

HOUSE BILL No. 1698

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-12-21; IC 20-12-21.8.

Synopsis: Postsecondary proprietary education grants. Combines the higher education award program for students at postsecondary proprietary educational institutions with the award program for students at other institutions of higher learning. Repeals the postsecondary proprietary grant program and fund.

Effective: July 1, 1999.

Porter

January 26, 1999, read first time and referred to Committee on Education.

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First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

HOUSE BILL No. 1698

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 20-12-21-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. As used in this
3 chapter:

4 (1) "Academic year" means the period from September 1 of a year
5 through August 31 of the next succeeding year.

6 (2) "Approved institution of higher learning" means **the**
7 **following:**

8 (A) An educational institution that operates ~~(A)~~ in the state
9 and:

10 (i) provides an organized two (2) year or longer program of
11 collegiate grade directly creditable toward a baccalaureate
12 degree;

13 (ii) is either operated by the state or operated not-for-profit;
14 and

15 (iii) is accredited by a recognized regional accrediting
16 agency or by the ~~Indiana~~ commission on proprietary
17 education. ~~established under IC 20-1-19-2, or~~



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1 (B) outside the state but no more than thirty (30) miles from
2 the Indiana state line and:

- 3 (i) is a state supported educational institution;
4 (ii) enters into a contract with the state to serve eligible
5 Indiana residents;
6 (iii) provides an organized two (2) year or longer program of
7 collegiate grade directly creditable toward a baccalaureate
8 degree; and
9 (iv) is accredited by a recognized regional accrediting
10 agency.

11 However, the term includes

- 12 (B) Ivy Tech State College. and
13 (C) A hospital which operates a nursing diploma program
14 which is accredited by the Indiana state board of nursing. After
15 June 30, 1997, the term does not include an out-of-state
16 educational institution described in clause (B).
17 (D) A postsecondary proprietary educational institution
18 that meets the following requirements:
19 (i) Is incorporated in Indiana, or is registered as a
20 foreign corporation doing business in Indiana.
21 (ii) Is fully accredited by and is in good standing with the
22 commission on proprietary education.
23 (iii) Is accredited by and is in good standing with a
24 regional or national accrediting agency.
25 (iv) Offers a course of study that is at least eighteen (18)
26 consecutive months in duration (or an equivalent to be
27 determined by the commission on proprietary education)
28 and that leads to an associate or a baccalaureate degree
29 recognized by the commission on proprietary education.
30 (v) Is certified to the commission by the commission on
31 proprietary education as meeting the requirements of
32 this clause.

33 (3) "Approved secondary school" means a public high school
34 located in the state and any school, located in or outside the state,
35 that in the judgment of the superintendent provides a course of
36 instruction at the secondary level and maintains standards of
37 instruction substantially equivalent to those of public high schools
38 located in the state.

39 (4) "Commission" means the state student assistance commission
40 established by this chapter.

41 (5) "Commission on proprietary education" refers to the
42 Indiana commission on proprietary education established

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- 1 **under IC 20-1-19-2.**
 2 ~~(5)~~ **(6)** "Educational costs" means tuition and regularly assessed
 3 fees.
 4 ~~(6)~~ **(7)** "Enrollment" means the establishment and maintenance of
 5 an individual's status as an undergraduate student in an institution
 6 of higher learning.
 7 ~~(7)~~ **(8)** "Higher education award" means a monetary award.
 8 **(9) "Postsecondary proprietary educational institution" has**
 9 **the meaning set forth in IC 20-1-19-1.**
 10 ~~(8)~~ **(10)** "Superintendent" means the state superintendent of
 11 public instruction.
- 12 SECTION 2. IC 20-12-21-4 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) A state student
 14 assistance commission is established. The commission is a separate
 15 body, corporate and politic. The commission is not a state agency. The
 16 commission performs essential governmental functions.
- 17 (b) The members of the commission must be citizens of Indiana and
 18 shall be appointed by the governor. Each congressional district shall be
 19 represented by one (1) member who is a resident of the district. The
 20 governor shall appoint an at-large student member of the commission
 21 who is a student at an approved institution of higher learning. The
 22 governor shall select the student member from a list of not less than
 23 three (3) nor more than five (5) names submitted by a nominating
 24 committee consisting of students of approved institutions of higher
 25 learning. The chairman of the commission shall appoint the members
 26 of the student nominating committee.
- 27 (c) No member, while serving ~~his~~ **a** term, may be an employee of or
 28 serve on the governing board of any state or private college, university,
 29 **postsecondary proprietary educational institution**, school
 30 corporation, or other educational institution in the state of Indiana or be
 31 in any other capacity an employee or official of the state of Indiana.
 32 However, the governor may appoint up to two (2) members affiliated
 33 with private educational institutions and up to two (2) members
 34 affiliated with public educational institutions. At the first meeting of
 35 the commission held after August 1 of each year, the members of the
 36 commission shall select a chairman, vice chairman, and secretary from
 37 among their number.
- 38 (d) A member of the commission is not entitled to compensation,
 39 but ~~he~~ is entitled to per diem for attending meetings of the commission
 40 and for expenses necessarily incurred in performing ~~his~~ **the member's**
 41 duties.
- 42 (e) The term of office of each member, except the student member,



