a) The prekindergarten program fund is established to:

- (1) provide grants to eligible or limited eligibility children for qualified early education services under this chapter;
- (2) carry out the longitudinal study described in section 12 of this chapter;
- (3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter; and
- (4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5.
- (b) The fund consists of:
 - (1) money appropriated to the fund by the general assembly; and
- (2) grants or gifts to the fund.
- (c) The fund shall be administered by the office.
- (d) The expenses of administering the fund shall be paid from money in the fund.
- (e) Money in the fund is continuously appropriated for the purposes provided under this article.
- (f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

SECTION 18. [EFFECTIVE UPON PASSAGE] (a) For the state fiscal year beginning after June 30, 2024, and ending before July 1, 2025, there is appropriated to the prekindergarten program fund established by IC 12-17.2-7.2-13.5 one hundred million dollars (\$100,000,000) from the state general fund, or any available unencumbered federal funds received by the state under the American Rescue Plan Act (P.L. 117-2), to be used to fund the increase in the household annual income amount for an eligible child under IC 12-17.2-7.2-1(3), as amended by this act, and the increase in the grant amount under IC 12-17.2-7.2-8(c)(2), as amended by this act, as follows:

- (1) Not less than ninety percent (90%) of the money appropriated under this SECTION must be used to pay salaries and compensation of employees who directly provide qualified early education services to children under the prekindergarten program.
- (2) Notwithstanding IC 12-17.2-7.2-13.5(d), not more that ten percent (10%) of the money appropriated under this **SECTION** may be used for administrative purposes.
- (b) This SECTION expires July 1, 2025.

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1	SECTION 19. [EFFECTIVE UPON PASSAGE] (a) For the state
2	fiscal year beginning after June 30, 2024, and ending before July
3	1, 2025, there is appropriated to the office of the secretary of
4	family and social services established by IC 12-8-1.5-1 one hundred
5	million dollars (\$100,000,000) from the state general fund, or any
6	available unencumbered federal funds received by the state under
7	the American Rescue Plan Act (P.L. 117-2), to be used to fund the
8	expansion of the CCDF voucher program under IC 12-17.2-3.4-3,
9	as added by this act.
10	(b) This SECTION expires July 1, 2025.".
11	Page 8, after line 1, begin a new paragraph and insert:
12	"SECTION 21. An emergency is declared for this act.".
13	Renumber all SECTIONS consecutively.
	(Reference is to SB 147 as printed January 31, 2024.)

Senator QADDOURA