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1 is three (3) years, beginning with August 1 of the year of ~~his~~
 2 appointment and continuing until ~~his~~ **the member's** successor is
 3 appointed and qualified. The term of office of the student member is
 4 two (2) years, beginning with August 1 of the year of ~~his~~ appointment
 5 and continuing until ~~he~~ **the member** is no longer a student at an
 6 approved institution of higher learning or until ~~his~~ **the member's**
 7 successor is appointed and qualified. Vacancies shall be filled by the
 8 governor.

9 (f) In addition to the appointment of the commission members under
 10 this section, the governor shall appoint an executive director to
 11 administer the programs of the commission.

12 SECTION 3. IC 20-12-21-6.1 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6.1. A student who:

14 (1) participates in:

15 (A) a nursing diploma program which is accredited by the
 16 Indiana state board of nursing and operated by a hospital; ~~or~~

17 (B) a technical certificate or associate degree program at Ivy
 18 Tech State College; ~~or~~

19 **(C) an associate degree program at a postsecondary**
 20 **proprietary educational institution that meets the**
 21 **requirements of section 3(2)(D) of this chapter; and**

22 (2) meets the requirements of section 6 of this chapter, except the
 23 requirement of satisfactory progress toward a first baccalaureate
 24 degree set forth in section 6(a)(5) of this chapter;

25 is eligible to receive a state higher education award under this chapter.
 26 However, such a student must make satisfactory progress toward
 27 obtaining the diploma, technical certificate, or associate degree to
 28 remain eligible for the award.

29 SECTION 4. IC 20-12-21-7 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) For each
 31 academic year, first-year higher education awards shall be issued to as
 32 many qualified persons as the then current biennial appropriation
 33 allows. Those applicants who are least able to provide funds for the
 34 cost of education shall be given priority in the awarding of higher
 35 education award funds.

36 (b) A higher education award **for a student in a program leading**
 37 **to a baccalaureate degree** may be renewed for a total of three (3)
 38 academic years following the academic year of the first award or until
 39 such earlier time as the student receives a degree normally obtained in
 40 four (4) academic years. **A higher education award for a student in**
 41 **a program leading to a technical certificate or an associate degree**
 42 **may be renewed for the number of academic years normally**



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- 1 **required to obtain a certificate or degree in the student's program.**
 2 The commission may grant such a renewal only upon application and
 3 only upon its finding that:
- 4 (1) the applicant has successfully completed the work of a
 5 preceding year;
 - 6 (2) the applicant remains domiciled in the state;
 - 7 (3) based on the financial requirement set forth in section 6(a)(3)
 8 of this chapter, the recipient's financial situation continues to
 9 warrant an award; and
 - 10 (4) the applicant is eligible under ~~sections~~ **section** 6(b) and 6(c)
 11 of this chapter.
- 12 (c) Out of funds available after commitments have been met under
 13 subsections (a) and (b), awards shall be issued to persons who have
 14 successfully completed one (1), but not more than three (3), academic
 15 years in approved institutions of higher learning, if they meet the
 16 eligibility requirements of section 6 or 6.1 of this chapter. Such awards
 17 shall be handled on the same basis as renewals under subsection (b).
- 18 (d) A higher education award issued under this section extends to
 19 all educational costs for the academic year for which the award is
 20 made, but only to the extent of current financial need (as measured
 21 under section 6(a)(3) of this chapter) or the maximum fees regularly
 22 assessed to resident undergraduates at any Indiana public institution of
 23 higher learning, as determined annually by the commission, whichever
 24 is smaller.
- 25 SECTION 5. IC 20-12-21-10.5 IS ADDED TO THE INDIANA
 26 CODE AS A NEW SECTION TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 1999]: **Sec. 10.5. (a) The commission and the**
 28 **commission on proprietary education:**
- 29 (1) shall cooperate in developing training programs
 30 concerning grant program requirements; and
 - 31 (2) may, subject to written advance notice, inspect and audit
 32 the records of a postsecondary proprietary educational
 33 institution concerning student grants awarded under this
 34 chapter.
- 35 SECTION 6. IC 20-12-21.8 IS REPEALED [EFFECTIVE JULY 1,
 36 1999].

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